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Del Mar City Council Meeting Agenda

City of Del Mar, Town Hall
1050 Camino del Mar, Del Mar, California 92014

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, November 3, 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. 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
- VII. PRESENTATIONS
 - 1. **Legislative Update from Townsend Public Affairs**

Recommended Action: Receive a presentation from Townsend Public Affairs Senior Associate Elisa Arcidiacono.

Reference: Clerk's File No. 401-8

- 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.

- 2. **Approval of Minutes: October 20, 2025 Regular and Special Meeting**

Recommended Action: Approve Minutes.

Reference: Clerk's Minutes Book

3. Ratification of List of Demands dated November 3, 2025

Recommended Action: Ratify the List of Demands.

Reference: Clerk's File No. 201-3

4. Waiver of Reading of Ordinances on Agenda

Recommended Action: Waive Reading of Ordinances.

Reference: Clerk's File No. 401-4

5. 2026 City Council Meeting Schedule

Recommended Action: Staff recommends the City Council adopt the Resolution (Attachment A) approving the 2026 City Council Meeting Schedule (Exhibit A to Attachment A) as directed by the City Council on October 20, 2025, or provide direction to staff regarding additional calendar changes.

Reference: Clerk's File No. 401-1

6. Approval of the 2026 Advisory Committee Meeting Schedule

Recommended Action: Staff recommends that the City Council approve the 2026 Advisory Committee Meeting Schedule (Attachment A).

Reference: Clerk's File No. 401-5

7. Appointment to the Measure Q Citizen Oversight Committee

Recommended Action: The Council Liaisons to the Measure Q Citizen Oversight Committee recommend the City Council reappoint Tom McGreal to the Measure Q Citizen Oversight Committee as a voting member for a full three-year term from November 16, 2025, through November 30, 2028.

Reference: Clerk's File No. 401-5

8. Shores Park Master Plan Ad-Hoc Advisory Committee Appointments

Recommended Action: The City Council liaisons to the Shores Park Master Plan Ad-Hoc Advisory Committee recommend the City Council: 1) Adopt a Resolution (Attachment A) amending the Shores Park Master Plan Ad-Hoc Advisory Committee's charter to increase the membership size from seven to nine members; and 2) Appoint the following individuals to serve on the committee effective November 3, 2025:

- a) Saniya Bloomer; Alessandra Franco; Will Holliday; Joe Sullivan; Larry Brooks; and Judd Halenza as resident voting members;
- b) Lynn Gaylord as a resident voting member from the Parks and Recreation Committee;
- c) Kim Kanetis as an ex-officio non-voting member representing the Winston School; and
- d) Thomas Neuman as an ex-officio non-voting member representing the users of the Del Mar Community Building.

Reference: Clerk's File No. 401-5

9. Treasurer's Investment Report for the Quarter Ended September 30, 2025

Recommended Action: Staff recommends that the City Council receive and file the informational Treasurer's Investment Report for the Quarter Ended September 30, 2025

Reference: Clerk's File No. 102-2, 209-2

IX. PUBLIC HEARING

10. Re-Introduction of an Ordinance to Amend Municipal Code Chapter 23.50 and Repeal and Replace Chapter 23.51 Related to Trees, Scenic Views, and Sunlight Regulations (A25-001)

Recommended Action: Staff recommends that the City Council introduce an Ordinance (Attachment A) to: 1) Repeal and replace the City's Trees, Scenic Views, and Sunlight (TSVS) regulations within Del Mar Municipal Code (DMMC) Chapter 23.51 and 2) Amend related code sections of the City's Tree regulations within DMMC Chapter 23.50 (A25-001).

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

X. COUNCIL MEETING RECESS

XI. CITY COUNCIL OTHER BUSINESS

11. Authorization to Issue Request for Qualifications (RFQ) for City Attorney Services and Confirmation of Process

Recommended Action: Staff recommends that the City Council: 1) Direct staff to issue a request for qualifications (RFQ) for contract city attorney services (Attachment A); and 2) Confirm the City Council appointed Human Resources Subcommittee is designated to work with the City Manager to facilitate the process as further described in this report.

Reference: Clerk's File No. 601-4

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)
- 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)
- 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)
- 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

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 17, 2025
Award of Contracts for As-Needed Civil Engineering, Traffic Engineering, Development Review
Amendments to As-Needed Geotechnical Services with Nova
Amendments to Utility Undergrounding Contract
TSVS Ordinance Second Reading/Adoption
Encroachment Permit 25-075 (1639 Luneta Dr.)
Camino Del Mar Bridge Update and Kleinfelder Amendment 8 for Additional Surveying and Design

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 29th day of October, 2025 at approximately 3:45 p.m.



Sarah Krietor, Administrative Services Manager/
City Clerk

10/29/2025
Date



**CITY OF DEL MAR
CITY COUNCIL REGULAR MEETING MINUTES
OCTOBER 20, 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 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 and John Spelich

CITY ATTORNEY CLOSED SESSION REPORT

City Attorney Leslie Devaney reported on the October 20, 2025 Closed Session. There were no reportable actions. Councilmember Quirk was absent from Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Gaasterland led the Pledge of Allegiance.

PUBLIC ORAL COMMUNICATIONS

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

- 1) Terri-Ann Skelly, representing the San Diego Alliance for Drug Free Youth (SDA)
- 2) Diana Kutlow representing Senator Catherine Blakespear's Office

Mayor Gaasterland closed public oral communications.

CITY COUNCIL COMMUNITY ANNOUNCEMENTS

Mayor Gaasterland reported on her in-laws visit and use of mobility scooters. Deputy Mayor Martinez expressed her appreciation for Carol Kerridge who was honored by Assemblywoman Tasha Boerner as being an Environmental Hero for her work related to environmental conservation and the Kumeyaay tribe.

CITY MANAGER'S REPORT

City Manager Ashley Jones reported that on October 7, the City experienced inclement weather and high winds which resulted in the loss of a three-year-old Monterey Cypress tree at Seagrove Park which the Public Works Department promptly removed, and a replacement tree will be planted in close proximity to the original location within the next few months. She also reported on the San Diego Challenged Athletes Foundation hosting a Triathlon on Sunday, October 26, 2025, portions of which will occur in the City of Del Mar.

PRESENTATIONS

ITEM 1: PROCLAMATION HONORING PETER GLASER ON THE OCCASION OF HIS 100TH BIRTHDAY AND HIS NOTABLE CONTRIBUTIONS TO THE DEL MAR COMMUNITY (CLERK’S FILE NO. 1201-5)

Mayor Gaasterland presented the proclamation and expressed her personal gratitude for Mr. Glaser’s service to the community and congratulated him on his 100th birthday. Peter Glaser provided comments. Deputy Mayor Martinez and Councilmembers Spelich and Quirk congratulated Mr. Glaser on his 100th birthday.

ITEM 2: FAIRGROUNDS MASTER PLAN PRESENTATION (CLERK’S FILE NO. 307-6)

A presentation was provided by Del Mar Fairgrounds Chief Executive Officer Carlene Moore.

City Council questions focused the “vision wall” at the 2024 fair; California Coastal Commission (CCC) approval of the Master Plan; and whether access to the fairgrounds and traffic flows will be assessed as part of the Fairgrounds Master Plan process.

There were no public speakers.

ITEM 3: WILDLIFE SAFETY & PUBLIC SAFETY POWER SHUTOFF (PSPS) PREPAREDNESS UPDATE (CLERK’S FILE NO. 1002-3)

A presentation was provided by Thom Porter, Director of Emergency Services, from San Diego Gas & Electric (SDG&E).

City Council questions focused on the SDG&E Emergency Operations Center (EOC) and notification system used by SDG&E and appreciation to SDG&E for their presentation.

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 MAYOR GAASTERLAND, SECONDED BY DEPUTY MAYOR TO APPROVE THE CONSENT CALENDAR ITEMS 4 THROUGH 6, 8, AND 10. (VOTE 4-0)

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

ITEM 4: APPROVAL OF MINUTES: SEPTEMBER 22, 2025, REGULAR AND SPECIAL MEETING (CLERK’S MINUTES BOOK)

Council approved the minutes, on consent.

ITEM 5: RATIFICATION OF LIST OF DEMANDS, DATED OCTOBER 6, 2025, AND OCTOBER 20, 2025 (CLERK’S FILE NO. 201-3)

Council approved the list of demands, on consent.

ITEM 6: WAIVER OF READING OF ORDINANCES ON AGENDA (CLERK'S FILE NO. 401-4)

Council waived the reading of ordinances, on consent.

ITEM 7: AGREEMENT FOR SHORT-TERM RENTAL MONITORING SERVICES (CLERK'S FILE NO. 301-19, 406-1)

Prior to the start of this agenda item, Mayor Gaasterland recused herself from participating due to a pending matter with the Fair Political Practices Commission (FPPC).

A presentation was provided by Administrative Services Manager/City Clerk Krietor. City Manager Jones was also available to answer Council questions. Council questions and discussion focused on whether other cities use these technologies and appreciation that the City identified a vendor that can provide the necessary full scope of services.

IT WAS MOVED BY COUNCILMEMBER SPELICH AND SECONDED BY COUNCILMEMBER QUIRK TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH DECKARD TECHNOLOGIES, INC. TO PROVIDE SHORT-TERM RENTAL (STR) MONITORING SERVICES TO THE CITY FOR AN INITIAL THREE-YEAR PERIOD EFFECTIVE OCTOBER 20, 2025, THROUGH OCTOBER 19, 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. (VOTE 3-0-1)

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

ITEM 8: FIRST AMENDMENT TO BUSINESS LICENSE TAX AND FEE ADMINISTRATIVE SERVICES AGREEMENT (CLERK'S FILE NO. 406-1)

Council approved the First Amendment to Agreement with Hinderliter De Llamas & Associates (HDL) for business license tax and fee administrative services extending the term for an additional two-year period ending October 17, 2027; and authorized the City Manager to execute the First Amendment, on consent.

ITEM 9: APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH ASCENT ENVIRONMENTAL INC., TO CREATE VISUAL CONCEPT ILLUSTRATIONS FOR AFFORDABLE HOUSING SITES IN ACCORDANCE WITH THE CITY'S CERTIFIED 6TH CYCLE HOUSING ELEMENT PROGRAM 1D (CLERK'S FILE NO. 304-7, 406-1)

The item was pulled from the consent calendar.

IT WAS MOVED BY COUNCILMEMBER SPELICH AND SECONDED BY COUNCILMEMBER QUIRK TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ASCENT ENVIRONMENTAL INC. TO CREATE VISUAL CONCEPT ILLUSTRATIONS FOR AFFORDABLE HOUSING SITES; 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. (VOTE 4-0)

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

ITEM 10: AMENDMENTS TO AS-NEEDED ECONOMIC IMPACT AND FISCAL ANALYSIS SERVICES AGREEMENTS (CLERK'S FILE NO. 406-1)

Council approved First Amendments to Agreements with Keyser Marston Associates, Inc. (KMA), and David Taussig and Associates, Inc., (DTA Public Finance, Inc.) (DTA), for As-Needed Economic Impact and Fiscal Analysis Services (Amendments) extending the terms for an additional two-year period ending October 16, 2027, and adjusting fees for KMA due to inflation; and authorized the City Manager to execute the Amendments, on consent.

ITEM 11: AGREEMENT WITH SCHMIDT DESIGN GROUP FOR SHORES PARK MASTER PLAN (CLERK'S FILE NO. 307-8, 406-1)

The item was pulled from the consent calendar. An introduction was provided by City Manager Jones. A presentation was provided by Management Analyst Ashlea Houston with City Manager Jones available to answer questions.

Council questions focused on sequence of approving the contract prior to Shores Park Ad-Hoc Committee appointments; confirmation that relocation of the Alvarado house, a shared use dog park, and shared use community building are included in the scope of work for the Master Planning process; timing for selection of the Committee members; whether the scope of the agreement can be amended by the City Council following feedback from the Shores Park Master Plan Committee and the community; timing for scheduling the first Shores Park Master Plan committee meeting; options should the City determine more up to date data or community feedback is needed; and first steps for Schmidt design group under the agreement.

Mayor Gaasterland opened public comment and the following people spoke:

- 1) Carol Kerridge
- 2) Kevin Popovic
- 3) Tami Dukken
- 4) Joe Sullivan

Mayor Gaasterland closed public comment.

Council discussion focused on the process the City went through to collect community feedback at recent Council meetings which resulted in amendments to the scope of work and Council direction; architectural design of the community building being included as part of the scope of work within the fee identified in the contract; appreciation and acknowledgement for the community engagement on the project including desire to maintain a dog area, improve the community building, consider relocating the existing ingress/egress; and whether Schmidt Design Group will be looking at parking as part of the agreement.

IT WAS MOVED DEPUTY MAYOR MARTINEZ AND SECONDED BY MAYOR GAASTERLAND TO APPROVED A PROFESSIONAL SERVICES AGREEMENT WITH

SCHMIDT DESIGN GROUP FOR A ONE-YEAR TERM ENDING OCTOBER 19, 2026, WITH THE OPTION TO EXTEND THE AGREEMENT FOR AN ADDITIONAL ONE-YEAR PERIOD, TO COMPLETE THE SHORES PARK MASTER PLAN IN AN AMOUNT UP TO \$171,405; AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE AGREEMENT. (VOTE 4-0)

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

ITEM 12: APPROVAL OF AT&T AERIAL TO UNDERGROUND CONVERSION AGREEMENT FOR THE STRATFORD COURT NORTH (1B) UTILITY UNDERGROUNDING DISTRICT (CLERK'S FILE NO. 406-1, 1001-2)

The item was pulled from the consent calendar for a brief presentation which was provided by Principal Engineer Martin Boyd. Council questions focused on whether this is the final design contract needed for Utility Undergrounding District 1B; clarification on the boundaries of the district; whether there are changes to the design process based on what the City has learned from prior districts; the design process for AT&T and other telecoms; timing for completion of design; clarification on the project size related to the construction timeline and whether there is potential for the time frame will be reduced; overall timeline for completion of pre-construction design for future projects; and whether the design on future districts has begun.

IT WAS MOVED MAYOR GASTERLAND, SECONDED BY COUNCIL SPELICH TO APPROVE THE AT&T AERIAL TO UNDERGROUND CONVERSION AGREEMENT FOR THE STRATFORD COURT NORTH (1B) UTILITY UNDERGROUNDING DISTRICT WITH A COST OF \$78,100.50 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT. (VOTE 4-0)

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

PUBLIC HEARING

ITEM 13: RE-INTRODUCTION OF AN ORDINANCE TO AMEND MUNICIPAL CODE CHAPTER 23.50 AND REPEAL AND REPLACE CHAPTER 23.51 RELATED TO TREES, SCENIC VIEWS, AND SUNLIGHT REGULATIONS (A25-001) (CLERK'S FILE NO. 401-4, 401-9)

A presentation was provided by Principal Planner Matt Bator. Community and Development Director Karen Brindley and Assistant City Attorney Ralph Hicks were available to answer questions.

Council questions focused on the fee for the TSVS application and related hearings; whether the proposed ordinance builds in incentives for neighbors to work together through mediation to avoid TSVS applications; privacy protections included in the proposed ordinance; whether the Council can amend the appeal zone distance related to sunlight as part of introducing the item this evening; why staff is proposing to repeal and replace the TSVS municipal code section versus redlining the code; whether the code can be adjusted in the future should the City Council determine amendments are needed; considerations related to whether the TSVS can "run with the land"; concern from residents about loss of trees; whether City owned trees have a maintenance plan for pruning; clarification on City owned trees being included in the definition of protected trees in the proposed regulations; whether adoption of the proposed

regulations would create double jeopardy; and whether the Council could consider reducing the fees should the cost for service come down under the proposed regulations.

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

- 1) Jim Kennedy
- 2) Alice McNally with one donation of time from Julie Maxey-Allison
- 3) Shirli Weiss
- 4) Janet Wilson with one donation of time from Holly Hermanson
- 5) Catherine Cramton
- 6) Nigel Hook
- 7) Camilla Rang
- 8) Lori Ritman
- 9) Catherine Cramton

10) Shawn Schrage submitted a speaker slip in support for the item but was not present to speak
Mayor Gaasterland closed the item to public comment.

Additional Council questions and discussion focused on the definition of unreasonable obstruction in the proposed ordinance; white water views; how the proposed ordinance may interact with existing private arrangement between two property owners; whether the costs for an existing maintenance plan for a previously decided TSVS could be transferred from the TSVS applicant to the tree owners; potential downside of saying the maintenance plan runs with the property; whether a TSVS maintenance plan can legally run with the land; whether the proposed ordinance puts more weight on sunlight over views; whether there have been TSVS applications where sunlight to a bedroom or non-primary living space was the subject of the application; and consideration to amend the proposed regulations to include a primary living area for sunlight and a primary living area of view; appreciation to Principal Planner Bator for his extensive knowledge on this issue; and appreciation to Mayor Gaasterland and Councilmember Spelich for their work on the subcommittee.

IT WAS MOVED BY MAYOR GAASTERLAND AND SECONDED BY COUNCILMEMBER QUIRK TO DIRECT STAFF TO REVISE THE PROPOSED ORDINANCE TO REPEAL AND REPLACE THE CITY'S TSVS REGULATIONS TO RETURN THE SUNLIGHT OBSTRUCTION ELIGIBILITY LIMITATION TO BE THE PRIMARY LIVING AREA (PLA) AND FOR ALLEGED SUNLIGHT OBSTRUCTION, REDUCE THE ELIGIBLE SITE OF THE SUBJECT TREE FROM BEING A PROPERTY WITHIN THREE HUNDRED (300) FEET OF THE APPLICANT'S PROPERTY TO THIRTY (30) FEET AND TO RETURN TO CITY COUNCIL WITH THE A REVISED ORDINANCE FOR RE-INTRODUCTION AND AMENDMENTS TO RELATED CODE SECTIONS OF THE CITY'S TREE REGULATIONS WITHIN DMMC CHAPTER 23.50 (A25-001). (VOTE 4-0)

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

COUNCIL MEETING RECESS:

The City Council took a meeting recess from approximately 6:27 p.m. to 6:45 p.m.

CITY COUNCIL OTHER BUSINESS

ITEM 14: INITIAL CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF SETBACK SEAWALL PERMIT (SSP25-002)

PROJECT APPLICANT/PROPERTY OWNER: OCEANS INVESTMENTS LLC

PROJECT APPELLANT: STEVEN MACK

**PROJECT LOCATION: 2936 CAMINO DEL MAR (APN: 299-020-12-00)
(CLERK'S FILE NO. 301-12)**

City Attorney Devaney explained the initial consideration procedure. There were no Council disclosures. Associate Planner Jean Crutchfield provided a presentation. There were no Council questions.

On behalf of her client, appellant Steven Mack, Julie Hamilton presented on why the City Council should set the appeal for de novo hearing.

Representatives Lee Andelin and Walt Crampton presented on behalf of the applicant Oceans Investments, LLC.

There were no public speakers for the item.

There were not two or more Councilmembers who wished to set the item for a de novo hearing. As such, the determination of the Planning Commission was upheld.

ITEM 15: 2026 CITY COUNCIL MEETING SCHEDULE AND PROPOSED 2025 AND 2026 CITY FACILITY HOLIDAY CLOSURES (CLERK'S FILE NO. 401-1)

An introduction to the item was provided by City Manager Ashley Jones. A presentation was provided by City Clerk/Administrative Services Manager Krietor.

Council questions and discussion focused on the desire to pursue the alternative Tuesday meeting schedule.

IT WAS MOVED BY COUNCILMEBER SPELICH AND SECONDED BY MAYOR GAATERLAND TO DIRECT STAFF TO RETURN WITH A RESOLUTION ADOPTING THE 2026 ALTERNATIVE "TUESDAY" MEETING SCHEDULE. (VOTE 4-0)

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

REGIONAL ORGANIZATION AND COUNCIL COMMITTEES/SUBCOMMITTEES/COMMUNITY ORGANIZATION REPORTS

The Council acknowledged the written report for the METRO Commission submitted by Council appointed City representative Dwight Worden and expressed appreciation for his ongoing service on the Commission.

ADJOURNMENT

Mayor Gaasterland adjourned the meeting at 9:45 p.m.

Sarah Krietor, Administrative Services Manager/
City Clerk



**DEL MAR CITY COUNCIL
SPECIAL MEETING MINUTES
CLOSED SESSION
OCTOBER 20, 2025**

City of Del Mar Town Hall
1050 Camino del Mar, Del Mar, California 92014

CALL TO ORDER

Mayor Terry Gaasterland called the meeting to order at 4:00 p.m.

ROLL CALL

Present: Mayor Terry Gaasterland; Deputy Mayor Tracy Martinez; and Councilmember John Spelich. Absent: Councilmember Dan Quirk.

CLOSED SESSION

- A) Conference with Legal Counsel – Existing Litigation
Pond v. Del Mar
San Diego Superior Court Case No. 37-2020-343507-CU-PO-CTL
Authority Government Code section 54956.9(d)(1)
Reportable Action: None.

ADJOURNMENT

Mayor Gaasterland adjourned the meeting at 4:26 p.m.

Sarah Krietor, Administrative Services Manager/
City Clerk



LIST OF DEMANDS
CITY OF DEL MAR
for
City Council Meeting
November 3, 2025

Vendor Payment Checks	\$ 117,392.29
Voids	(795.00)
Electronic Fund Transfers (EFT)	90,830.10
Electronic Wires	117,671.05
Total	<u>\$ 325,098.44</u>

Approved by: 

Marco Camacho
Finance Manager/Treasurer

Date: 10/29/25

Approved by: _____

Terry Gaasterland
Mayor

Date: _____

Attachments: Check Registers

Bank : eusbnk EFT GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
7245	10/15/2025	ful01	KURT MORGAN	44284	10/13/2025	BUSINESS CARDS	54.38	54.38
		Voucher: 7245						
7246	10/15/2025	mik03	MIKHAIL OGAWA ENGINEER	12215	10/2/2025	FOG SRVCS SEP	3,110.56	
		Voucher: 7246		12216	10/2/2025	SEWER PROG SUPP SEP	458.22	3,568.78
7247	10/15/2025	nor13	NORTH COUNTY DISPATCH	202526-024	10/2/2025	DISPATCH PW - Q2	702.75	702.75
		Voucher: 7247						
7248	10/15/2025	opt03	OPTIMIZED INVESTMENT PA	1494	10/7/2025	INVSTMT SRVCS SEP	2,556.66	2,556.66
		Voucher: 7248						
7249	10/15/2025	sca12	SCA OF CA LLC	CA25002513	9/30/2025	SWEEPING SRVCS SEP	2,916.88	
		Voucher: 7249		CM7006639	8/19/2025	SWEEPING SRVCS REFUND	-1,648.85	1,268.03
7250	10/15/2025	gan04	WILLIAM GANDER, DBA RES	DM-RT20251005	10/5/2025	SOLAR MONITORING SEP	200.00	200.00
		Voucher: 7250						
Sub total for EFT GENERAL ACCOUNT US BANK:								8,350.60

Bank : qusbnk GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
140275	10/15/2025	azt02	AZTEC LANDSCAPING INC, I J2169	9/30/2025	JANITORIAL SRVCS CH SEP	2,564.00	
	Voucher:	140275	J2170	9/30/2025	JANITORIAL SRVCS PW SEP	501.00	
			1122	9/10/2025	JANITORIAL SUPP REFUND	-274.73	2,790.27
140276	10/15/2025	bab03	BABCOCK LABORATORIES, CH51937-10666	8/31/2025	WATER TESTING	575.00	575.00
	Voucher:	140276					
140277	10/15/2025	car30	CARSTENS, BLACK & MINTE 35189	10/9/2025	SANDAG LOSSAN SRVCS SEP	840.00	840.00
	Voucher:	140277					
140278	10/15/2025	emb02	CHRISTOPHER J GIAQUINTA 872430	10/7/2025	EMBROIDERY SRVCS PW	604.92	604.92
	Voucher:	140278					
140279	10/15/2025	cou16	COUNTY OF SAN DIEGO - RI 26CTOFDMC03	10/1/2025	RCS PAGING SRVCS - SEP	70.00	70.00
	Voucher:	140279					
140280	10/15/2025	cul06	CRH CALIFORNIA WATER, IN 1487067	9/30/2025	WATER CH	124.42	124.42
	Voucher:	140280					
140281	10/15/2025	del06	DEL MAR AUTOMOTIVE SER 050983	10/8/2025	VEHICLE MAINT PW #75	482.28	482.28
	Voucher:	140281					
140282	10/15/2025	fis12	FISHER INTEGRATED INC 2289	10/1/2025	VIDEO STREAMING SEP	1,100.00	1,100.00
	Voucher:	140282					
140283	10/15/2025	mad01	MADRIGAL, SAMUEL 2025-003	9/24/2025	SEWER TRBLSHOOT JUL	600.00	600.00
	Voucher:	140283					
140284	10/15/2025	nat16	NATIONAL SAFETY COMPLI# 102570	9/30/2025	EMPLOYEE TESTING	226.70	226.70
	Voucher:	140284					
140285	10/15/2025	fir12	PAUL ROTTENBERG, DBA FI 2025-303	10/12/2025	FIRE STATS PROG SEP	125.00	125.00
	Voucher:	140285					
140286	10/15/2025	pir02	PIRTEK CARLSBAD 243-T0000258	9/18/2025	VEH MAINT PW #77	911.18	911.18
	Voucher:	140286					
140287	10/15/2025	sdg02	SAN DIEGO GAS & ELECTRI# 0081 7377 2988 5	10/7/2025	UTILITIES SEP	8,416.18	
	Voucher:	140287	0067 3735 0888 1	10/7/2025	UTILITIES SEP	333.31	
			0096 3381 7034 7	10/7/2025	UTILITIES SEP	20.87	
			0085 7750 3585 7	10/7/2025	UTILITIES SEP	20.60	
			0053 7739 5442 0	10/7/2025	UTILITIES SEP	19.98	8,810.94
140288	10/15/2025	sig12	SIGNA DIGITAL SOLUTIONS 41949999	10/12/2025	COPIER CH OCT	812.64	812.64
	Voucher:	140288					
140289	10/15/2025	sou02	SOUTHCOAST HEATING & A 1454119	9/30/2025	HVAC SRVCS LIBRARY	425.00	
	Voucher:	140289	1454121	9/30/2025	HVAC SRVCS DM FNDTN	288.00	713.00

Bank : qusbnk GENERAL ACCOUNT US BANK (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
140290	10/15/2025	sou08	SOUTHWEST SIGNAL SERVI	84552	9/30/2025	SIGNAL MAINT SEP	490.42	
	Voucher:	140290	84553	9/30/2025	SIGNAL MAINT SEP	111.58	602.00	
140291	10/15/2025	ter11	TERMINIX COMMERCIAL	463550555	9/5/2025	PEST CONTROL CH - SEP	159.00	
	Voucher:	140291	463550402	9/5/2025	PEST CONTROL CS - SEP	128.26		
			463550678	9/5/2025	PEST CONTROL LIBRARY - SEP	113.26		
			463550456	9/5/2025	PEST CONTROL PHCC - SEP	109.18	509.70	
140292	10/15/2025	pit07	THE PITNEY BOWES BANK I	8000-9000-1054-2	10/12/2025	POSTAGE REFILL	5,074.99	5,074.99
	Voucher:	140292						
140293	10/15/2025	usb03	US BANK CORP PYMT SYST	4246 0445 5565 0	9/22/2025	US BANK CHARGES SEP	22,084.10	22,084.10
	Voucher:	140293						
140294	10/15/2025	zon02	ZONE TRAFFIC ENGINEERIN	24001-06	9/28/2025	TRAFFIC ENGR SRVCS SEP	1,403.00	1,403.00
	Voucher:	140294						
Sub total for GENERAL ACCOUNT US BANK:							48,460.14	

26 checks in this report.

Grand Total All Checks: 56,810.74



Bank : qusbnk GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
4170	10/17/2025	irs01	IRS, UNITED STATES TREAS	Ben182213	10/17/2025	FEDERAL TAX: PAYMENT	44,582.55	44,582.55
		Voucher: 4170						
4171	10/17/2025	per01	PERS	Ben182215	10/17/2025	PERS CONTRIBUTIONS: PAYMEN	57,254.68	57,254.68
		Voucher: 4171						
4172	10/17/2025	edd01	EMPLOYMENT DEVELOPME	Ben182217	10/17/2025	STATE TAX: PAYMENT	12,857.33	12,857.33
		Voucher: 4172						
4173	10/17/2025	per02	PERS 457	Ben182219	10/17/2025	CALPERS 457 DEFERRED COMF	2,976.49	2,976.49
		Voucher: 4173						
Sub total for GENERAL ACCOUNT US BANK:							117,671.05	

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>
7251	10/17/2025	mis07	107413 STATE ST BANK & TF Ben182209	10/17/2025	401A PLAN: PAYMENT	555.16	555.16
		Voucher:	7251				
7252	10/17/2025	mis08	303845 STATE ST BANK & TF Ben182201	10/17/2025	MISSION SQUARE 457B: PAYMEI	9,795.59	9,795.59
		Voucher:	7252				
7253	10/17/2025	mis09	803808 STATE ST BANK & TF Ben182211	10/17/2025	RETIREMENT HEALTH SAVINGS	748.81	748.81
		Voucher:	7253				
7254	10/17/2025	uni21	DEL MAR CITY EMPLOYEES Ben182203	10/17/2025	DMCEA DUES: PAYMENT	273.00	273.00
		Voucher:	7254				
7255	10/17/2025	nat15	NATIONAL BENEFIT SERVICE Ben182207	10/17/2025	SEC. 125 FLEXIBLE SAVINGS AC	2,039.52	2,039.52
		Voucher:	7255				
7256	10/17/2025	par21	U.S. BANK PARS FFC 674602 Ben182205	10/17/2025	PUBLIC AGENCY RETIREMENT S	1,818.14	1,818.14
		Voucher:	7256				
Sub total for EFT GENERAL ACCOUNT US BANK:							15,230.22

10 checks in this report.

Grand Total All Checks: 132,901.27



Bank : eusbnk EFT GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total	
7257	10/22/2025	cal81	CALLTOWER INC	202760733	9/25/2025	TELEPHONE OCT	248.17	248.17
		Voucher:	7257					
7258	10/22/2025	phi01	CLEAN EARTH	72404397674	10/10/2025	HSOLD HAZ WASTE - SEP	180.18	180.18
		Voucher:	7258					
7259	10/22/2025	cor23	CORODATA SHREDDING INC DN 1543551		9/30/2025	SHREDDING SRVCS SEP	50.82	50.82
		Voucher:	7259					
7260	10/22/2025	del02	DEL MAR BLUE PRINT CO, I	631569	10/10/2025	PRINTING SRVCS CS	22.84	22.84
		Voucher:	7260					
7261	10/22/2025	dix01	DIXIELINE LUMBER CO	06-0617843	10/13/2025	OPERATING SUPP CS	319.07	
		Voucher:	7261	06-0617283	10/7/2025	VEH MAINT SUPP PW	13.20	332.27
7262	10/22/2025	fer07	FERGUSON ENTERPRISES I	0892797	10/13/2025	WATER METER PARTS	947.43	947.43
		Voucher:	7262					
7263	10/22/2025	ips02	IPS GROUP INC	INV114905	8/31/2025	PRKG MTR TRANS FEE AUG	4,147.28	4,147.28
		Voucher:	7263					
7264	10/22/2025	man12	MANERI TRAFFIC CONTROL	24430	10/10/2025	COLLARS/CONES PW	1,348.50	
		Voucher:	7264	24429	10/10/2025	STREET SIGNS PW	353.44	1,701.94
7265	10/22/2025	mik03	MIKHAIL OGAWA ENGINEER	12185	9/8/2025	FOG SRVCS AUG	2,438.14	2,438.14
		Voucher:	7265					
7266	10/22/2025	pac28	PACIFIC MOBILE STRUCTUF	INV-00486811	11/1/2025	MOBILE OFFICE PW NOV	249.04	249.04
		Voucher:	7266					
7267	10/22/2025	par51	PARKWOOD LANDSCAPE M	109984	8/31/2025	LANDSCAPE SRVCS PW AUG	12,561.55	12,561.55
		Voucher:	7267					
7268	10/22/2025	pru01	PRUDENTIAL OVERALL SUP	132339414	10/10/2025	UNIFORMS PW - 10/10	55.45	55.45
		Voucher:	7268					
7269	10/22/2025	red04	REDFLEX TRAFFIC SYSTEM	INV0108732	9/30/2025	RED LIGHT CAMERA SEP	5,283.00	5,283.00
		Voucher:	7269					
7270	10/22/2025	uni03	SAN DIEGO - UNION TRIBUN	0011755193	9/12/2025	AD - JDB BLUFF	1,033.55	1,033.55
		Voucher:	7270					
7271	10/22/2025	uti01	UTILITY SPECIALISTS INC	30667	9/30/2025	UP - 1A STRATFORD S AUG	19,635.00	
		Voucher:	7271	30666	9/30/2025	UP - 1B STRATFORD N AUG	16,313.50	
				30668	9/30/2025	UP - 1A CREST CNYN AUG	1,905.00	
				30669	9/30/2025	UP - 1A STRATFORD AUG	134.49	
				30670	9/30/2025	UP - 1B STRATFORD N AUG	9.63	37,997.62

Sub total for EFT GENERAL ACCOUNT US BANK: 67,249.28

Bank : qusbnk GENERAL ACCOUNT US BANK

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
140295	10/22/2025	azt02	AZTEC LANDSCAPING INC, I	J2154	9/8/2025	JANITORIAL SUPP JUL/AUG	1,156.16
	Voucher:	140295	J2172	10/14/2025	JANITORIAL SUPP SEP	308.52	
			J2153	9/8/2025	JANITORIAL SUPP AUG	242.80	1,707.48
140296	10/22/2025	cin02	CINTAS	5297539401	10/15/2025	FIRST AID KIT SUPP PW	392.24
	Voucher:	140296					392.24
140297	10/22/2025	cit07	CITY OF SAN DIEGO	1000432200	9/30/2025	WATER TREATMENT AUG	43,802.54
	Voucher:	140297					43,802.54
140298	10/22/2025	sol01	CITY OF SOLANA BEACH	10212025	10/21/2025	OFF TRACK JAN	122.58
	Voucher:	140298					122.58
140299	10/22/2025	sds01	DEKRA-LITE INDUSTRIES, IN	ARINV026500	10/6/2025	HARDWARE/BANNER INSTALL	3,423.90
	Voucher:	140299					3,423.90
140300	10/22/2025	del06	DEL MAR AUTOMOTIVE SER	050974	10/8/2025	VEHICLE MAINT PW #88	1,469.08
	Voucher:	140300	050886	10/13/2025	VEHICLE MAINT CS #39	1,021.46	
			050980	10/9/2025	VEHICLE MAINT PW #82	788.83	
			050850	10/13/2025	VEHICLE MAINT CS #391	278.28	
			050982	10/8/2025	VEHICLE MAINT PW #72	224.95	
			050994	10/9/2025	VEHICLE MAINT PW #76	107.71	3,890.31
140301	10/22/2025	icm06	ICMA MEMBERSHIP RENEW.	947267	10/14/2025	MBRSH - BROWN	1,200.00
	Voucher:	140301	1154080	10/15/2025	MBRSH - JONES	1,200.00	2,400.00
140302	10/22/2025	nov05	NOVINZIO	DMAR-10152025	10/15/2025	DIG SIG SFTWR RWL	840.00
	Voucher:	140302					840.00
140303	10/22/2025	pli01	PLITT, LINDSEY	10152025	10/15/2025	PHCC EVENT REFUND	800.00
	Voucher:	140303					800.00
140304	10/22/2025	san138	SAN DIEGO ELEVATOR & LIF	10985	9/30/2025	ELEVATOR MAINT CH SEP	200.00
	Voucher:	140304	10962	9/30/2025	ELEVATOR MAINT CS SEP	150.00	
			11293	5/30/2025	ELEVATOR MAINT PHCC MAY	150.00	500.00

Bank : qusbnk GENERAL ACCOUNT US BANK (Continued)

Check #	Date	Vendor	Invoice	Inv Date	Description	Amount Paid	Check Total
140305	10/22/2025	sdg02	SAN DIEGO GAS & ELECTRI	0055 0306 8492 2	12/5/2024	UTILITIES NOV	13.53
	Voucher:	140305		0055 0306 8492 2	2/6/2025	UTILITIES JAN	13.50
				0055 0306 8492 2	11/5/2024	UTILITIES OCT	-64.22
				0055 0306 8492 2	4/7/2025	UTILITIES MAR	-67.80
				0066 5491 6833 1	10/10/2025	UTILITIES SEP	4,803.62
				0066 5392 2766 7	10/7/2025	UTILITIES SEP	1,400.87
				2100 0065 8024 7	10/8/2025	UTILITIES SEP	909.03
				0069 0908 1676 1	10/8/2025	UTILITIES SEP	457.22
				0092 4576 5583 8	10/13/2025	UTILITIES SEP	71.72
				0097 5436 8967 5	10/8/2025	UTILITIES SEP	20.82
				0055 0306 8492 2	10/8/2025	UTILITIES SEP	14.14
				0055 0306 8492 2	8/6/2025	UTILITIES JUL	14.07
				0055 0306 8492 2	7/8/2025	UTILITIES JUN	14.04
				0055 0306 8492 2	9/5/2025	UTILITIES AUG	14.03
				0055 0306 8492 2	3/7/2025	UTILITIES FEB	13.89
				0055 0306 8492 2	1/7/2025	UTILITIES DEC	13.74
				0055 0306 8492 2	6/6/2025	UTILITIES MAY	13.65
				0055 0306 8492 2	5/8/2025	UTILITIES APR	13.61
							7,669.46
140306	10/22/2025	san20	SAN DIEGUITO RIVER PARK	10212025	10/21/2025	OFF TRACK JAN	61.29
	Voucher:	140306					61.29
140307	10/22/2025	sig12	SIGNA DIGITAL SOLUTIONS	AR-S336022	10/9/2025	COPIER CS	184.69
	Voucher:	140307					184.69
140308	10/22/2025	sig12	SIGNA DIGITAL SOLUTIONS	41957085	10/12/2025	COPIER PW OCT	138.74
	Voucher:	140308					138.74
140309	10/22/2025	uni25	STAXUP - UNITS LLC	19286	10/8/2025	STORAGE CS OCT	289.85
	Voucher:	140309					289.85
140310	10/22/2025	dis05	THE REINALT-THOMAS COR	1670466	10/8/2025	TIRE MAINT PW	171.23
	Voucher:	140310					171.23
140311	10/22/2025	ver12	VERIZON	Z1744066	10/8/2025	TELEPHONE SEP	2.64
	Voucher:	140311					2.64
140312	10/22/2025	wax02	WAXIE'S ENTERPRISES, LLC	83570758	10/14/2025	JANITORIAL SUPPLIES	1,276.68
	Voucher:	140312		83558166	10/8/2025	JANITORIAL SUPPLIES	966.69
							2,243.37
140313	10/22/2025	wes56	WESTERN EXTRICATION	3183	7/29/2025	VEH MAINT SUPP FIRE	135.71
	Voucher:	140313					135.71

Bank : qusbk GENERAL ACCOUNT US BANK (Continued)

<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>
140314	10/22/2025	act03 Voucher: 140314	WILLIAMS SCOTSMAN INC 9024795181	10/15/2025	MOBILE OFFICE PW NOV	156.12	156.12
Sub total for GENERAL ACCOUNT US BANK:							68,932.15

35 checks in this report.

Grand Total All Checks: 136,181.43



VoidCKEP
10/23/25 3:17PM

Void Check Posting List
City of Del Mar

Document #: 917919 Void Date: 09/05/2025 Posting #: 36524 Group: eescalante
Check #: 140114 Bank code: gusbnk Check Date: 09/04/25
Vendor: hin06 HINDERLITER DE LLAMAS AND, ASSOC
Post into: 03/2026 Check amount: 795.00

Doc Source	Account Number	Description	Amount
disb	B 01.2110.0000	A/P GENERAL	795.00 CR
disb	S* B 01.1100.0000	CASH AND INVESTMENTS	795.00 DB
disb	S* B 72.1160.0000	UNION BANK - GENER	795.00 DB
disb	S* B 72.1100.0000	CASH AND INVESTMENTS	795.00 CR
Balance Sheet Totals:		1,590.00 CR	Difference: 0.00

Summary Documents

Document #: 917920 **Posting #:** 36524 **Date:** 09/05/25
Reference: 01
Description: disb - FUND 01 SUMMARY
Post into: 03/2026

Account Number	Description	Amount
B 01.1100.0000	Automatic Summary	795.00 DB

Balance Sheet Totals: 795.00 DB CR Difference:

Document #: 917921 **Posting #:** 36524 **Date:** 09/05/25
Reference: 72
Description: disb - FUND 72 SUMMARY
Post into: 03/2026

Account Number	Description	Amount
B 72.1160.0000	Automatic Summary	795.00 DB
B 72.1100.0000	Automatic Summary	795.00 CR

Balance Sheet Totals: 795.00 DB 795.00 CR Difference: 0.00

		<i>Balance Sheet Fund Totals</i>		
<u>Fund</u>		<u>Debits</u>	<u>Credits</u>	<u>Difference</u>
01	GENERAL	795.00	795.00	0.00
72	INVESTMENTS	795.00	795.00	0.00

Errors / Warnings

Documents with errors : 0
Documents with warnings : 0



City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

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

DATE: November 3, 2025

SUBJECT: 2026 City Council Meeting Schedule

REQUESTED ACTION/RECOMMENDATION:

Staff recommends the City Council adopt the Resolution (Attachment A) approving the 2026 City Council Meeting Schedule (Exhibit A to Attachment A) as directed by the City Council on October 20, 2025, or provide direction to staff regarding additional calendar changes.

BACKGROUND:

Del Mar Municipal Code (DMMC) Section 2.20.040(A) states that, "Regular meetings of the City Council shall be held on the first and third Monday of each month," and further states that, "The City Council may, by resolution, designate another date, time, and location for a regular meeting." The DMMC, and the procedures adopted by the City Council through Resolution 2009-40, require the City Council to annually adopt a meeting schedule for the upcoming calendar year, identify any regular meeting dates to be cancelled, and designate any new dates as regular meetings.

On October 20, 2025, Council reviewed and considered two options for the 2026 City Council meeting schedule. The traditional option was based on the Council's regular meeting schedule as specified in the DMMC. The alternative schedule shifts Council meetings from being held on Mondays to Tuesdays, following the same first and third week of the month schedule, and incorporates additional changes as described below. Council directed staff to return with a Resolution (Attachment A) approving the alternative 2026 City Council meeting schedule (Exhibit A to Attachment A), which is shown in calendar format as Attachment B.

DISCUSSION/ANALYSIS:

Per Council's direction, holding Council meetings on Tuesdays instead of Mondays would occur during 2026 as a one-year pilot program. This change initiated by the Mayor and Deputy Mayor to allow the Council and public more time to review agenda materials and related red dot communications. Del Mar TV has confirmed that while this change will be impactful to their schedule, as they are primarily a group of part time staff that also have other employment commitments, they will be able to accommodate the new schedule and continue broadcasting the meetings.

City Council Action:

If at the end of 2026 the Council determines that the Tuesday Council meeting day works well, the Council could adopt an ordinance formally amending the Del Mar Municipal Code to make the Tuesday meetings permanent.

Additional requested schedule changes reflected on the proposed meeting calendar include changing the single August meeting date from August 18 to August 25, and adjusting the September meeting dates to September 8 and September 22 to allow for sufficient time between meetings in light of the modified August meeting date. It was also requested that the one meeting to be held in November should occur on November 10 instead of November 17.

If the City Council finds that additional meetings are needed during the calendar year, the Council can add meetings by scheduling a special meeting or adjourning a regular meeting to a new date.

Special Meetings

The City Council typically holds a Goals and Priorities Workshop in the first part of the calendar year. Once the Mayor and Deputy Mayor are seated for 2026, staff will schedule a meeting to discuss possible dates and a format for the 2026 Council Goals and Priorities Workshop, which will be presented Council for discussion and feedback prior to scheduling.

In past election years, the City Council has called a special meeting to certify election results in December if the certified election results were not received from the County of San Diego Registrar of Voters in time to be certified at a regularly scheduled Council meeting. Staff anticipates the certified election results will be available prior to the last December meeting. However, a special meeting will be required if they are not available for that meeting.

FISCAL IMPACT:

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

ATTACHMENTS:

Attachment A – Resolution Adopting the 2026 City Council Meeting Schedule
Exhibit A to Attachment A - 2026 City Council Meeting Schedule
Attachment B – Proposed 2026 City Council Meeting Calendar

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, DESIGNATING REGULAR MEETINGS OF THE CITY COUNCIL FOR THE 2026 CALENDAR YEAR

WHEREAS, Del Mar Municipal Code Section 2.20.040 Regular Meetings, Subsection A, states that “Regular” meetings of the City Council shall be held on the first and third Monday of each month in the City Council Chambers; and

WHEREAS, Del Mar Municipal Code Section 2.20.040 Regular Meetings, Subsection B, states that “The City Council may, by resolution, designate another date, time, and location for a regular meeting;” and

WHEREAS, Council adopted Resolution No. 2009-40 establishing procedures for setting the Council meeting schedule on an annual basis; and

WHEREAS, it is important that the public know and understand when the City Council will conduct its regular meetings; and

WHEREAS, it is also important that there be flexibility in the schedule of regular meetings in order to complete the City’s business; and

WHEREAS, as a one-year pilot program, the Council desires to hold Council meetings on Tuesdays instead of Mondays during calendar year 2026.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar, California, that the City Council hereby designates the dates and times and location for the regular City Council meetings for the 2026 calendar year pursuant to the Del Mar Municipal Code and as described in Exhibit A to this Resolution, and directs the City Clerk to post the adopted schedule at City Hall and on the City’s website.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Del Mar, California, at a Regular Meeting held this 3rd day of November 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 3rd day of November 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

2026 City Council Meeting Schedule

Regular Meetings are held at the Del Mar Town Hall, 1050 Camino del Mar, Del Mar, or remotely if there is a declared emergency, at 4:30 p.m. on the date shown, unless otherwise noted on the published agenda. Special Meetings and/or City Council Workshops may be held in an alternate location or remotely during if there is a declared emergency.

DATE	MEETING TYPE
Tuesday, January 6, 2026	Regular
Tuesday, January 20, 2026	Regular
Tuesday, February 3, 2026	Regular
Tuesday, February 17, 2026	Regular
Tuesday, March 3, 2026	Regular
Tuesday, March 17, 2026	Regular
Tuesday, April 7, 2026	Regular
Tuesday, April 21, 2026	Regular
Tuesday, May 5, 2026	Regular
Tuesday, May 19, 2026	Regular
Tuesday, June 2, 2026	Regular
Tuesday, June 16, 2026	Regular
Tuesday, July 7, 2026	Regular
Tuesday, August 25, 2026	Regular
Tuesday, September 8, 2026	Regular
Tuesday, September 22, 2026	Regular
Tuesday, October 6, 2026	Regular
Tuesday, October 20, 2026	Regular
Tuesday, November 10, 2026	Regular
Tuesday, December 1, 2026	Regular
Tuesday, December 15, 2026	Regular

Adopted by Resolution 2025-XX



2026 Del Mar City Council Meeting Calendar

January						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	30	31	

February						
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22	23	24	25	26	27	28

March						
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29	30	31				

April						
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June						
S	M	T	W	T	F	S
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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July						
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26	27	28	29	30	31	

August						
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23	24	25	26	27	28	29
30	31					

September						
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27	28	29	30			

October						
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25	26	27	28	29	30	31

November						
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22	23	24	25	26	27	28
29	30					

December						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Key:
- City Council Meeting
 - City Holiday
 - Special Meetings:

City Council Goals and Priorities Setting Workshop - TBD



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: November 3, 2025

SUBJECT: Approval of the 2026 Advisory Committee Meeting Schedule

REQUESTED ACTION/RECOMMENDATION:

Staff recommends that the City Council approve the 2026 Advisory Committee Meeting Schedule (Attachment A).

BACKGROUND:

Del Mar has a long and proud history of active citizen involvement with a robust system of citizen advisory committees. Current City advisory committees include Finance, Lagoon, Measure Q Citizen Oversight, Parks and Recreation, Shores Park Master Plan Ad-Hoc, Sustainability, Traffic and Parking, and Undergrounding Project, as well as the quasi-judicial Design Review Board and Planning Commission. The Del Mar community benefits from the talented individuals on these committees, whose contributions help preserve the Community Plan by promoting Del Mar's unique values. These volunteers ensure that City government reflects community priorities as they dedicate countless hours to this effort.

City advisory committees meet quarterly except for Measure Q Citizen Oversight and Traffic and Parking Advisory Committees, which meet bi-annually or as-needed. Additional special meetings are scheduled as needed and as approved by the designated Council liaisons. In 2025, there were 26 scheduled meetings between all the City advisory committees, in addition to meetings of the City Council, Design Review Board and Planning Commission.

The City Council authorized advisory committees to hold an administrative meeting in addition to their regular quarterly meetings to appoint committee officers and develop a proposed work plan for the coming year. These meetings are not included in Attachment A and will be scheduled by staff upon request by the committee and as approved by the assigned Council liaisons. The committees also have the ability to create subcommittees that work on approved committee work plan items in between the quarterly committee meetings.

DISCUSSION/ANALYSIS:

Staff proposes 24 regular advisory committee meetings be held in 2026, which does not include any special meetings or administrative meetings that may be scheduled on an as-needed basis. The proposed schedule does not include the dates for the Shores Park Master Plan Ad-Hoc Advisory Committee, which formed on September 8, 2025. The City is

City Council Action:

undergoing the recruitment process to fill the vacancies on the Shores Committee, so no meetings are proposed for 2026 at this time. The meeting dates will be determined after the new members are seated based on availability and the committee's workplan.

The proposed 2026 Advisory Committee Meeting Schedule is included with this report as Attachment A. Should any changes to the meeting schedule occur following approval, staff will revise the schedule accordingly, update the City's public meeting calendar, and notify committee members and Council liaisons.

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 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 operational item and therefore not included on the list of Council Goals/Priorities.

ATTACHMENTS:

Attachment A – Proposed 2026 Advisory Committee Meeting Schedule



CITY OF DEL MAR

2026 ADVISORY COMMITTEE MEETING SCHEDULE

Finance Committee	February 18; May 20; September 16; November 18 (3 rd Wednesday @ 3:00 pm, except for November 18 @ 2:00 pm)
Lagoon Committee	January 14; May 20; July 15; October 21 (3 rd Wednesday @ 5:00 pm, except January)
Measure Q Citizen Oversight	January 21; September 17 - @ 10:00 a.m. (Meets bi-annually or as-needed, per Charter)
Parks & Recreation Committee	February 11; May 13; September 9; December 9 (2 nd Wednesday @ 4:45 pm)
Shores Park Master Plan Ad-Hoc Advisory Committee	TBD (Meets as-needed, per Charter)
Sustainability Advisory Committee	January 26; April 27; August 31, October 26 (last Monday @ 5:00 pm)
Traffic and Parking Advisory Committee	March 9; September 14 - @ 5:00 p.m. (Meets bi-annually or as-needed, per Charter)
Undergrounding Project Advisory Committee	March 12; June 11; September 10; December 10 (2 nd Thursday @ 10:00 am)



City of Del Mar Staff Report

TO: Honorable Mayor and City Council Members

FROM: Deputy Mayor Terry Gaasterland and Councilmember Dan Quirk,
Liaisons to the Measure Q Citizen Oversight Committee
Prepared by Denise Galvan, Management Analyst

DATE: November 3, 2025

SUBJECT: Appointment to the Measure Q Citizen Oversight Committee

REQUESTED ACTION/RECOMMENDATION:

The Council Liaisons to the Measure Q Citizen Oversight Committee recommend the City Council reappoint Tom McGreal to the Measure Q Citizen Oversight Committee as a voting member for a full three-year term from November 16, 2025, through November 30, 2028.

DISCUSSION/ANALYSIS:

The purpose of the Measure Q Citizen Oversight Committee (Committee) is to review, provide oversight, and report to the City Council on Measure Q revenues and expenditures. The Committee meets bi-annually or as-needed. A primary responsibility of the Committee is verifying that revenues from Measure Q are properly reserved for projects approved by the City Council and that related expenditures are accurately tracked.

The Committee is composed of five members: two (2) Finance Committee Members (or Finance Committee Members within the last five years), and three (3) at-large community residents of Del Mar with the goal that one (1) member is from the Del Mar business community.

There are two (2) vacancies on the Committee: one (1) upcoming at-large vacancy due to the term expiration of Tom McGreal's second term on November 15, 2025, and one (1) historic Del Mar Business community vacancy. City staff advertised the vacancies, and one Citizen Interest Form was received during the recruitment period from Tom McGreal (Attachment A).

The Council Liaisons to the Committee reviewed the application and recommend the City Council appoint Tom McGreal as an at-large voting member for a full three-year term starting on November 16, 2025, and ending on November 30, 2028. Per City Council Policy 200- City Council Advisory Committees Boards and Commissions, the term limit for advisory committee members is typically two; however, City Council has the flexibility to make an exception if they feel it is to the benefit of the committee to re-appoint an individual for a third term.

If the recommended appointment is approved by the City Council, the Committee will have one remaining vacancy from a member of the Del Mar business community that has historically remained vacant due to a lack of interested applicants. A copy of the current Committee roster is included as Attachment B for Council's reference.

City Council Action:

City Council Staff Report
Appointment to the Measure Q Citizen Oversight Committee
November 3, 2025
Page 2 of 2

ATTACHMENTS:

Attachment A – Citizen Interest Form
Attachment B – Committee Roster



CITY OF DEL MAR

CITIZEN INTEREST FORM

IMPORTANT: *Save the form on your computer prior to filling it out. Do not fill out the form in the Internet browser.*

Thank you for your interest in serving the Del Mar Community. Please use this Citizen Interest Form to apply to serve on a City of Del Mar advisory committee, Planning Commission, or Design Review Board. The City of Del Mar greatly values the many talented citizens who volunteer to serve in city government. We encourage you to get involved. Please indicate whether you are seeking to serve on the Del Mar Planning Commission, Design Review Board, or one or more of the City's many advisory committees, and please note your order of preference indicating 1st, 2nd choice, etc.

Before making your selection, we encourage you to spend some time learning about what each entity does, what its mission is, and what your role would be if you were appointed. Please note that in addition to the general questions below to be answered by all applicants, there are also specific questions tailored to service on the Planning Commission, Design Review Board, or an advisory committee to be answered as well.

Before applying, you are encouraged to attend or watch a [committee meeting](#) and review recent committee [agendas and meeting minutes](#). If appointed, you will be expected to attend the meetings, which typically last about 2 hours in length, or more depending on the agenda, and require about 1 hour of preparation time for each meeting. Please note that in accordance with City Council Policy 200, committee members must not miss more than three meetings in a given calendar year. Committee meeting times vary, so please review the website calendar to make sure the meeting times for the committee you are applying for work for your schedule: [Public Meeting Calendar](#).

You can also view current [committee webpages, charters, and member rosters](#) to get more information about each committee. In accordance with *Council Policy 200- City Council Advisory Committees, Boards and Commissions* members of the public may serve on two boards, committees or commissions concurrently except in special circumstances as determined by the Council. Additionally, the number of consecutive terms that an individual may serve on a committee is two unless the City Council makes an exception if they feel it is to the benefit of the committee to re-appoint an individual to a third term. Please note that ex-officio members are non-voting and may be non-residents.

Form Submittal: Citizen Interest Forms must be submitted by the [published deadline](#). Forms can be submitted in-person or by mail at: Del Mar City Hall, 1050 Camino del Mar, Del Mar 92014; or via email: cityclerk@delmar.ca.us. **Please note:** City Hall is closed to the public for in-person services on Fridays, and Citizen Interest Forms should be submitted via email only on Fridays. Citizen Interest Forms can be submitted in-person or via email Monday through Thursday.

DEL MAR CITIZEN INTEREST FORM

I. APPLICANT INFORMATION

McGreal _____ Thomas _____ K _____
 Last Name First Name Middle Initial
 1135 Stratford Ct _____ Del Mar, CA _____
 Home Street Address* City, State

**Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.*

 Business Street Address (if applicable) City, State

 Home Phone Number Business Phone Number E-mail Address

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

- Design Review Board Planning Commission
- Finance Committee Shores Park Master Plan Ad-Hoc Advisory Committee
- Lagoon Committee Sustainability Advisory Committee
- Measure Q Citizen Oversight Committee Traffic and Parking Advisory Committee
- Parks and Recreation Committee Undergrounding Program Advisory Committee
- Other(s) (please indicate): _____

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

Served 2 terms on Measure Q Citizen Oversight Committee. Request extension for a 3rd term.

Education:

MBA Babson College

Relevant Experience (job or volunteer etc.):

Retired after a 35 year career in financial services.

Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

Measure Q Citizen Oversight Committee
Underground Program Advisory Committee

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

Served 3 terms on Finance Committee until 2021

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number
Joe Sullivan	2028 Ocean Front	[REDACTED]
Charlie Gaylord	2820 Ocean	
Bud Emerson	1070 Klish Way	

***Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.*

Residency

	Month	Year
I have been a resident of California since:	June	1998
I have been a resident of San Diego County since:	June	1998
I have been a resident of Del Mar since:	June	1998

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

- North Bluff
- North Beach
- South Beach
- Village Center
- South Bluff
- South Hills
- North Hills
- Valley

Are you a full-time or part-time resident of Del Mar? Full-time Part-time

Is Del Mar your primary place of residence? Yes No

Are you a registered voter in Del Mar? Yes No

III. COMMITTEE SPECIFIC QUESTIONS

The following are additional questions related to specific committees. Please answer the questions only for the committee(s) you are applying for.

1. Finance Committee

The Finance Committee is looking for applicants with financial expertise and background.

Please describe your experience reviewing financial reports, conducting financial studies or any related experience. Please include any experience specific to public entities.

What aspects of the City's finances most interest you and why?

2. Measure Q Citizen Oversight Committee

Membership on the Measure Q Citizen Oversight Committee is set by category. Which membership category do you best fit in? (Select all that apply)

- Current (or within past 5 years) Finance Committee Member
- Business Community Member
- At-large Resident Member
- Other (please explain): _____

3. Traffic and Parking Advisory Committee

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

4. Parks and Recreation Committee

The Parks and Recreation Committee is looking for applicants with an interest in the City's parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

What aspects of the City's parks and recreation most interest you and why?

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

9. [Design Review Board](#) and/or [Planning Commission](#)

Briefly describe your qualifications and experience as it relates to serving on the Design Review Board or Planning Commission. The required qualifications for each can be found in the Del Mar Municipal Code (DMMC) [Chapters 2.34](#) and [2.38](#). You will be able to provide more information at a City Council public meeting during an open interview process.

10. For All Committees: Thank you for completing the Citizen Interest Form. Is there anything else you would like to add to your application for the City Council to consider?

IV. SIGNATURE AND ACKNOWLEDGEMENT

Please review the important information below before signing and submitting your application. Please note that recommendations for appointments to City advisory committees (other than the Planning Commission and Design Review Board) are made by the [Council Liaisons to that Committee](#). The appointments are then placed on the consent calendar for consideration for approval by the full City Council at the next available City Council meeting. For reasons of privacy, the individual candidates are not discussed at the meeting.

Additionally, the Del Mar Conflict of Interest Code requires that members of the Design Review Board, Planning Commission, and Finance Committee file Conflict of Interest Statements with the Administrative Services Department in conformance with the Fair Political Practices Commission and the City's Conflict of Interest Code. Other advisory committee members are not required to file Conflict of Interest Statements.

By signing below, you are acknowledging that you have reviewed the Committee webpage for which you are applying and that you understand the conflict of interest filing requirement, if applicable. Part of your service may include ethics and anti-harassment training upon appointment and bi-annually. Visit the [City's Conflict of Interest Code](#) webpage to learn more about the requirement.

By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.

Signature

Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.

IV. SIGNATURE AND ACKNOWLEDGEMENT

Please review the important information below before signing and submitting your application. Please note that recommendations for appointments to City advisory committees (other than the Planning Commission and Design Review Board) are made by the Council Liaisons to that Committee. The appointments are then placed on the consent calendar for consideration for approval by the full City Council at the next available City Council meeting. For reasons of privacy, the individual candidates are not discussed at the meeting.

Additionally, the Del Mar Conflict of Interest Code requires that members of the Design Review Board, Planning Commission, and Finance Committee file Conflict of Interest Statements with the Administrative Services Department in conformance with the Fair Political Practices Commission and the City's Conflict of Interest Code. Other advisory committee members are not required to file Conflict of Interest Statements.

By signing below, you are acknowledging that you have reviewed the Committee webpage for which you are applying and that you understand the conflict of interest filing requirement, if applicable. Part of your service may include ethics and anti-harassment training upon appointment and bi-annually. Visit the City's Conflict of Interest Code webpage to learn more about the requirement.

By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



October 14, 2025
Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email citytech@delmar.ca.us or call (609) 755-8013 and a staff member will get back to you promptly.

November 7, 2025

City of Del Mar

Measure Q Citizen Oversight Committee

Board Roster

Tom McGreal

2nd Term Nov 19, 2021 - Nov 15, 2025

Appointing Authority City Council

Position Secretary

Category At-Large (Resident)

Steven Mcdowell

2nd Term Dec 04, 2023 - Dec 31, 2026

Position Vice Chair

Category Finance Committee

Member(Resident)

K. Alan Lonbom

2nd Term Feb 20, 2024 - Feb 28, 2027

Appointing Authority City Council

Position Chair

Category At-Large (Resident)

Nancy Stoke

1st Term Dec 02, 2024 - Dec 31, 2027

Category At-Large (Resident)

Vacancy

Category Business Owner/Representative



City of Del Mar Agenda Report

TO: Honorable Deputy Mayor and City Councilmembers

FROM: Mayor Terry Gaasterland and Councilmember John Spelich, Council Liaisons to the Shores Park Master Plan Ad-Hoc Advisory Committee
Prepared by Denise Galvan, Management Analyst

DATE: November 3, 2025

SUBJECT: Shores Park Master Plan Ad-Hoc Advisory Committee Appointments

REQUESTED ACTION/RECOMMENDATION:

The City Council liaisons to the Shores Park Master Plan Ad-Hoc Advisory Committee recommend the City Council: 1) Adopt a Resolution (Attachment A) amending the Shores Park Master Plan Ad-Hoc Advisory Committee's charter to increase the membership size from seven to nine members; and 2) Appoint the following individuals to serve on the committee effective November 3, 2025:

- a) Saniya Bloomer; Alessandra Franco; Will Holliday; Joe Sullivan; Larry Brooks; and Judd Halenza as resident voting members;
- b) Lynn Gaylord as a resident voting member from the Parks and Recreation Committee;
- c) Kim Kanetis as an ex-officio non-voting member representing the Winston School; and
- d) Thomas Neuman as an ex-officio non-voting member representing the users of the Del Mar Community Building.

DISCUSSION/ANALYSIS:

The Shores Park Master Plan Ad-Hoc Advisory Committee (Committee) was established by Council Resolution 2025-32 on September 8, 2025. The Committee's mission is to provide input to the City Council on Phases Two and Three of the master planning effort, which includes the development of a preferred concept for the Master Plan. Mayor Terry Gaasterland and Councilmember John Spelich were appointed by the Council to serve as Council liaisons to the Committee.

Currently, the Committee membership includes seven members: five resident voting members, including one from the Parks and Recreation Committee, and two ex-officio non-voting members, one from the Winston School and one representative of the users of the Del Mar Community Building.

City Council Action:

Shortly after the Committee was formed, the City began the recruitment process to advertise and fill the vacancies. There was an overwhelming amount of interest in serving on the Committee with an unprecedented nineteen Citizen Interest Forms received during the recruitment period from: Saniya Bloomer, Barbara Czescik, Alessandra Franco, Lynn Gaylord, Stephen Groban, Judd Halenza, Carol Kerridge, Nathan McCay, Thomas Neuman, Arthur Olson, Lindsay O'Shea, Kevin Popovic, Joseph Sullivan, Kim Kanetis, Will Holliday, Glenn Warren, Barbara Aufiero, Rory Lynch, and Larry Brooks.

Due to significant community interest and number of applications received, the Council liaisons to the Committee recommend expanding the membership size from seven to nine members, which would increase the number of voting members from five to seven. The number of ex-officio members would not change and would remain at two.

Adoption of the Resolution (Attachment A) is necessary to formally amend the Committee charter to increase the Committee size. The proposed changes to the charter are shown in redline in Attachment B.

Additionally, the Council liaisons thoroughly reviewed the applications and recommend that the City Council appoint the following members to serve on the Committee:

- a) Saniya Bloomer; Alessandra Franco; Will Holliday; Joe Sullivan; Larry Brooks; and Judd Halenza as resident voting members;
- b) Lynn Gaylord as a resident voting member from the Parks and Recreation Committee;
- c) Kim Kanetis as an ex-officio non-voting member representing the Winston School; and
- d) Thomas Neuman as an ex-officio non-voting member representing the users of the Del Mar Community Building.

The recommended applicants' Citizen Interest Forms are enclosed with this report as Attachment C. The effective term of each appointment will begin on November 3, 2025, and will conclude upon the completion of the Shores Park Master planning effort and Council adoption of the Master plan (Committee sunset date). If the recommended appointments are approved by the City Council, the Committee will have a full member roster. Staff would then begin working with the Council liaisons and committee members to establish a committee meeting schedule based on the timing for important milestones in the Master Plan process.

ATTACHMENTS:

- Attachment A – Resolution Amending the Committee Charter
- Exhibit A To Attachment – Amended Charter
- Attachment B – Amended Charter (Redline)
- Attachment C – Citizen Interest Forms

RESOLUTION NO. 2025-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING AND RESTATING THE SHORES PARK MASTER PLAN AD-HOC ADVISORY COMMITTEE CHARTER TO EXPAND MEMBERSHIP SIZE FROM NINE TO SEVEN MEMBERS

WHEREAS, the City Council formed the Shores Park Master Plan Ad-Hoc Advisory Committee (Committee) on September 8, 2025, to provide input to the City Council on Phases Two and Three of the Shores Park master planning effort, which includes the development of a preferred concept for the Master Plan; and

WHEREAS, the Committee current membership includes seven members: five resident voting members, including one from the Parks and Recreation Committee; and two ex-officio non-voting members, one from the Winston School and one representative of the Del Mar Community Building users; and

WHEREAS, the City Council now desires to increase the voting membership size from five to seven voting resident members, with no changes to the number of ex-officio non-voting members; and

WHEREAS, the City Council wishes to amend the Committee Charter to formally amend the membership size.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Del Mar, California, that the Shores Park Master Plan Ad-Hoc Advisory Committee charter is amended and restated as shown in Exhibit A to this resolution.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California, at a Regular Meeting held this 3rd day of November 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 3rd day of November 2025, by the following vote:

AYES:

NOES:

RECUSE:

ABSENT:

ABSTAIN:

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



SHORES PARK MASTER PLAN AD-HOC ADVISORY COMMITTEE CHARTER

Mission & Work Program:

Shores Park Master Plan Ad-Hoc Advisory Committee provides input to the City Council on Phases Two and Three of the master planning effort, which includes the development of a preferred concept for the Master Plan.

Membership:

The Committee consists of nine (9) members: seven (7) resident voting members, including one (1) from the Parks and Recreation Committee, and two (2) ex-officio non-voting members, one (1) from the Winston School and one (1) representative of the Del Mar Community Building users.

Membership Term:

There is no established length of term for Committee members. The Committee will be dissolved at the completion of the Shores Park Master Planning effort and Council adoption of the Master Plan.

Meeting Requirements:

The Committee meets as may be needed in order to fulfill its mission and work program in full compliance with the California Open Meeting Laws (Brown Act).

Conflict of Interest Filing:

Members of the Shores Park Master Plan Ad-Hoc Advisory Committee are not required to file Conflict of Interest Filings due to the advisory nature of the committee.

Status:

The Shores Park Master Plan Ad-Hoc Advisory Committee is an ad-hoc committee that will sunset when the Shores Park Master Plan effort is complete with adoption of the Shores Park Master Plan by the City Council.



SHORES PARK MASTER PLAN AD-HOC ADVISORY COMMITTEE CHARTER

Mission & Work Program:

Shores Park Master Plan Ad-Hoc Advisory Committee provides input to the City Council on Phases Two and Three of the master planning effort, which includes the development of a preferred concept for the Master Plan.

Membership:

The Committee consists of ~~seven-nine~~ (97) members, ~~five-seven~~ (75) resident voting members, including one (1) from the Parks and Recreation Committee, and two (2) ex-officio non-voting members, one (1) from the Winston School and one (1) representative of the Del Mar Community Building users.

Membership Term:

There is no established length of term for Committee members. The Committee will be dissolved at the completion of the Shores Park Master Planning effort and Council adoption of the Master Plan.

Meeting Requirements:

The Committee meets as may be needed in order to fulfill its mission and work program in full compliance with the California Open Meeting Laws (Brown Act).

Conflict of Interest Filing:

Members of the Shores Park Master Plan Ad-Hoc Advisory Committee are not required to file Conflict of Interest Filings due to the advisory nature of the committee.

Status:

The Shores Park Master Plan Ad-Hoc Advisory Committee is an ad-hoc committee that will sunset when the Shores Park Master Plan effort is complete with adoption of the Shores Park Master Plan by the City Council.



DEL MAR CITIZEN INTEREST FORM

I. APPLICANT INFORMATION

Bloomer _____ Saniya _____ K _____
 Last Name First Name Middle Initial

_____ Del Mar, CA
 Home Street Address* City, State

**Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.*

_____ City, State
 Business Street Address (if applicable)

_____ E-mail Address
 Home Phone Number Business Phone Number

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

- Design Review Board
- Finance Committee
- Lagoon Committee
- Measure Q Citizen Oversight Committee
- Parks and Recreation Committee
- Other(s) (please indicate): _____
- Planning Commission
- Shores Park Master Plan Ad-Hoc Advisory Committee
- Sustainability Advisory Committee
- Traffic and Parking Advisory Committee
- Undergrounding Program Advisory Committee

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

Please see additional page at end of document (page 8)

Education:

BA - Business, Michigan State University

Relevant Experience (job or volunteer etc.):

Please see additional page at end of document (page 8)

Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

N/A

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

N/A

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number
Kristen King	Van Dyke	
Dianne Reppucci	8th St	
Shawn Schraeger	29th St	

***Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.*

Residency

	Month	Year
I have been a resident of California since:	Oct	2010
I have been a resident of San Diego County since:	Oct	2010
I have been a resident of Del Mar since:	Oct	2010

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

- North Bluff
- North Beach
- South Beach
- Village Center
- South Bluff
- South Hills
- North Hills
- Valley

Are you a full-time or part-time resident of Del Mar? Full-time Part-time

Is Del Mar your primary place of residence? Yes No

Are you a registered voter in Del Mar? Yes No

My husband Kavin Bloomer and I currently divide our time between our home in Del Mar and Los Angeles. However, in 2026 we will be fully residing in Del Mar.

III. COMMITTEE SPECIFIC QUESTIONS

The following are additional questions related to specific committees. Please answer the questions only for the committee(s) you are applying for.

1. **Finance Committee**

The Finance Committee is looking for applicants with financial expertise and background.

Please describe your experience reviewing financial reports, conducting financial studies or any related experience. Please include any experience specific to public entities.

N/A

What aspects of the City's finances most interest you and why?

N/A

2. **Measure Q Citizen Oversight Committee**

Membership on the Measure Q Citizen Oversight Committee is set by category. Which membership category do you best fit in? (Select all that apply)

- Current (or within past 5 years) Finance Committee Member
- Business Community Member
- At-large Resident Member
- Other (please explain): _____

3. **Traffic and Parking Advisory Committee**

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

N/A

4. **Parks and Recreation Committee**

The Parks and Recreation Committee is looking for applicants with an interest in the City's parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

N/A

What aspects of the City's parks and recreation most interest you and why?

N/A

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

N/A

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

Please see additional page at end of document (page 8)

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

Please see additional page at end of document (page 8)

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

N/A

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

N/A

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

N/A

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

N/A

9. [Design Review Board](#) and/or [Planning Commission](#)

Briefly describe your qualifications and experience as it relates to serving on the Design Review Board or Planning Commission. The required qualifications for each can be found in the Del Mar Municipal Code (DMMC) [Chapters 2.34](#) and [2.38](#). You will be able to provide more information at a City Council public meeting during an open interview process.

N/A

10. **For All Committees:** Thank you for completing the Citizen Interest Form. Is there anything else you would like to add to your application for the City Council to consider?

N/A

IV. SIGNATURE AND ACKNOWLEDGEMENT

Please review the important information below before signing and submitting your application. Please note that recommendations for appointments to City advisory committees (other than the Planning Commission and Design Review Board) are made by the [Council Liaisons to that Committee](#). The appointments are then placed on the consent calendar for consideration for approval by the full City Council at the next available City Council meeting. For reasons of privacy, the individual candidates are not discussed at the meeting.

Additionally, the Del Mar Conflict of Interest Code requires that members of the Design Review Board, Planning Commission, and Finance Committee file Conflict of Interest Statements with the Administrative Services Department in conformance with the Fair Political Practices Commission and the City's Conflict of Interest Code. Other advisory committee members are not required to file Conflict of Interest Statements.

By signing below, you are acknowledging that you have reviewed the Committee webpage for which you are applying and that you understand the conflict of interest filing requirement, if applicable. Part of your service may include ethics and anti-harassment training upon appointment and bi-annually. Visit the [City's Conflict of Interest Code](#) webpage to learn more about the requirement.

By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



Signature

September 23, 2025

Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.

Shores Park Master Plan Ad-Hoc Advisory Committee Application - Saniya Bloomer

QUALIFICATIONS FOR APPOINTMENT AND/OR REASONS FOR APPLICATION

I wish to serve on the Shores Park Master Plan Ad-Hoc Advisory Committee because the park directly impacts me as an adjacent neighbor and homeowner, while also offering the opportunity to contribute meaningfully to the Del Mar community at large.

Professionally, I bring over 25 years of experience as a global brand strategy and communications executive. My career has centered on helping organisations develop strategies that reflect both local context and global vision—skills directly relevant to guiding a park plan that balances neighborhood issues with citywide aspirations. I am practiced in building consensus among diverse stakeholders, translating complex input into clear strategies, and ensuring outcomes serve both community identity and long-term sustainability.

In addition, my board positions with two philanthropic organisations reflect my commitment to civic engagement and community uplift. I understand the importance of transparency, accountability, and collaborative governance.

As a resident living adjacent to Shores Park, I bring the on-the-ground perspective of how the park affects daily life: aesthetics, traffic flow, parking, and neighborhood character. I want to ensure the Master Plan creates a park that enhances Del Mar's natural beauty and coastal charm, while functioning smoothly for visitors and nearby residents alike.

In short, I combine professional expertise, nonprofit leadership experience, and personal investment as a close neighbor. I am confident this blend of skills and perspective would make me a constructive and committed member of the Shores Park Master Plan Ad-Hoc Advisory Committee.

=====

RELEVANT EXPERIENCE

- 25 years of experience as a global brand strategy and communications executive: helping organisations develop strategies that meet objectives while reflecting both local context and global vision; working across stakeholder groups and internal/external partners
- Non-profit leadership: currently serving on two boards
- On the ground living experience perspective

=====

WHAT ASPECTS OF BEING ON THE SHORES PARK MASTER PLAN AD-HOC COMMITTEE MOST INTEREST YOU AND WHY?

As a homeowner living with very close adjacency to Shores Park, I personally see and experience the space regularly — as a green backdrop, a community spot, and a unique asset for Del Mar. This perspective gives me a deep appreciation for its beauty and potential to become an even more vibrant and thoughtfully designed park, as well as a practical understanding of how design choices affect parking, traffic flow, and the aesthetic character of the neighbourhood.

What excites me about serving on the committee is the opportunity to help shape that vision—ensuring the park is welcoming, beautiful, and functional for all of Del Mar, while integrating gracefully with the surrounding community. I would like to contribute my lived experience, along with my professional skills, to help create a plan that reflects both the community's aspirations and the city's enduring character.

=====

PLEASE DESCRIBE YOUR APPROACH FOR PARTICIPATING IN THE DEVELOPMENT OF A PREFERRED CONCEPT FOR THE MASTER PLAN FOR THE SHORES PARK PROPERTY.

My approach would be collaborative, constructive, and grounded in both community input and practical considerations. I believe the most successful plan will emerge from balancing the aspirations of Del Mar residents with realistic solutions for design, access, operations, and maintenance.

I would bring the perspective of a close neighbor while also listening carefully to voices from across the community.

I would advocate for transparent decision-making that considers data—such as traffic studies and environmental impacts—alongside community vision.

I would work toward consensus, looking for creative compromises that honor the park's legacy, meet city needs, and minimize negative impacts on nearby residents.

I would encourage attention to aesthetics, sustainability, and safety, ensuring the park becomes an enduring asset that enhances Del Mar's identity.

In short, I would participate actively, respectfully, and thoughtfully—bringing both personal investment and civic-minded commitment to the process of selecting and refining a preferred concept.

DEL MAR CITIZEN INTEREST FORM



I. APPLICANT INFORMATION

Franco
Last Name
Alessandra
First Name
Middle Initial
Del Mar CA 92014
City, State
Home Street Address*

**Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.*

Business Street Address (if applicable)
City, State
Home Phone Number
Business Phone Number
E-mail Address

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

- Design Review Board
- Finance Committee
- Lagoon Committee
- Measure Q Citizen Oversight Committee
- Parks and Recreation Committee
- Other(s) (please indicate): _____
- Planning Commission
- Shores Park Master Plan Ad-Hoc Advisory Committee
- Sustainability Advisory Committee
- Traffic and Parking Advisory Committee
- Undergrounding Program Advisory Committee

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

I have been a Del Mar resident for many years
My daughter attended the Winston school from 4 to 12 grade, I am very familiar with the school, board, relation with the dog park.
I have four dogs.

Education:

MD PhD
I am a professor at UCSD

Relevant Experience (job or volunteer etc.):

Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number
Cathy Ascitutto and Lynda Pinney	425 8th street	
Frank and Lynda Chisari	1010 Crest street	
Palmer and Susan Taylor	Crest street	

***Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.*

Residency

	Month	Year
I have been a resident of California since:	September	1991
I have been a resident of San Diego County since:		
I have been a resident of Del Mar since:	May	2011

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

- | | |
|--|--------------------------------------|
| <input type="checkbox"/> North Bluff | <input type="checkbox"/> South Bluff |
| <input type="checkbox"/> North Beach | <input type="checkbox"/> South Hills |
| <input type="checkbox"/> South Beach | <input type="checkbox"/> North Hills |
| <input checked="" type="checkbox"/> Village Center | <input type="checkbox"/> Valley |

Are you a full-time or part-time resident of Del Mar? Full-time Part-time

Is Del Mar your primary place of residence? Yes No

Are you a registered voter in Del Mar? Yes No

III. COMMITTEE SPECIFIC QUESTIONS

The following are additional questions related to specific committees. Please answer the questions only for the committee(s) you are applying for.

1. Finance Committee

The Finance Committee is looking for applicants with financial expertise and background.

Please describe your experience reviewing financial reports, conducting financial studies or any related experience. Please include any experience specific to public entities.

What aspects of the City's finances most interest you and why?

2. Measure Q Citizen Oversight Committee

Membership on the Measure Q Citizen Oversight Committee is set by category. Which membership category do you best fit in? (Select all that apply)

- Current (or within past 5 years) Finance Committee Member
- Business Community Member
- At-large Resident Member
- Other (please explain): _____

3. Traffic and Parking Advisory Committee

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

4. Parks and Recreation Committee

The Parks and Recreation Committee is looking for applicants with an interest in the City's parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

What aspects of the City's parks and recreation most interest you and why?

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

I am a dog owner (4 dogs) and I have been for may years a Winston mom.
I am very familiar with the needs of the school and policies.
The Shores Park is the best community gathering that makes a difference.

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

9. [Design Review Board](#) and/or [Planning Commission](#)

Briefly describe your qualifications and experience as it relates to serving on the Design Review Board or Planning Commission. The required qualifications for each can be found in the Del Mar Municipal Code (DMMC) [Chapters 2.34](#) and [2.38](#). You will be able to provide more information at a City Council public meeting during an open interview process.

10. **For All Committees:** Thank you for completing the Citizen Interest Form. Is there anything else you would like to add to your application for the City Council to consider?

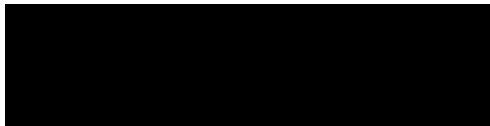
IV. SIGNATURE AND ACKNOWLEDGEMENT

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By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



Signature

9-22-2025

Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.

DEL MAR CITIZEN INTEREST FORM



I. APPLICANT INFORMATION

HOLLIDAY		WILL
_____	_____	_____
Last Name	First Name	Middle Initial
_____	_____	_____
Home Street Address*		DEL MAR, CA
_____		City, State
Business Street Address (if applicable)		_____
_____		City, State
_____	_____	_____
Home Phone Number	Business Phone Number	E-mail Address

*Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

- | | |
|--|---|
| <input type="checkbox"/> Design Review Board | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Finance Committee | <input checked="" type="checkbox"/> Shores Park Master Plan Ad-Hoc Advisory Committee |
| <input type="checkbox"/> Lagoon Committee | <input type="checkbox"/> Sustainability Advisory Committee |
| <input type="checkbox"/> Measure Q Citizen Oversight Committee | <input type="checkbox"/> Traffic and Parking Advisory Committee |
| <input type="checkbox"/> Parks and Recreation Committee | <input type="checkbox"/> Undergrounding Program Advisory Committee |
| <input type="checkbox"/> Other(s) (please indicate): _____ | |

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

50+ year resident with a passion for providing park and recreational spaces in Del Mar. Have used all open spaces in numerous ways and at all ages, including school recess, organized sports, pickup games, dog exercising, concerts, family picnics, playing sports with my daughter, walking/hiking, and personal exercise. As a member of the Holliday Family Foundation, selected the acquisition of the Shores Property as our most significant gift for the long term benefit to the Del Mar Community.

Education:

Del Mar Elementary Schools - Heights, Shores, & Hills
Earl Warren Middle School
Torrey Pines High School
Colgate University - BA
San Diego State University - MBA, Finance

Relevant Experience (job or volunteer etc.):

Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

Del Mar Finance Committe - approx. July 2013-2017

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number
Joe Sullivan	Ocean Front	
Tom Sohn	26th Street	

***Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.*

Residency

	Month	Year
I have been a resident of California since:	12	1967
I have been a resident of San Diego County since:	4	1968
I have been a resident of Del Mar since:	10	1972

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

- | | |
|---|---|
| <input type="checkbox"/> North Bluff | <input type="checkbox"/> South Bluff |
| <input type="checkbox"/> North Beach | <input type="checkbox"/> South Hills |
| <input type="checkbox"/> South Beach | <input checked="" type="checkbox"/> North Hills |
| <input type="checkbox"/> Village Center | <input type="checkbox"/> Valley |

Are you a full-time or part-time resident of Del Mar? Full-time Part-time

Is Del Mar your primary place of residence? Yes No

Are you a registered voter in Del Mar? Yes No

III. COMMITTEE SPECIFIC QUESTIONS

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3. Traffic and Parking Advisory Committee

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

4. Parks and Recreation Committee

The Parks and Recreation Committee is looking for applicants with an interest in the City's parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

What aspects of the City's parks and recreation most interest you and why?

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

To bring my passion for park and recreational spaces, along with half-century of joys growing up and then raising my own family in Del Mar, in an effort to assist in advocating and developing a plan that realizes the amazing potential of the Shores park.

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

To leverage the previous significant community visioning exercises and concepts to move forward with a recommendation that seeks to address multiple uses, and then advocate that the long stalled implementation be realized.

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

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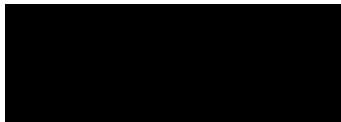
IV. SIGNATURE AND ACKNOWLEDGEMENT

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By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



Signature

September 25, 2025

Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.



CITY OF DEL MAR

CITIZEN INTEREST FORM

IMPORTANT: *Save the form on your computer prior to filling it out. Do not fill out the form in the Internet browser.*

Thank you for your interest in serving the Del Mar Community. Please use this Citizen Interest Form to apply to serve on a City of Del Mar advisory committee, Planning Commission, or Design Review Board. The City of Del Mar greatly values the many talented citizens who volunteer to serve in city government. We encourage you to get involved. Please indicate whether you are seeking to serve on the Del Mar Planning Commission, Design Review Board, or one or more of the City's many advisory committees, and please note your order of preference indicating 1st, 2nd choice, etc.

Before making your selection, we encourage you to spend some time learning about what each entity does, what its mission is, and what your role would be if you were appointed. Please note that in addition to the general questions below to be answered by all applicants, there are also specific questions tailored to service on the Planning Commission, Design Review Board, or an advisory committee to be answered as well.

Before applying, you are encouraged to attend or watch a [committee meeting](#) and review recent committee [agendas and meeting minutes](#). If appointed, you will be expected to attend the meetings, which typically last about 2 hours in length, or more depending on the agenda, and require about 1 hour of preparation time for each meeting. Please note that in accordance with City Council Policy 200, committee members must not miss more than three meetings in a given calendar year. Committee meeting times vary, so please review the website calendar to make sure the meeting times for the committee you are applying for work for your schedule: [Public Meeting Calendar](#).

You can also view current [committee webpages, charters, and member rosters](#) to get more information about each committee. In accordance with *Council Policy 200- City Council Advisory Committees, Boards and Commissions* members of the public may serve on two boards, committees or commissions concurrently except in special circumstances as determined by the Council. Additionally, the number of consecutive terms that an individual may serve on a committee is two unless the City Council makes an exception if they feel it is to the benefit of the committee to re-appoint an individual to a third term. Please note that ex-officio members are non-voting and may be non-residents.

Form Submittal: Citizen Interest Forms must be submitted by the [published deadline](#). Forms can be submitted in-person or by mail at: Del Mar City Hall, 1050 Camino del Mar, Del Mar 92014; or via email: cityclerk@delmar.ca.us. **Please note:** City Hall is closed to the public for in-person services on Fridays, and Citizen Interest Forms should be submitted via email only on Fridays. Citizen Interest Forms can be submitted in-person or via email Monday through Thursday.

DEL MAR CITIZEN INTEREST FORM

I. APPLICANT INFORMATION

Sullivan _____ Joseph ("Joe") _____ E _____
Last Name First Name Middle Initial

_____ Del Mar, CA _____
Home Street Address* City, State

**Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.*

_____ City, State _____
Business Street Address (if applicable) City, State

_____ _____
Home Phone Number Business Phone Number E-mail Address

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

- Design Review Board Planning Commission
 Finance Committee 1 Shores Park Master Plan Ad-Hoc Advisory Committee
 Lagoon Committee Sustainability Advisory Committee
 Measure Q Citizen Oversight Committee Traffic and Parking Advisory Committee
 Parks and Recreation Committee Undergrounding Program Advisory Committee
 Other(s) (please indicate): _____

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

I have been engaged with the future of the Shores property since 2005, beginning with my service on the DMUSD committee that considered its sale. Together with Laura DeMarco and John Greybill, I co-founded Friends of Del Mar Parks, which raised the private funds and political will for the City to acquire the site as a public park. I have actively participated in almost every community outreach effort and public hearing on park planning. I fully support the Council's recent direction on guiding principles and priority amenities, including consideration of finding a site for the Alvarado House and evaluation of the best use of space for dogs. I am eager to work with staff and the Schmidt team to help deliver an approved master plan by the end of this fiscal year.

Education:

BA.: San Diego State University
MBA: Harvard Business School

Relevant Experience (job or volunteer etc.):

I served on the board of the Del Mar Foundation, including a term as President. I was active in the fundraising for the Del Mar Library and the restoration of the Powerhouse Community Center.

Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

None

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

Financial Advisory Committee, approximately 1993-1996.

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number
Rosanne Holliday	Crest Road	[REDACTED]
Tom McGreal	Stratford Court	[REDACTED]
Nancy Stoke	Coast Blvd.	[REDACTED]

***Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.*

Residency

	Month	Year
I have been a resident of California since:	May	1943
I have been a resident of San Diego County since:	May	1943
I have been a resident of Del Mar since:	November	1989

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

North Bluff

South Bluff

- North Beach
- South Beach
- Village Center

- South Hills
- North Hills
- Valley

Are you a full-time or part-time resident of Del Mar?

Full-time Part-time

Is Del Mar your primary place of residence?

Yes No

Are you a registered voter in Del Mar?

Yes No

III. COMMITTEE SPECIFIC QUESTIONS

The following are additional questions related to specific committees. Please answer the questions only for the committee(s) you are applying for.

1. Finance Committee

The Finance Committee is looking for applicants with financial expertise and background.

Please describe your experience reviewing financial reports, conducting financial studies or any related experience. Please include any experience specific to public entities.

What aspects of the City's finances most interest you and why?

2. Measure Q Citizen Oversight Committee

Membership on the Measure Q Citizen Oversight Committee is set by category. Which membership category do you best fit in? (Select all that apply)

- Current (or within past 5 years) Finance Committee Member
- Business Community Member
- At-large Resident Member
- Other (please explain): _____

3. Traffic and Parking Advisory Committee

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

4. Parks and Recreation Committee

The Parks and Recreation Committee is looking for applicants with an interest in the City's parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

What aspects of the City's parks and recreation most interest you and why?

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

I recognize the difficulty of fitting all the priority amenities on this limited space. I am optimistic the Schmidt team will create a plan that eliminates much of the asphalt of the lower parking area and the driveway from Stratford. I believe it important, early in the process, to identify the specific requirements of the Winston School lease, the preferences of the Del Mar Foundation and DMCC for a new or remodeled community building, and the vision of the Historical Society for the Alvarado House. After that has been submitted to Schmidt, proposed designs would be prepared and the Ad-Hoc Committee Advisory Committee would analyze and make recommendations to the counsel for the final plans. This would include consideration of community input.

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

Listen, observe, analyze, suggest, mediate.

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

9. [Design Review Board](#) and/or [Planning Commission](#)

Briefly describe your qualifications and experience as it relates to serving on the Design Review Board or Planning Commission. The required qualifications for each can be found in the Del Mar Municipal Code (DMMC) [Chapters 2.34](#) and [2.38](#). You will be able to provide more information at a City Council public meeting during an open interview process.

10. For All Committees: Thank you for completing the Citizen Interest Form. Is there anything else you would like to add to your application for the City Council to consider?



IV. SIGNATURE AND ACKNOWLEDGEMENT

Please review the important information below before signing and submitting your application. Please note that recommendations for appointments to City advisory committees (other than the Planning Commission and Design Review Board) are made by the [Council Liaisons to that Committee](#). The appointments are then placed on the consent calendar for consideration for approval by the full City Council at the next available City Council meeting. For reasons of privacy, the individual candidates are not discussed at the meeting.

Additionally, the Del Mar Conflict of Interest Code requires that members of the Design Review Board, Planning Commission, and Finance Committee file Conflict of Interest Statements with the Administrative Services Department in conformance with the Fair Political Practices Commission and the City's Conflict of Interest Code. Other advisory committee members are not required to file Conflict of Interest Statements.

By signing below, you are acknowledging that you have reviewed the Committee webpage for which you are applying and that you understand the conflict of interest filing requirement, if applicable. Part of your service may include ethics and anti-harassment training upon appointment and bi-annually. Visit the [City's Conflict of Interest Code](#) webpage to learn more about the requirement.

By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



09/23/2025

Signature

Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.

DEL MAR CITIZEN INTEREST FORM



I. APPLICANT INFORMATION

Brooks	Larry	D
_____ Last Name	_____ First Name	_____ Middle Initial
_____	Del Mar CA	_____
Home Street Address*	City, State	
<i>*Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.</i>		
n/a		
_____	_____	_____
Business Street Address (if applicable)	City, State	
_____	_____	_____
Home Phone Number	Mobile Phone Number	E-mail Address

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

- | | |
|--|--|
| <input type="checkbox"/> Design Review Board | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Finance Committee | <input type="checkbox"/> 1 Shores Park Master Plan Ad-Hoc Advisory Committee |
| <input type="checkbox"/> Lagoon Committee | <input type="checkbox"/> Sustainability Advisory Committee |
| <input type="checkbox"/> Measure Q Citizen Oversight Committee | <input type="checkbox"/> Traffic and Parking Advisory Committee |
| <input type="checkbox"/> Parks and Recreation Committee | <input type="checkbox"/> Undergrounding Program Advisory Committee |
| <input type="checkbox"/> Other(s) (please indicate): _____ | |

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

I am applying to be a voting member of the Committee to use my long-term connection to the park so that final product will serve all the residents of Del Mar. My particular interests are planning for incremental development of the park with priority given to a new DMCB with sufficient adjacent parking and inclusion of the Alvarado House in the park without using "open space."

Education: _____

BS Engineering, U.S. Coast Guard Academy
 MS Civil Engineering, University of Illinois
 MS Physical Oceanography, University of Connecticut
 Mediation Training Certificate, CSULB

Relevant Experience (job or volunteer etc.):

President, Del Mar Historical Society; 2012 – present
 Renovator-in-charge, Del Mar Community Building; 2012
 Remarkable Del Mar History, DMCC; 2020 – present
 Citizen Ad Hoc Shores Park Committee; 2024 - present

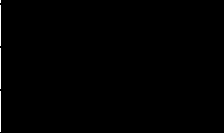
Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

none

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

Airport Advisory Committee; 1995 - 1999

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number
Lynn Gaylord	Ocean Front	
Dwight Worden	Seaview	
Wayne Dernetz	9 th St	

***Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.*

Residency

	Month	Year
I have been a resident of California since:	November	1939
I have been a resident of San Diego County since:	August	1995
I have been a resident of Del Mar since:	August	1995

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

- | | |
|---|---|
| <input type="checkbox"/> North Bluff | <input type="checkbox"/> South Bluff |
| <input type="checkbox"/> North Beach | <input type="checkbox"/> South Hills |
| <input type="checkbox"/> South Beach | <input checked="" type="checkbox"/> North Hills |
| <input type="checkbox"/> Village Center | <input type="checkbox"/> Valley |

Are you a full-time or part-time resident of Del Mar? Full-time Part-time

Is Del Mar your primary place of residence? Yes No

Are you a registered voter in Del Mar? Yes No

III. COMMITTEE SPECIFIC QUESTIONS

The following are additional questions related to specific committees. Please answer the questions only for the committee(s) you are applying for.

1. Finance Committee

The Finance Committee is looking for applicants with financial expertise and background.

Please describe your experience reviewing financial reports, conducting financial studies or any related experience. Please include any experience specific to public entities.

What aspects of the City's finances most interest you and why?

2. Measure Q Citizen Oversight Committee

Membership on the Measure Q Citizen Oversight Committee is set by category. Which membership category do you best fit in? (Select all that apply)

- Current (or within past 5 years) Finance Committee Member
- Business Community Member
- At-large Resident Member
- Other (please explain): _____

3. Traffic and Parking Advisory Committee

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

4. Parks and Recreation Committee

The Parks and Recreation Committee is looking for applicants with an interest in the City's parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

What aspects of the City's parks and recreation most interest you and why?

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

Consideration of including the Alvarado House in the Master Plan. Maximize green open space. Create development plan that allows incremental development. Ensure sufficient parking for DMCC clients and other park users

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

Utilize the preferred elements identified by residents of Del Mar in the early stages of Shores Park development to create a park that will benefit all Del Mar residents.

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

9. [Design Review Board](#) and/or [Planning Commission](#)

Briefly describe your qualifications and experience as it relates to serving on the Design Review Board or Planning Commission. The required qualifications for each can be found in the Del Mar Municipal Code (DMMC) [Chapters 2.34](#) and [2.38](#). You will be able to provide more information at a City Council public meeting during an open interview process.

10. **For All Committees:** Thank you for completing the Citizen Interest Form. Is there anything else you would like to add to your application for the City Council to consider?

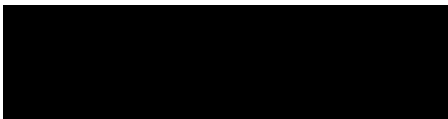
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Please review the important information below before signing and submitting your application. Please note that recommendations for appointments to City advisory committees (other than the Planning Commission and Design Review Board) are made by the [Council Liaisons to that Committee](#). The appointments are then placed on the consent calendar for consideration for approval by the full City Council at the next available City Council meeting. For reasons of privacy, the individual candidates are not discussed at the meeting.

Additionally, the Del Mar Conflict of Interest Code requires that members of the Design Review Board, Planning Commission, and Finance Committee file Conflict of Interest Statements with the Administrative Services Department in conformance with the Fair Political Practices Commission and the City's Conflict of Interest Code. Other advisory committee members are not required to file Conflict of Interest Statements.

By signing below, you are acknowledging that you have reviewed the Committee webpage for which you are applying and that you understand the conflict of interest filing requirement, if applicable. Part of your service may include ethics and anti-harassment training upon appointment and bi-annually. Visit the [City's Conflict of Interest Code](#) webpage to learn more about the requirement.

By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



Signature

Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.

DEL MAR CITIZEN INTEREST FORM

RECEIVED

SEP 24 2025

City of Del Mar
Administrative Services Dept.

I. APPLICANT INFORMATION

HALONZA

Last Name

LUDD

First Name

G.

Middle Initial

Home Street Address

DEL MAR

CA 92014

City, State

**Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.*

Business Street Address (if applicable)

City, State

Home Phone Number

Business Phone Number

E-mail Address

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

- Design Review Board
- Finance Committee
- Lagoon Committee
- Measure Q Citizen Oversight Committee
- Parks and Recreation Committee
- Other(s) (please indicate): _____
- Planning Commission
- Shores Park Master Plan Ad-Hoc Advisory Committee
- Sustainability Advisory Committee
- Traffic and Parking Advisory Committee
- Undergrounding Program Advisory Committee

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

I WAS ON THE ORIGINAL SHORES PARK ADVISORY COMMITTEE AND SERVED ON THE FINANCE COMMITTEE PREVIOUSLY. I WANT TO SEE THE MASTER PLAN COMPLETED AS EXPEDITIOUSLY AS POSSIBLE IN A COST EFFECTIVE MANNER. IT WILL BE POSSIBLE TO DO THAT WHILE ACCOMMODATING THE TIER 1 AMENITIES THAT THE CITIZENS OF DEL MAR WANT.

Education:

B.S. U.S. NAVAL ACADEMY
M.S. (STATISTICS) STANFORD U.

Relevant Experience (job or volunteer etc.):

30 YEARS OF LAND DESIGN AND DEVELOPMENT.

Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

NONE

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

ZONING COMMITTEE
SHORES PARK ADVISORY COMMITTEE

Optional: Please list three Del Mar residents who can provide a reference**:

NAME	STREET NAME (no house number)	Phone Number
HAROLD FEDEL	CREST RD.	[REDACTED]
DWIGHT WARDON		
JUDY SCHUCKIT	CREST RD.	

**Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.

Residency

	Month	Year
I have been a resident of California since:	NOV	1968
I have been a resident of San Diego County since:	NOV	1968
I have been a resident of Del Mar since:	DEC	1969

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

- North Bluff
- North Beach
- South Beach
- Village Center
- South Bluff
- South Hills
- North Hills (TOP OF 15th ST.)
- Valley

Are you a full-time or part-time resident of Del Mar? Full-time Part-time

Is Del Mar your primary place of residence? Yes No

Are you a registered voter in Del Mar? Yes No

III. COMMITTEE SPECIFIC QUESTIONS

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- Other (please explain): _____

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Which membership category do you best fit in? (Select all that apply)

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Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

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What aspects of the City's parks and recreation most interest you and why?

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What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

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In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

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Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

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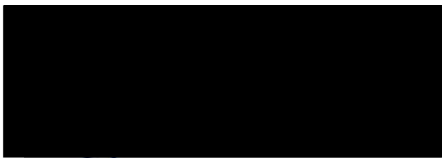
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9/23/25
Date

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CITY OF DEL MAR

RECEIVED

SEP 24 2025
CITY OF DEL MAR
FINANCE

CITIZEN INTEREST FORM

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1050 Camino Del Mar, Del Mar California 92014 | (858) 755-9313 | <https://www.delmar.ca.us/>
Form Approved 12/7/21; Revised 9/10/2025

DEL MAR CITIZEN INTEREST FORM

I. APPLICANT INFORMATION

Last Name Gaylord First Name Lynn Middle Initial M
Home Street Address* [REDACTED] City, State Del Mar, CA

*Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.

Business Street Address (if applicable) [REDACTED] City, State [REDACTED]
Home Phone Number [REDACTED] Business Phone Number [REDACTED] E-mail Address [REDACTED]

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

- | | |
|--|---|
| <input type="checkbox"/> Design Review Board | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Finance Committee | <input checked="" type="checkbox"/> Shores Park Master Plan Ad-Hoc Advisory Committee |
| <input type="checkbox"/> Lagoon Committee | <input type="checkbox"/> Sustainability Advisory Committee |
| <input type="checkbox"/> Measure Q Citizen Oversight Committee | <input type="checkbox"/> Traffic and Parking Advisory Committee |
| <input type="checkbox"/> Parks and Recreation Committee | <input type="checkbox"/> Undergrounding Program Advisory Committee |
| <input type="checkbox"/> Other(s) (please indicate): _____ | |

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

I presently serve on the Parks and Recreation Committee and have a deep appreciation for all the work that has gone on prior so that we have the most wonderful open spaces and parks in Del Mar. It took great foresight and courageous residents to make this happen. I want to be one.

Education:

*BA. Wellesley College
MA Columbia University
MEd Columbia University*

Relevant Experience (job or volunteer etc.):

I worked hard to make the Tot Lot a reality through Friends of the Powerhouse and enjoyed many wonderful years there with my grandchildren. A lot of public input is needed to make Shores Park a reality and am good at asking questions!

Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

Parks and Recreation

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

The Del Mar Foundation
 Friends of the Powerhouse
 Traffic and Parking

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number
Ann Feeney	Rimini Road	[REDACTED]
Arlene Proter	Zuni Drive	[REDACTED]
Mary Friestadt	Bellaire St.	[REDACTED]

**Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.

Residency

	Month	Year
I have been a resident of California since:	AUG.	1990
I have been a resident of San Diego County since:	AUG.	1990
I have been a resident of Del Mar since:	JAN.	1995

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> North Bluff | <input type="checkbox"/> South Bluff |
| <input checked="" type="checkbox"/> North Beach | <input type="checkbox"/> South Hills |
| <input type="checkbox"/> South Beach | <input type="checkbox"/> North Hills |
| <input type="checkbox"/> Village Center | <input type="checkbox"/> Valley |

Are you a full-time or part-time resident of Del Mar? Full-time Part-time

Is Del Mar your primary place of residence? Yes No

Are you a registered voter in Del Mar? Yes No

III. COMMITTEE SPECIFIC QUESTIONS

The following are additional questions related to specific committees. Please answer the questions only for the committee(s) you are applying for.

1. **Finance Committee**

The Finance Committee is looking for applicants with financial expertise and background.

Please describe your experience reviewing financial reports, conducting financial studies or any related experience. Please include any experience specific to public entities.

What aspects of the City's finances most interest you and why?

2. **Measure Q Citizen Oversight Committee**

Membership on the Measure Q Citizen Oversight Committee is set by category. Which membership category do you best fit in? (Select all that apply)

- Current (or within past 5 years) Finance Committee Member
- Business Community Member
- At-large Resident Member
- Other (please explain): _____

3. **Traffic and Parking Advisory Committee**

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

4. **Parks and Recreation Committee**

The Parks and Recreation Committee is looking for applicants with an interest in the City's parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

What aspects of the City's parks and recreation most interest you and why?

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

IT IS A BEAUTIFUL OPEN SPACE and could have so many wonderful uses and opportunities for bringing community members together! That's what parks are for!

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

I think we should gather as many opinions as possible as there have been a lot of changes since this planning process began many years ago.

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

9. [Design Review Board](#) and/or [Planning Commission](#)

Briefly describe your qualifications and experience as it relates to serving on the Design Review Board or Planning Commission. The required qualifications for each can be found in the Del Mar Municipal Code (DMMC) [Chapters 2.34](#) and [2.38](#). You will be able to provide more information at a City Council public meeting during an open interview process.

10. **For All Committees:** Thank you for completing the Citizen Interest Form. Is there anything else you would like to add to your application for the City Council to consider?

IV. SIGNATURE AND ACKNOWLEDGEMENT

Please review the important information below before signing and submitting your application. Please note that recommendations for appointments to City advisory committees (other than the Planning Commission and Design Review Board) are made by the [Council Liaisons to that Committee](#). The appointments are then placed on the consent calendar for consideration for approval by the full City Council at the next available City Council meeting. For reasons of privacy, the individual candidates are not discussed at the meeting.

Additionally, the Del Mar Conflict of Interest Code requires that members of the Design Review Board, Planning Commission, and Finance Committee file Conflict of Interest Statements with the Administrative Services Department in conformance with the Fair Political Practices Commission and the City's Conflict of Interest Code. Other advisory committee members are not required to file Conflict of Interest Statements.

By signing below, you are acknowledging that you have reviewed the Committee webpage for which you are applying and that you understand the conflict of interest filing requirement, if applicable. Part of your service may include ethics and anti-harassment training upon appointment and bi-annually. Visit the [City's Conflict of Interest Code](#) webpage to learn more about the requirement.

By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



Sept 24, 2025
Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.

DEL MAR CITIZEN INTEREST FORM



I. APPLICANT INFORMATION

Kanetis

Last Name

[REDACTED]

Home Street Address*

215 9th Street

Business Street Address (if applicable)

Home Phone Number

Kim

First Name

858-259-8155

Business Phone Number

Middle Initial

San Diego

City, State

Del Mar, Ca

City, State

kimk@thewinstonschool.org

E-mail Address

**Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.*

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

Design Review Board

Planning Commission

Finance Committee

Shores Park Master Plan Ad-Hoc Advisory Committee

Lagoon Committee

Sustainability Advisory Committee

Measure Q Citizen Oversight Committee

Traffic and Parking Advisory Committee

Parks and Recreation Committee

Undergrounding Program Advisory Committee

Other(s) (please indicate): _____

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

Applying for the ex-officio position representing The Winston School

Education:

BA, MBA Business Administration, Finance

Relevant Experience (job or volunteer etc.):

The Winston School, 16 years, Executive Director since 2024

Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

none

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

none

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number

***Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.*

Residency

	Month	Year
I have been a resident of California since:	6	1967
I have been a resident of San Diego County since:	4	1998
I have been a resident of Del Mar since:		

What part of town do you live in? Geographic diversity is desirable and will be taken into account. Check the [neighborhood map](#) to verify your neighborhood.

- North Bluff
- North Beach
- South Beach
- Village Center
- South Bluff
- South Hills
- North Hills
- Valley

Are you a full-time or part-time resident of Del Mar? Full-time Part-time

Is Del Mar your primary place of residence? Yes No

Are you a registered voter in Del Mar? Yes No

III. COMMITTEE SPECIFIC QUESTIONS

The following are additional questions related to specific committees. Please answer the questions only for the committee(s) you are applying for.

1. **Finance Committee**

The Finance Committee is looking for applicants with financial expertise and background.

Please describe your experience reviewing financial reports, conducting financial studies or any related experience. Please include any experience specific to public entities.

What aspects of the City’s finances most interest you and why?

2. **Measure Q Citizen Oversight Committee**

Membership on the Measure Q Citizen Oversight Committee is set by category. Which membership category do you best fit in? (Select all that apply)

- Current (or within past 5 years) Finance Committee Member
- Business Community Member
- At-large Resident Member
- Other (please explain): _____

3. **Traffic and Parking Advisory Committee**

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

4. **Parks and Recreation Committee**

The Parks and Recreation Committee is looking for applicants with an interest in the City’s parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

What aspects of the City’s parks and recreation most interest you and why?

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

I am interested in providing collaborative, positive input while ensuring The Winston School's lease obligations are provided for.

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

Collaborative, positive, and hopeful approach for a wonderful, revitalized park space that serves the needs of all Del Mar citizens and The Winston School

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

9. [Design Review Board](#) and/or [Planning Commission](#)

Briefly describe your qualifications and experience as it relates to serving on the Design Review Board or Planning Commission. The required qualifications for each can be found in the Del Mar Municipal Code (DMMC) [Chapters 2.34](#) and [2.38](#). You will be able to provide more information at a City Council public meeting during an open interview process.

10. **For All Committees:** Thank you for completing the Citizen Interest Form. Is there anything else you would like to add to your application for the City Council to consider?

IV. SIGNATURE AND ACKNOWLEDGEMENT

Please review the important information below before signing and submitting your application. Please note that recommendations for appointments to City advisory committees (other than the Planning Commission and Design Review Board) are made by the [Council Liaisons to that Committee](#). The appointments are then placed on the consent calendar for consideration for approval by the full City Council at the next available City Council meeting. For reasons of privacy, the individual candidates are not discussed at the meeting.

Additionally, the Del Mar Conflict of Interest Code requires that members of the Design Review Board, Planning Commission, and Finance Committee file Conflict of Interest Statements with the Administrative Services Department in conformance with the Fair Political Practices Commission and the City's Conflict of Interest Code. Other advisory committee members are not required to file Conflict of Interest Statements.

By signing below, you are acknowledging that you have reviewed the Committee webpage for which you are applying and that you understand the conflict of interest filing requirement, if applicable. Part of your service may include ethics and anti-harassment training upon appointment and bi-annually. Visit the [City's Conflict of Interest Code](#) webpage to learn more about the requirement.

By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



Signature

9/25/2025

Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.



CITY OF DEL MAR

CITIZEN INTEREST FORM

IMPORTANT: Save the form on your computer prior to filling it out. Do not fill out the form in the Internet browser.

Thank you for your interest in serving the Del Mar Community. Please use this Citizen Interest Form to apply to serve on a City of Del Mar advisory committee, Planning Commission, or Design Review Board. The City of Del Mar greatly values the many talented citizens who volunteer to serve in city government. We encourage you to get involved. Please indicate whether you are seeking to serve on the Del Mar Planning Commission, Design Review Board, or one or more of the City's many advisory committees, and please note your order of preference indicating 1st, 2nd choice, etc.

Before making your selection, we encourage you to spend some time learning about what each entity does, what its mission is, and what your role would be if you were appointed. Please note that in addition to the general questions below to be answered by all applicants, there are also specific questions tailored to service on the Planning Commission, Design Review Board, or an advisory committee to be answered as well.

Before applying, you are encouraged to attend or watch a [committee meeting](#) and review recent committee [agendas and meeting minutes](#). If appointed, you will be expected to attend the meetings, which typically last about 2 hours in length, or more depending on the agenda, and require about 1 hour of preparation time for each meeting. Please note that in accordance with City Council Policy 200, committee members must not miss more than three meetings in a given calendar year. Committee meeting times vary, so please review the website calendar to make sure the meeting times for the committee you are applying for work for your schedule: [Public Meeting Calendar](#).

You can also view current [committee webpages, charters, and member rosters](#) to get more information about each committee. In accordance with *Council Policy 200- City Council Advisory Committees, Boards and Commissions* members of the public may serve on two boards, committees or commissions concurrently except in special circumstances as determined by the Council. Additionally, the number of consecutive terms that an individual may serve on a committee is two unless the City Council makes an exception if they feel it is to the benefit of the committee to re-appoint an individual to a third term. Please note that ex-officio members are non-voting and may be non-residents.

Form Submittal: Citizen Interest Forms must be submitted by the [published deadline](#). Forms can be submitted in-person or by mail at: Del Mar City Hall, 1050 Camino del Mar, Del Mar 92014; or via email: cityclerk@delmar.ca.us. **Please note:** City Hall is closed to the public for in-person services on Fridays, and Citizen Interest Forms should be submitted via email only on Fridays. Citizen Interest Forms can be submitted in-person or via email Monday through Thursday.

DEL MAR CITIZEN INTEREST FORM

I. APPLICANT INFORMATION

Neuman

Last Name

Thomas

First Name

R.

Middle Initial

[REDACTED]

Home Street Address*

Del Mar, CA

City, State

**Applicants are required to provide a physical residency address. Mailing addresses or Post Office boxes will not be accepted. The City will maintain all residency addresses strictly confidential.*

225 9th St. (Del Mar Community Building)

Business Street Address (if applicable)

Del Mar, CA

City, State

[REDACTED]

Home Phone Number

Business Phone Number

[REDACTED]

E-mail Address

II. APPLICATION DETAILS

I am interested in serving on the following Committees, Board(s) or Commission(s) in order of preference (indicate 1st, 2nd choice, etc.):

Design Review Board

Planning Commission

Finance Committee

Shores Park Master Plan Ad-Hoc Advisory Committee

Lagoon Committee

Sustainability Advisory Committee

Measure Q Citizen Oversight Committee

Traffic and Parking Advisory Committee

Parks and Recreation Committee

Undergrounding Program Advisory Committee

Other(s) (please indicate): _____

Qualifications for appointment and/or reasons for application (attach additional pages as needed):

I am applying for the ex-officio position representing Del Mar Community Building (DMCB) users. I am President of the Del Mar Foundation; my anticipated 2nd term will end in Oct. 2026. DMF, DMCC and Del Mar Historical Society, the three principal non-profits using the DMCB, support my appointment. The DMCB was created in 2012 after DMF negotiated an agreement with the City for community use of the building, DMF and DMCC invested \$20K and hundreds of volunteer hours to renovate the DMCB. DMF has managed the building for 13 years, and DMF and DMCC jointly pay for the building's utilities, maintenance and repair.

Education:

1990-1994: Otolaryngology - Head & Neck Surgery Residency, UCSD
1988-1989: General Surgery, UCSF
1985-1988: MD, Wayne State Univ. School of Medicine
1984-1985: Loyola Stritch School of Medicine, transferred in good standing
1979-1983: BA, Biology, UCSD Revelle College

Relevant Experience (job or volunteer etc.):

2024-Present: President, Del Mar Foundation
 2023-2024: Chair, Grants Committee, Del Mar Foundation
 1996-2021: Otolaryngology Private Practice, Warren, Ohio
 1994-1996: Department Head, Otolaryngology, Yokosuka Naval Hospital, Japan
 1989-1990: Division Head, Acute Care Treatment, US Naval Air Station, Moffett Field, CA


Name all of the Del Mar Committees/Boards/Commissions that you now serve on:

None

Please name all the Boards/Commissions/Committee/Task Forces that you have served on in the past, and if you can, the dates of your service:

None

Optional: Please list three Del Mar residents who can provide a reference:**

NAME	STREET NAME (no house number)	Phone Number
Sudepto Roy	Klish Way	
K. Alan Lonbom	Stratford Park Circle	
Betty Wheeler	Seaview Ave.	

***Due to Brown Act limitations that restrict communications between Councilmembers regarding upcoming actions of the City Council, please do not include a current sitting Councilmember as a reference for your appointment.*

Residency

	Month	Year
I have been a resident of California since:	November	2021
I have been a resident of San Diego County since:	November	2021
I have been a resident of Del Mar since:		

NOTE: I reside on La Amatista Rd., just outside of the City of Del Mar boundary. I resided in San Diego County as a UCSD undergraduate (1979-83) and resident (1990-94), residing in the City of Del Mar from 1981-83. I also resided part-time in the City of Del Mar from 2010-2021.

What part of town do you live in? Geographic diversity is desirable and will be taken into account.

- North Bluff
- North Beach
- South Beach
- Village Center
- South Bluff
- South Hills
- North Hills
- Valley

- Are you a full-time or part-time resident of Del Mar? Full-time (92014, not within the City)
- Is Del Mar your primary place of residence? Yes (92014, not within the City)
- Are you a registered voter in Del Mar? Yes (92014, not within the City)

III. COMMITTEE SPECIFIC QUESTIONS

The following are additional questions related to specific committees. Please answer the questions only for the committee(s) you are applying for.

1. **Finance Committee**

The Finance Committee is looking for applicants with financial expertise and background.

Please describe your experience reviewing financial reports, conducting financial studies or any related experience. Please include any experience specific to public entities.

What aspects of the City's finances most interest you and why?

2. **Measure Q Citizen Oversight Committee**

Membership on the Measure Q Citizen Oversight Committee is set by category. Which membership category do you best fit in? (Select all that apply)

- Current (or within past 5 years) Finance Committee Member
- Business Community Member
- At-large Resident Member
- Other (please explain): _____

3. **Traffic and Parking Advisory Committee**

Which membership category do you best fit in? (Select all that apply)

- Business representative (can be a non-resident)
- Resident
- Other (please explain): _____

Do you have any special expertise or experience related to traffic and parking? If yes, please explain:

4. **Parks and Recreation Committee**

The Parks and Recreation Committee is looking for applicants with an interest in the City's parks and open spaces.

Please describe your personal or professional experience related to parks, open spaces, trails, public recreation or any similar experience.

What aspects of the City's parks and recreation most interest you and why?

5. [Lagoon Committee](#)

The Lagoon Committee is looking for applicants interested in the preservation of the lagoon and surrounding area.

What aspect(s) of being on the Lagoon Committee most interest you and why?

6. [Shores Park Master Plan Ad-Hoc Advisory Committee](#)

The Shores Park Master Plan Ad-Hoc Advisory Committee is looking for applicants interested in the Shores Park property and planning process.

What aspects of being on the Shores Park Master Plan Ad-Hoc Advisory Committee most interest you and why?

As DMF President, and formerly as DMF's Grants Committee chair, I have worked closely with Del Mar's nonprofits and residents. My approach to Shores Park master planning would be to work collaboratively with our non-profits and residents to ensure that the DMCB/community center and the entire park will best serve our community's needs.

Please describe your approach for participating in the development of a preferred concept for the Master Plan for the Shores Park property.

I would like to use my management skills developed in the Navy and numerous hospital leadership positions to work collegially towards a Shores Park Master Plan concept that will benefit the Del Mar community for generations.

7. [Sustainability Advisory Committee](#)

The Sustainability Advisory Committee members are community leaders on environmental issues.

In what ways would you like to contribute to a more sustainable world either in your personal life or on a broader community level?

Please describe any outreach or public education efforts you have participated in related to environmental issues or in other areas. Do you have skills or experience in outreach that you could bring to the Sustainability Advisory Committee?

8. [Undergrounding Program Advisory Committee](#)

The Undergrounding Program Advisory Committee is seeking applicants with an interest in the citywide undergrounding project.

Is your utility service undergrounded? What involvement did you have, if any?

What aspects of being on the Utility Undergrounding Advisory Committee most interest you?

9. [Design Review Board](#) and/or [Planning Commission](#)

Briefly describe your qualifications and experience as it relates to serving on the Design Review Board or Planning Commission. The required qualifications for each can be found in the Del Mar Municipal Code (DMMC) [Chapters 2.34](#) and [2.38](#). You will be able to provide more information at a City Council public meeting during an open interview process.

10. **For All Committees: Thank you for completing the Citizen Interest Form. Is there anything else you would like to add to your application for the City Council to consider?**

I lived in Del Mar Woods from 1981-1983 as a college student and later my wife, Eileen, and I purchased a condo there and resided part-time from 2010 - 2021. We have felt a long-time love for Del Mar.

IV. SIGNATURE AND ACKNOWLEDGEMENT

Please review the important information below before signing and submitting your application. Please note that recommendations for appointments to City advisory committees (other than the Planning Commission and Design Review Board) are made by the [Council Liaisons to that Committee](#). The appointments are then placed on the consent calendar for consideration for approval by the full City Council at the next available City Council meeting. For reasons of privacy, the individual candidates are not discussed at the meeting.

Additionally, the Del Mar Conflict of Interest Code requires that members of the Design Review Board, Planning Commission, and Finance Committee file Conflict of Interest Statements with the Administrative Services Department in conformance with the Fair Political Practices Commission and the City's Conflict of Interest Code. Other advisory committee members are not required to file Conflict of Interest Statements.

By signing below, you are acknowledging that you have reviewed the Committee webpage for which you are applying and that you understand the conflict of interest filing requirement, if applicable. Part of your service may include ethics and anti-harassment training upon appointment and bi-annually. Visit the [City's Conflict of Interest Code](#) webpage to learn more about the requirement.

By submitting this application, you are signing under penalty of perjury that the information you are providing, is true and correct to the best of your knowledge.



Signature

September 23, 2025

Date

Within three (3) business days you will receive a confirmation email that your application is received. If you have questions, please email cityclerk@delmar.ca.us or call (858) 755-9313 and a staff member will get back to you promptly.



City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Marco Camacho, Finance Manager
Via Ashley Jones, City Manager

DATE: November 3, 2025

SUBJECT: Treasurer's Investment Report for the Quarter Ended September 30, 2025

REQUESTED ACTION/RECOMMENDATION:

Staff recommends that the City Council receive and file the informational Treasurer's Investment Report for the Quarter Ended September 30, 2025.

BACKGROUND:

The City contracted with Optimized Investment Partners in November 2024, to help improve the investment returns for the City and to ensure safety of principal and sufficient liquidity for operations in compliance with California Government Code. Ongoing portfolio management activity will continue to be performed and reported quarterly in partnership with Optimized Investment Partners, and the City's Finance Manager and Finance Officer.

DISCUSSION/ANALYSIS:

The total cash and investment portfolio book value (cost) held by the City as of September 30, 2025, was \$35,029,160 (Attachment A), which includes the following components:

Portfolio Assets	Book Value
Managed Investment Portfolio	\$26,952,187
State of CA Local Agency Investment Fund (LAIF)	\$10,444
San Diego County Investment Pool	\$98,025
California Asset Management Program Pooled Investment Fund (CAMP)	\$7,028,107
Cash/Time Deposits	\$807,676
Accrued Interest on Investments	\$132,721
Total	\$35,029,160

When reviewing the Investment Report, it should be noted that earned interest is the interest earned on investments over a specific period, accrued interest is the interest that an investment has earned, but hasn't yet been received, and paid interest is the interest that has already been received as payment.

City Council Action:

Cash and investments held by the City and the trustees continue to be invested in accordance with the Government Code and the City's Investment Policy.

During the quarter, three new Certificates of Deposit were purchased in the amount of \$739,000, two new Federal Agency Bonds were purchased in the amount of \$1,498,445 and one new Medium-term note/Corporate Note was purchased in the amount of \$988,260. Two Certificates of Deposit matured in the amount of \$449,000 and one Federal Agency Bond matured in the amount of \$200,000.

Two-year Treasuries yielding 3.72% at the beginning of the quarter ended lower at the end of the quarter at 3.60%, which was a decrease of 12 basis points for the quarter.

As of September 30, 2025, the Weighted Yield to Maturity on the Managed Investment Portfolio was 3.78%, and the Weighted Average Maturity of the Managed Investment Portfolio was 2.34 years.

The Federal Open Market Committee (FOMC) meets approximately every six weeks and determines the level of the Federal Funds Rate. On September 17, 2025, the FOMC voted to lower the target range for the federal funds rate by 0.25 percentage points to 4.00 - 4.25%. The FOMC noted that inflation has moved up and remains somewhat elevated, while the unemployment rate has edged up but remains low. The committee is aiming for maximum employment and 2% inflation over the long run and noted that further rate adjustments will depend on incoming data, economic outlook, and risk assessment.

Considering the projected timing of cash receipts and disbursements and the structure of the Pooled Investment Portfolio, the City will be able to comfortably meet overall cash flow needs over the next six months.

FISCAL IMPACT:

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

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.

NEXUS TO COUNCIL GOALS AND PRIORITIES:

This is an operational item and therefore not included on the Council list of Goals/Priorities.

ATTACHMENTS:

Attachment A – FY25-26 Q1 Treasurer's Investment Report:

- Summary of Cash and Investments as of September 30, 2025
- Portfolio Summary and Key Statistics for the Quarter Ended September 30, 2025
- Managed Investments Yield to Maturity as of September 30, 2025

City of Del Mar
Summary of Cash and Investments for the Quarter Ended September 30, 2025

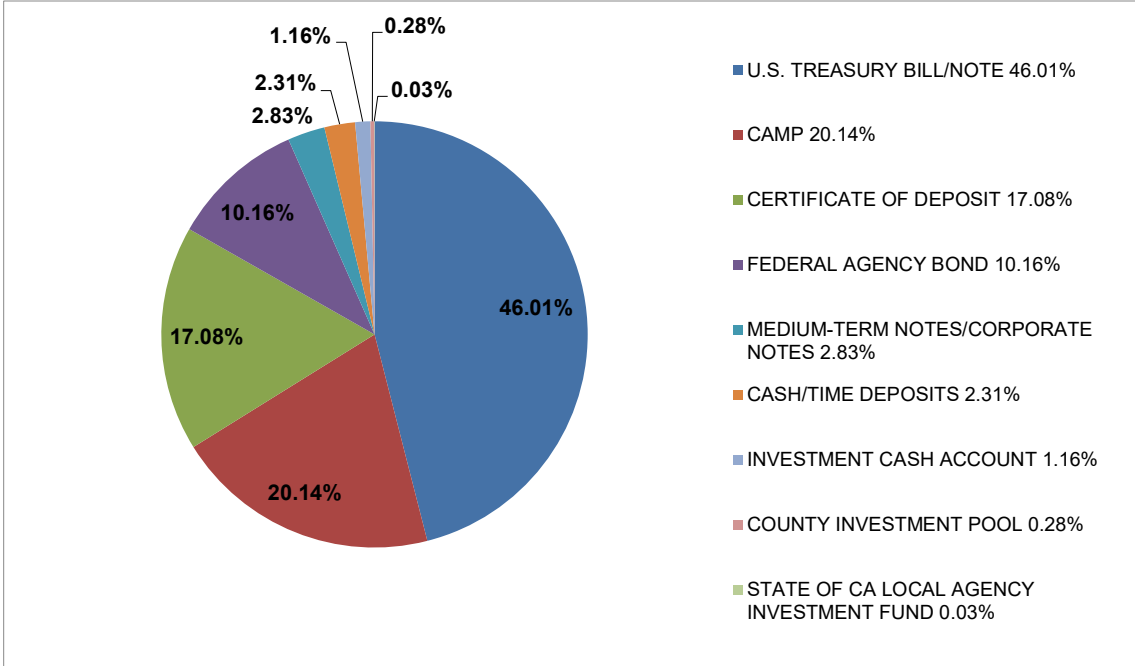
Portfolio Assets	Par Value (1)	Market Value (2)	Book Value (3)	% of Portfolio
Cash & Investments Held by City				
Investment Portfolio				
Managed Investments				
U.S. Bank Custodial Cash Account	\$ 403,515	\$ 403,515	\$ 403,515	1.16%
U.S. Treasury Bill/ Note	16,427,000	16,276,373	16,055,538	46.01%
Medium-Term Notes/Corporate Notes	1,050,000	978,474	988,260	2.83%
Federal Agency Bond	3,554,000	3,563,348	3,544,873	10.16%
Certificate of Deposit	5,960,000	5,952,999	5,960,000	17.08%
Managed Investments Subtotal	\$ 27,394,515	\$ 27,174,709	\$ 26,952,187	77.23%
Pooled Investments				
State of CA Local Agency Investment Fund	\$ 10,444	\$ 10,444	\$ 10,444	0.03%
County Investment Pool	98,025	98,025	98,025	0.28%
CAMP	7,028,107	7,028,107	7,028,107	20.14%
Pooled Investments Subtotal	\$ 7,136,576	\$ 7,136,576	\$ 7,136,576	20.45%
Investment Portfolio Subtotal	\$ 34,531,090	\$ 34,311,284	\$ 34,088,762	97.69%
Cash/Time Deposits	\$ 807,676	\$ 807,676	\$ 807,676	2.31%
Funds Available for Investment	\$ 35,338,767	\$ 35,118,961	\$ 34,896,439	100.00%
Accrued Interest	\$ 132,721	\$ 132,721	\$ 132,721	
Total Cash & Investments Held by City	\$ 35,471,488	\$ 35,251,682	\$ 35,029,160	

Notes:

1. Par value is the principal amount of the investment on maturity.
2. Market values contained herein are received from sources we believe are reliable; however, we do not guarantee their accuracy.
3. Book value is par value of the security plus or minus any premium or discount on the security.

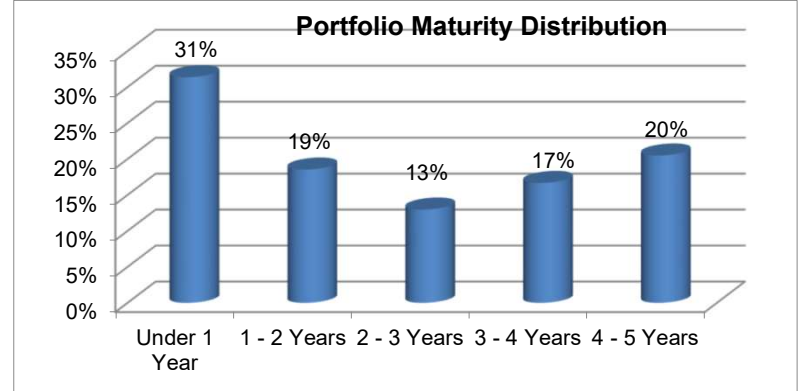
**City of Del Mar
Investment Report for the Quarter Ended September 30, 2025**

Investment Portfolio Summary and Key Statistics



Portfolio Key Statistics	
PAR Value	\$ 34,531,090
Book Value (COST)	\$ 34,088,762
Market Value	\$ 34,311,284
Weighted Average Maturity (in years)	2.34
Weighted Yield to Maturity*	3.78%

*Note: Cash/time deposits not included in WYTM



Excludes Pooled Investments and U.S. Bank Custodial Cash Account

U.S. Treasury Yields - Quarterly Comparison

Maturity	Sep 2025	Jun 2025	Change
3-Month	4.02%	4.41%	-0.39%
1-Year	3.68%	3.96%	-0.28%
2-Year	3.60%	3.72%	-0.12%
3-Year	3.61%	3.68%	-0.07%
5-Year	3.74%	3.79%	-0.05%
10-Year	4.16%	4.24%	-0.08%

Avg Duration of LAIF, CAMP & SD County Inv Pool

Account	Years
LAIF	0.70
SD County Investment Pool	1.35
CAMP	0.13

*County Pool rate is from August as Sep. rate not available at time of report

Portfolio Maturity	PAR Maturing	% Maturing
Under 1 Year	\$ 8,465,000	31%
1 - 2 Years	\$ 5,000,000	19%
2 - 3 Years	\$ 3,500,000	13%
3 - 4 Years	\$ 4,499,000	17%
4 - 5 Years	\$ 5,527,000	20%
Total	\$ 26,991,000	100%

2-Year U.S. Treasury Yield - Historical Data

Sep 2025	Sep 2024	Sep 2023	Sep 2022
3.60%	3.66%	5.03%	4.22%

Interest Earnings	FY 24-25	FY 25-26	Change
Jul	\$ -	\$ 115,358	\$ 115,358
Aug	\$ -	\$ 115,039	\$ 115,039
Sep	\$ -	\$ 119,320	\$ 119,320
Total for Quarter	\$ -	\$ 349,718	\$ 349,718

Note: Interest Earnings figures do not include capital gains or losses

Note: Weighted Average will change when bond is purchased, sold or matured

CITY OF DEL MAR
CERTIFICATE OF DEPOSITS (with U.S. BANK)
As of September 30, 2025

Security Description	CUSIP	PAR AMOUNT	YTM (Yield to Maturity)	Annualized Rate of Return	Portfolio Weighting	Weighted YTM	MATURITY DATE
Texas Exchange Bank Crowley	88241TJN1	\$ 225,000	0.600%	0.600%	0.83%	0.005%	11/25/2025
Trustone Financial Credit Union	89841MBZ9	\$ 240,000	4.400%	4.400%	0.89%	0.039%	12/12/2025
BMO Harris Bank NA	05600XBY5	\$ 200,000	0.550%	0.550%	0.74%	0.004%	2/18/2026
Bank United NA	066519QV4	\$ 200,000	0.950%	0.950%	0.74%	0.007%	4/14/2026
Bank of America NA	06051XDT6	\$ 200,000	5.000%	5.000%	0.74%	0.037%	5/22/2026
Goldman Sachs Bank	38150VUZ0	\$ 240,000	5.050%	5.050%	0.89%	0.045%	6/11/2026
UBS Bank USA	90348JP61	\$ 248,000	0.900%	0.900%	0.92%	0.008%	7/8/2026
Synchrony Bank Draper	87165FA38	\$ 200,000	0.950%	0.950%	0.74%	0.007%	9/17/2026
M1 Bk MacKs Creek Mo	55316CDJ2	\$ 67,000	4.050%	4.050%	0.25%	0.010%	9/24/2026
Bradescobk Coral Gables Bk	10421ABM8	\$ 244,000	4.100%	4.100%	0.90%	0.037%	9/28/2026
Merrick Bk South Jordan Utah	59013K6K7	\$ 249,000	4.050%	4.050%	0.92%	0.037%	9/28/2026
Hapo Community Credit Union	41138NAD0	\$ 240,000	5.400%	5.400%	0.89%	0.048%	9/29/2026
State Bank of India New York	856285YH8	\$ 248,000	1.150%	1.150%	0.92%	0.011%	10/29/2026
Austin Felco Fed Credit Union	052392EA1	\$ 249,000	4.300%	4.300%	0.92%	0.040%	12/14/2026
Greenstate Cr Un Liberty	39573LCE6	\$ 248,000	1.350%	1.350%	0.92%	0.012%	1/14/2027
American Express National Bank	02589ABQ4	\$ 247,000	2.000%	2.000%	0.92%	0.018%	3/9/2027
Capital One Bank (USA) NA	14042TFJ1	\$ 245,000	2.700%	2.700%	0.91%	0.025%	4/13/2027
Discover Bank	254673G83	\$ 246,000	3.150%	3.150%	0.91%	0.029%	6/14/2027
Preferred Bank LA CA	740367QF7	\$ 248,000	4.000%	4.000%	0.92%	0.037%	9/30/2027
Liberty First Credit Union	530520AK1	\$ 200,000	4.700%	4.700%	0.74%	0.035%	8/7/2028
Somerset Tr Co Pa	835104CW8	\$ 249,000	4.050%	4.050%	0.92%	0.037%	11/13/2028
MORGAN STANLEY 61690D7G7	61690D7G7	\$ 244,000	4.300%	4.300%	0.90%	0.039%	7/1/2030
MORGAN STANLEY 61776NTM5	61776NTM5	\$ 244,000	4.300%	4.300%	0.90%	0.039%	7/1/2030
Security First Bk Lincoln Neb - 81425	81425PCA7	\$ 245,000	3.950%	3.950%	0.91%	0.036%	7/3/2030
First Natl Bk Amer East Lansin - 321	32110YU37	\$ 249,000	3.800%	3.800%	0.92%	0.035%	8/13/2030
Sallie Mae Bk Salt Lake City U - 7954	795451EB5	\$ 245,000	3.900%	3.900%	0.91%	0.035%	8/13/2030
\$ 5,960,000.00			3.217%	3.217%	22.08%	0.712%	

UNITED STATES TREASURY BILLS/NOTES (with U.S. BANK)
As of September 30, 2025

Security Description	CUSIP	PAR AMOUNT	YTM (Yield to Maturity)	Annualized Rate of Return	Portfolio Weighting	Weighted YTM	MATURITY DATE
U.S. Treasury Bill	912797NL7	\$ 4,160,000	4.206%	4.206%	15.41%	0.648%	11/28/2025
U.S. Treasury Note	91282CHU8	\$ 700,000	4.000%	4.000%	2.59%	0.104%	08/15/2026
U.S. Treasury Note	912828YQ7	\$ 267,000	3.960%	3.960%	0.99%	0.039%	10/31/2026
U.S. Treasury Bill	91282CLY5	\$ 250,000	4.230%	4.230%	0.93%	0.039%	11/30/2026
U.S. Treasury Note	91282CFB2	\$ 1,000,000	3.920%	3.920%	3.70%	0.145%	07/31/2027
U.S. Treasury Note	91282CFH9	\$ 1,000,000	3.930%	3.930%	3.70%	0.146%	08/31/2027
U.S. Treasury Note	91282CLQ2	\$ 500,000	3.930%	3.930%	1.85%	0.073%	10/15/2027
U.S. Treasury Note	91282CHK0	\$ 1,000,000	3.790%	3.790%	3.70%	0.140%	06/30/2028
U.S. Treasury Note	91282CHQ7	\$ 1,000,000	3.790%	3.790%	3.70%	0.140%	07/31/2028
U.S. Treasury Note	91282CHX2	\$ 800,000	3.790%	3.790%	2.96%	0.112%	08/31/2028
U.S. Treasury Note	91282CCY5	\$ 1,000,000	3.790%	3.790%	3.70%	0.140%	09/30/2028
U.S. Treasury Note	91282CDF5	\$ 250,000	3.840%	3.840%	0.93%	0.036%	10/31/2028
U.S. Treasury Note	91282CEV9	\$ 1,000,000	3.810%	3.810%	3.70%	0.141%	06/30/2029
U.S. Treasury Note	91282CFC0	\$ 1,000,000	3.810%	3.810%	3.70%	0.141%	07/31/2029
U.S. Treasury Note	91282CLK5	\$ 1,000,000	3.810%	3.810%	3.70%	0.141%	08/31/2029
U.S. Treasury Note	91282CLN9	\$ 1,000,000	3.820%	3.820%	3.70%	0.142%	09/30/2029
U.S. Treasury Note	91282CFT3	\$ 500,000	3.830%	3.830%	1.85%	0.071%	10/31/2029
\$16,427,000.00			3.897%	3.897%	60.86%	2.399%	

GOVERNMENT AGENCIES (with U.S. BANK)
As of September 30, 2025

Security Description	CUSIP	PAR AMOUNT	YTM (Yield to Maturity)	Annualized Rate of Return	Portfolio Weighting	Weighted YTM	MATURITY DATE
FEDERAL FARM CREDIT BKS 4.37	3133EPPE9	\$ 752,000	3.931%	3.931%	2.79%	0.110%	7/6/2026
FEDERAL FARM CREDIT BKS 0.60	3133EL4F8	\$ 300,000	3.910%	3.910%	1.11%	0.043%	8/18/2026
FAMCA	31424WWM0	\$ 752,000	4.000%	4.000%	2.79%	0.111%	9/13/2027
FED FARM CREDIT 3133ETKQ9	3133ETKQ9	\$ 250,000	3.780%	3.780%	0.93%	0.035%	6/10/2030
Federal Agri Mtg Corp M T N - 31424	31424WHP39	\$ 1,000,000	3.900%	3.900%	3.70%	0.144%	7/3/2030
Federal Agri Mtg Corp M T N - 31424	31424WHP89	\$ 500,000	3.770%	3.770%	1.85%	0.070%	8/13/2030
\$ 3,554,000.00			3.882%	3.882%	13.17%	0.514%	

MEDIUM-TERM NOTES/CORPORATE NOTES (with U.S. BANK)
As of September 30, 2025

Security Description	CUSIP	PAR AMOUNT	YTM (Yield to Maturity)	Annualized Rate of Return	Portfolio Weighting	Weighted YTM	MATURITY DATE
Target Corporation - 87612EBK1	87612EBK1	\$ 1,050,000	3.950%	3.950%	3.89%	0.154%	9/15/2030
\$ 1,050,000.00			3.950%	3.950%	3.89%	0.154%	

PAR
Grand Total
\$ 26,991,000

Portfolio Weighting
Grand Total
100.00%

Weighted YTM
Grand Total
3.78%



City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

FROM: Matt Bator, AICP, Principal Planner
Karen Brindley, Planning and Community Development Director
Via Ashley Jones, City Manager

DATE: November 3, 2025

SUBJECT: Re-Introduction of an Ordinance to Amend Municipal Code Chapter 23.50 and Repeal and Replace Chapter 23.51 Related to Trees, Scenic Views, and Sunlight Regulations (A25-001)

REQUESTED ACTION/RECOMMENDATION:

Staff recommends that the City Council introduce an Ordinance (Attachment A) to: 1) Repeal and replace the City's Trees, Scenic Views, and Sunlight (TSVS) regulations within Del Mar Municipal Code (DMMC) Chapter 23.51 and 2) Amend related code sections of the City's Tree regulations within DMMC Chapter 23.50 (A25-001).

PREVIOUS CITY COUNCIL REVIEW:

On July 7, 2025, the City Council held a noticed public hearing to review and introduce an Ordinance to repeal and replace DMMC Chapter 23.51 (Trees, Scenic Views, and Sunlight), amend related subsections of DMMC Chapter 23.50, and amend DMMC Chapters 30.04 (Definitions) and 30.86 (Supplemental Regulations) to limit the maximum allowed height of hedges. After receiving a staff presentation, asking clarifying questions, receiving public testimony, and discussing the proposed DMMC amendments, the City Council directed staff to return to a future Council meeting for a re-introduction of the Ordinance with the following revisions:

1. Separate the proposed "Hedge Height" Zone Code Amendment (ZA25-001) from the proposed TSVS amendments;
2. Remove the proposed Indemnification subsection of the TSVS regulations;
3. Include "potted" or container plants as eligible "Trees" for TSVS review;
4. Expand Sunlight Obstruction eligibility from being just the Primary Living Area (PLA) to any affected areas within a residence; and
5. Reassess the proposed eligibility time period (look-back) of starting on a fixed date.

City Council Action:

On October 20, 2025, staff presented to the City Council a revised Ordinance to address the five (5) issue areas mentioned above that would repeal and replace the City's TSVS regulations within DMMC Chapter 23.51 and would amend the City's Tree regulations within DMMC Chapter 23.50 (A25-001). The City Council held a duly noticed public hearing, accepted written and oral public testimony, and discussed several of the issues raised through public testimony.

After considering the proposed amendments as revised, the City Council voted to continue the item to the November 3 City Council meeting and provided direction to: 1) return the Sunlight Obstruction eligibility limitation to be the Primary Living Area (PLA) and; 2) for alleged Sunlight Obstruction, reduce the eligible Site of the Subject Tree from being a property within three hundred (300) feet of the Applicant's property to thirty (30) feet.

DISCUSSION/ANALYSIS:

The revised Ordinance to repeal and replace DMMC Chapter 23.51 and amending related Tree regulations within DMMC Chapter 23.50 in the manner described above is included as Attachment A. No other revisions have been made to the proposed ordinance presented to the City Council on October 20, 2025

FISCAL IMPACT:

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

ENVIRONMENTAL IMPACT:

The requested action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines because CEQA only applies to projects with the potential for causing a significant effect on the environment. With the proposed Ordinance, there is no change in baseline environmental conditions or potential to cause a significant effect on the environment. An Initial Study evaluation concluded that no environmental factors would be potentially affected by the TSVS amendments contemplated by the City Council. 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.

NEXUS TO CITY COUNCIL GOALS AND PRIORITIES:

Updating the Trees, Scenic Views, and Sunlight Ordinance is an identified Tier 2 Council priority for Fiscal Years 2024-25 and 2025-26.

ATTACHMENTS:

- Attachment A – Proposed TSVS Ordinance
- Attachment B – TSVS Redlines of the October 20, 2025, City Council-Directed Revisions

ORDINANCE No. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA REPEALING AND REPLACING DEL MAR MUNICIPAL CODE CHAPTER 23.51 REGULATING TREES, SCENIC VIEWS AND SUNLIGHT AND AMENDING CHAPTER 23.50 RELATED TO TREE REMOVAL

WHEREAS, the City of Del Mar (City) submitted applications: A25-001, a request to repeal and replace Del Mar Municipal Code (DMMC) Chapter 23.51 (Trees, Scenic Views and Sunlight), and amend DMMC Chapter 23.50 (Trees); and ZA25-001, a request to amend DMMC Chapters 30.04 (Definitions) and 30.86 (Supplemental Regulations) under the Zoning Code (DMMC Title 30) regulating the maximum permitted height of hedges in the City; and

WHEREAS, the City recognizes that trees, scenic views and plentiful sunlight contribute to the special character of Del Mar and to the overall quality of life enjoyed by residents, property owners and visitors. Trees, scenic views and sunlight produce a wide variety of significant psychological and tangible benefits, and contribute to the economic value and comfortable enjoyment of the community, neighborhoods and individual properties; and

WHEREAS, trees, vegetation and other landscaping provide aesthetic value as part of an urban forest, visual and auditory privacy, carbon sequestration, climate control, wind screening, soil stability, and wildlife habitat; and

WHEREAS, scenic views, whether of the Pacific Ocean, nearby lagoons, canyons, the community and its landscapes and urban forest character, or other scenic vistas, encourage distinctive architecture, artistic expression, and provide creative inspiration; and

WHEREAS, plentiful sunlight provides an opportunity to utilize solar energy both actively and passively for home heating and climate control, reducing dependence on fossil fuels, and

WHEREAS, on February 13, 2023, the Del Mar City Council discussed the importance of updating DMMC Chapter 23.51, also known as the Trees, Scenic Views, and Sunlight (TSVS) Ordinance, and directed staff to process applicable Municipal Code amendments; and

WHEREAS, on October 7, 2024, the Del Mar City Council discussed and adopted Guiding Principles for amending the City's TSVS regulations and process; and

WHEREAS, on December 2, 2024, the Del Mar City Council received an informational update from City staff regarding specific areas of DMMC Chapter 23.51 that

need updating, and the City Council provided direction to staff regarding proposed issue areas within the Chapter to be amended; and

WHEREAS, at duly noticed public hearings on April 8, and May 13, 2025, the Del Mar Planning Commission accepted written and oral public testimony and discussed the proposed amendments to DMMC Chapters 23.50, 23.51, 30.04, and 30.86; and

WHEREAS, at a duly noticed public hearing on June 10, 2025, the Del Mar Planning Commission was not able to reach consensus for recommended amendments that would: add DMMC Section 23.51.150, a process for alleging obstruction of Scenic Views and/or Sunlight by City Trees; pause the removal of trees on the City's "Discouraged Tree List," and require tree replacement should be mandatory when restorative action involves tree removal in proposed DMMC Section 23.51.080, and

WHEREAS, at a duly noticed public hearing on June 10, 2025, the Del Mar Planning Commission accepted additional written and oral public testimony, considered proposed amendments to the DMMC, and recommended that the City Council 1) adopt amendments to DMMC Chapters 23.50 and 23.51 related to Trees, Scenic Views and Sunlight regulations (A 25-001) as recommended by staff with specific revisions to DMMC Sections 23.51.010.A.2.b; 23.51.010.B.2; 23.51.040.A.1.e; 23.51.050.B; 23.51.060.A.6; 23.51.060.A.7; 23.51.050.C; 23.51.090.B.1; and 23.51.090.B.2; 2) not adopt Zoning Code amendments to DMMC Chapters 30.04 and 30.86 related to the regulation of hedge height (ZA 25-001); and 3) approve a determination that adoption of the Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule); and

WHEREAS, on July 7, 2025, the City Council held a duly noticed public hearing and voted to continue the item to a future City Council meeting and provided direction to staff that the Ordinance be revised to: 1) Separate the proposed Hedge Height Zone Code Amendment (ZA25-001) from the proposed TSVS amendments; 2) Remove proposed Indemnification subsection of the TSVS regulations; 3) Include "potted" or container plants as eligible Trees for TSVS review; 4) Expand Sunlight Obstruction eligibility from being limited to the Primary Living Area (PLA) to any affected areas within a residence; and 5) Reassess the proposed eligibility time period (look-back) of starting on a fixed date; and

WHEREAS, further consideration of the TSVS process amendments was scheduled for a duly noticed public hearing to be held by the City Council on October 6, 2025; however the City Council meeting was canceled due to a lack of quorum; and

WHEREAS, on October 20, 2025, the City Council held a duly noticed public hearing, accepted additional written and oral public testimony, considered the proposed amendments to the DMMC as revised and voted to continue the item to the November 3, 2025, City Council meeting and provided direction for staff to return the Sunlight Obstruction eligibility limitation to be the Primary Living Area (PLA) and for alleged Sunlight Obstruction applications, to reduce the eligible Site of the Subject Tree from

being a property within three hundred (300) feet of the Applicant's property to thirty (30) feet within the Applicant's property.

WHEREAS, on November 3, 2025, the City Council held a duly noticed public hearing accepted additional written and oral public testimony, considered the proposed amendments to the DMMC, as revised.

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

SECTION ONE: That DMMC Chapter 23.51 (Trees, Scenic Views, and Sunlight) be repealed and replaced with "Exhibit A" to this Ordinance.

SECTION TWO: That DMMC Section 23.50.050 be amended as follows:

23.50.050 Exemptions.

- A. No permit is required by this Chapter for pruning or trimming of any tree on private property.
- B. No permit is required by this Chapter to cut down, remove, destroy, or move a Protected Tree under any of the following circumstances. This exemption does not apply to trees within the public right-of-way.
 - 1. When measured two feet above ground level, (a) the Protected Tree has a single trunk circumference of 20 inches or less and is not a replacement tree pursuant to Section 23.50.090, or (b) the Protected Tree has multi-trunks having a total circumference of 30 inches or less and is not a replacement tree pursuant to Section 23.50.090.
 - 2. When measured two feet above ground level, the trunk of the Protected Tree is located no more than 12 feet from the exterior wall of any Primary Structure or Accessory Structure.
 - 3. When both trees are measured two feet above ground level, the Protected Tree is located no more than 12 feet from another Protected Tree. Only one of the Protected Trees may be removed.
- C. No permit is required by this Chapter for the emergency removal of a Protected Tree for reasons of public health, safety and welfare. The Planning and Community Development Department shall be promptly notified of emergency removal.
- D. No permit is required by this Chapter to remove a Protected Tree when the Planning Commission, or City Council on appeal has determined by resolution that removal of the Tree is necessary to restore a scenic view and/or sunlight to a property pursuant to the provisions of DMMC Chapter 23.51.

SECTION THREE: That DMMC Section 23.50.080 be amended as follows:

23.50.080 Processing of Permits; Standards for Permits.

- A. *Application.* A person who desires to cut down, remove, destroy, or move a Protected Tree shall make application for a Tree Removal Permit to the Planning and Community Development Department on a form provided by the City. A processing

fee, established by resolution of the City Council, shall be required. The application shall contain the number, species, and size of the trees involved, a statement on the reason for the requested action, a site plan depicting the location of tree(s) proposed for removal and other trees located in the vicinity, and any other pertinent information determined necessary by the Planning and Community Development Director or Design Review Board. This additional information may include a report from a qualified, professional arborist selected and employed by the City. The applicant shall be required to reimburse the City for the cost of such a report.

- B. *Noticing.* A notice of the filing of an application for a Tree Removal Permit shall be mailed by the City to persons owning property adjacent to the project site. The mailed notice of application shall advise persons of the date of action and that the application is available for public review at City Hall.
- C. *Action.* The Director or the Design Review Board shall approve or conditionally approve a Tree Removal Permit if the Protected Tree is:
1. Dead, diseased or injured beyond reclamation, as certified by a tree condition report from an arborist;
 2. Crowded by other healthier protected trees; thinning (removal) would promote healthier growth in the trees to remain, as certified by a tree condition report from an arborist;
 3. Interfering with existing utilities and/or primary structures, as certified by a report from the public utility operator or a structural engineer;
 4. Causing substantial damage to a Primary or Accessory Structure or associated utilities, as certified by a structural engineer when applicable;
 5. Interfering with existing improvements, and/or is a danger to the public health, safety, or welfare in the Central Commercial, Open Space Overlay Zone, or on public property or right-of-way;
 6. Deemed a safety hazard in a tree condition report from a Certified Arborist. The report shall include a completed ISA-Hazard Evaluation Form or other methodology acceptable to the City of Del Mar, as well as the observations and opinions of the Arborist. The City reserves the right to retain a Certified Arborist, at the expense of the Applicant, when needed to review a hazardous tree determination;
 7. Located within 30 feet of a Primary or Accessory Structure, when measured two feet above ground level, and the canopy of the tree cannot be reduced so as to:
 - (i) Avoid overhanging the roof of a Primary or Accessory Structure;
 - (ii) Be at least ten feet from the canopy of any other tree; and
 - (iii) Be at least ten feet from the chimney of any residence.The feasibility of reducing the tree(s) canopy shall be determined by the City's Arborist and Fire Chief;
 8. Voluntarily replaced in accordance with Subsection 23.50.090.A.1. The replacement tree(s) shall be indicated in a covenant on the property on which the tree(s) are located. The replacement tree(s) shall not be eligible for removal in accordance with this Code until it has attained a circumference of at least 20 inches when measured two feet above ground level; or
 9. Obstructing proposed improvements that cannot be reasonably designed to avoid the need for tree removal, as certified by a report from the project planner

and determined by the Director of Planning and Community Development or the Design Review Board based on the following factors:

- (i) Early consultation with the City;
- (ii) Consideration of practical design alternatives;
- (iii) Saving the Protected Tree eliminates all reasonable use of the property; or
- (iv) Saving the Protected Tree requires the removal of more desirable trees.

Notwithstanding the existence of Subsections 1. through 10. above, the Director or the Design Review Board may deny a Tree Removal Permit if any of the following conditions exist:

1. The tree removal will, even after the imposition of permit conditions, endanger the public health, safety, peace, or welfare;
2. The tree removal will have an adverse impact on the aesthetics of the area surrounding the proposed activity;
3. Reasonable alternatives to a concurrent development proposal exist which would eliminate the need to remove a Protected Tree; or
4. The applicant has not agreed to perform the conditions of approval imposed by Section 23.050.090.

SECTION FOUR:

This Ordinance was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the environmental regulations of the City. The City Council hereby finds that under Section 15061(b)(3) of the State CEQA Guidelines, this Ordinance is exempt from the requirements of CEQA because it can be seen with certainty that the provisions contained herein would not have the potential for causing a significant effect on the environment.

SECTION FIVE :

This Ordinance was introduced by the City Council on November 3, 2025.

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, 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 of City Council adoption (“Effective Date”).

PASSED, APPROVED AND ADOPTED by the City Council of the City of Del Mar, California at the Regular Meeting held this 17th day of November, 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 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 XX day of _____, by the following vote:

AYES:

NOES:

RECUSE

ABSENT:

ABSTAIN:

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

Exhibit "A" to Ordinance No. _____

Chapter 23.51 TREES, SCENIC VIEWS AND SUNLIGHT

23.51.010 Purpose and Application of Chapter.

A. Purpose.

1. The City recognizes that Trees, Scenic Views and plentiful Sunlight contribute to the special character of Del Mar and to the overall quality of life enjoyed by residents, property owners and visitors.
2. The City further recognizes that Trees, Scenic Views and Sunlight produce a wide variety of significant psychological and tangible benefits, and contribute to the economic value and comfortable enjoyment of the community, neighborhoods and individual properties, including, but not limited to, the following:
 - a. Trees, vegetation and other landscaping provide aesthetic value as part of an urban forest, visual and auditory privacy, carbon sequestration, climate control, wind screening, soil stability, and wildlife habitat.
 - b. Scenic Views, whether of the Pacific Ocean, nearby lagoons, canyons, the community and its landscapes and urban forest character, or other scenic backcountry (eastern) vistas, encourage distinctive architecture, artistic expression, and provide creative inspiration.
 - c. Plentiful Sunlight provides an opportunity to utilize solar energy both actively and passively for home heating and climate control, thereby reducing dependence on fossil fuels.
3. This Chapter acknowledges the benefits derived from Trees, Scenic Views and plentiful Sunlight, and balances the goal of maintaining each of them, when possible.
4. This Chapter further provides a process by which a Person may seek to preserve and restore Scenic Views and/or Sunlight unreasonably obstructed by the growth, improper maintenance and/or installation of Trees and/or vegetation.

B. Application.

1. This Chapter applies to all properties within the jurisdictional boundaries of the City of Del Mar, excluding property owned by governmental entities not subject to the City's regulatory jurisdiction.
2. Any Person shall have the right to file an Application with the City alleging Obstruction of pre-existing Scenic Views and/or Sunlight, and further seeking Restorative Action to restore the pre-existing Scenic Views and/or Sunlight that existed on or after the later of the following:
 - a. Date the Applicant acquired Applicant's property; or

- b. Ten (10) years prior to the submittal date of a complete Trees, Scenic Views and Sunlight application.
3. A decision by the Planning Commission, or City Council on appeal, that an Obstruction of Scenic Views and/or Sunlight has occurred, and any associated Restorative Action, is specific to the Applicant and does not run with the land. Any orders issued by the Planning Commission, or City Council on appeal, for ongoing maintenance of the Subject Tree are not binding on subsequent property owners and shall terminate with the transfer of property title. This paragraph does not apply when property title is transferred due to inheritance

23.51.020 Definitions.

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

- A. *Applicant* shall mean any Person who owns residential real property within the jurisdictional boundaries of the City of Del Mar (or the legal occupant of said real property with written permission from the property owner of record to act on their behalf), who files an Application with the City pursuant to this Chapter.
- B. *Application* shall mean a Trees, Scenic Views and Sunlight Application filed with the City alleging that any Tree located on the property of another Person is causing an unreasonable Obstruction of the Applicant’s pre-existing Scenic Views and/or Sunlight, for which the Applicant seeks Restorative Action.
- C. *Certified Arborist* shall mean a professional arborist who holds a valid ISA Certified Arborist credential from the International Society of Arboriculture (ISA). For purposes of this Chapter, a Registered Consulting Arborist (RCA) with current membership in the American Society of Consulting Arborists (ASCA) shall be considered a “Certified Arborist” for purposes of providing professional tree surveys, reports, recommendations, and other technical information related to arboriculture.
- D. *City* shall mean the City of Del Mar.
- E. *City Tree* shall mean any Tree planted, installed, owned, and/or maintained by the City, which is located in, within or on a City park, Parkway, street, median, or other property owned by the City. For purposes of this Chapter and consistent with Section 23.51.030 of this Chapter, the term “City Tree” does not include any Tree located within the public right-of-way between the improved street edge and the property boundary of a private lot.
- F. *Crown Reduction/Shaping* shall mean a method of comprehensive trimming that reduces a Tree’s height and/or spread. Crown Reduction/Shaping entails the reduction of the top, sides or individual limbs of a Tree by removal of leaders or the longest portion of limbs to a lateral large enough to assume the terminal role.
- G. *Director* shall mean the City’s Planning and Community Development Director, or his or her designee.
- H. *Heading Back* shall mean a pruning process whereby overall reduction of the mass of a Tree is achieved by modification to major limbs.

- I. *Hedge* shall mean generally dense vegetation so aligned as to form a physical barrier or fence.
- J. *Imminent Danger* shall mean an immediate risk to the health, safety and/or welfare of any Person or property, whether privately- or publicly-owned.
- K. *Lacing* shall mean a comprehensive method of Trimming that systematically and sensitively removes excess portions of a Tree and improves the structure of the Tree.
- L. *Mediation* shall mean a private, voluntary process in which an impartial and qualified third-party professional negotiator facilitates communication between parties to a dispute to promote settlement and reach a mutually satisfactory solution, in this case regarding a claim for Obstruction of Scenic Views and/or Sunlight.
- M. *Obstruction* shall mean any substantial and unreasonable blocking or diminishment of Scenic Views and/or Sunlight that is attributable to the growth, improper maintenance and/or the location of a Tree, as determined by the Planning Commission or City Council on appeal, consistent with the findings of fact required by this Chapter.
- N. *Parkway* shall mean that area of the street between the back of curb and the sidewalk that is typically planted or landscaped.
- O. *Person* shall mean any individual(s), corporation, partnership, firm, or other legal entity (including the City of Del Mar), owning real property or residing in real property within the Del Mar City limits.
- P. *Primary Living Area (PLA)* shall mean that (single) portion of a primary residence (typically the living room, dining room or great room) determined by the Planning Commission, or City Council on appeal, to be the main gathering and entertainment room of the primary residence.
 - 1. The determination of a PLA is to be made on a case-by-case basis and shall be consistent with any prior determinations made by the City. Each primary residence shall be limited to the designation of only one (1) PLA (a primary residence does not include "Accessory Dwelling Units," as that term is defined by Chapter 30.91 of this Municipal Code).
 - 2. Under rare and extraordinary circumstances, the Planning Commission, or City Council on appeal, may determine that another area of a primary residence (other than the living room, dining room or great room) is the PLA.
 - 3. Under no circumstances shall a bathroom, laundry room, storage room, stairwell, hallway, outdoor deck, patio, balcony, or any other area outside of the enclosing walls of a primary residence, be designated as a PLA. Additionally, a PLA may not be from any space within an Accessory Dwelling Unit (as that term is defined by Chapter 30.91 of this Municipal Code).
- Q. *Protected Tree* shall mean any of the following:
 - 1. A Tree of the species *Hesperocyparis macrocarpa* (Monterey Cypress);
 - 2. A Tree of the species *Pinus torreyana* (Torrey Pine);

3. A Tree of any species and located on property within the Central Commercial or Open Space Overlay zones of the City, within a public right-of-way, or on public- or City-owned property; or
 4. Any Tree planted as a result of required mitigation for the removal of another Protected Tree.
- R. *Restorative Action* shall mean any specific action(s) and conditions required by the Planning Commission, or City Council on appeal, to be implemented to resolve a dispute relating to the Obstruction of the Applicant's pre-existing Scenic Views and/or Sunlight.
 - S. *Scenic View* shall mean a view of the ocean, lagoons, canyons, the community and its landscapes and urban forest character, or other scenic backcountry (eastern) vistas from the PLA of a primary residence. When observed through more than one window or multiple locations within the PLA, the full extent of the Scenic View shall be a culmination of all vantage points from within the PLA. A Scenic View shall not have been created by natural disaster/causes such as storms, fire, disease or pest infestation, or illegal activity.
 - T. *Severe Pruning* shall mean the cutting of branches and/or the trunk of a Tree in a manner which substantially reduces the overall size of the Tree or destroys the existing symmetrical appearance, natural shape and/or health of the Tree, and which results in the removal of main lateral branches leaving the trunk and branches of the Tree in a stub appearance. "Topping" and "Heading Back" as defined herein are considered to be Severe Pruning. As stated herein, Severe Pruning should be avoided due to the damage that such practices can cause to a Tree's form and health.
 - U. *Site of the Subject Tree* shall mean the property on which a Subject Tree is located, which shall be located within three hundred (300) feet of the Applicant's property boundary for an Application involving obstruction of scenic views and/or sunlight access to a Solar Energy System, or located within thirty (30) feet of the Applicant's property boundary for an Application involving obstruction of sunlight access to a Primary Living Area.
 - V. *Solar Energy System* shall have the same meaning as set forth in Section 801.5(a) of the California Civil Code, as that Section may be amended, renumbered, or redesignated from time to time. For purposes of this Chapter, the location of a Solar Energy System collector is required to comply with the local building and setback regulations.
 - W. *Subject Tree* shall mean a Tree for which an Application has been submitted regarding the alleged Obstruction of Scenic Views and/or Sunlight.
 - X. *Sunlight* shall mean the availability of direct and/or indirect sunlight to the PLA or to the existing Solar Energy System of an Applicant's primary residence.
 - Y. *Thinning* shall mean the selective removal of entire branches from a Tree so as to improve visibility through the Tree and/or improve the Tree's structural condition.
 - Z. *Topping* shall mean eliminating the upper portion of the trunk or main leader of a Tree. Topping is not recommended in almost all cases.
 - AA. *Tree* shall mean any perennial plant growing on public or private property in the ground or in an above-ground container, with a self-supporting woody main stem or trunk. For purposes of this

Chapter, "Tree" shall also include vegetation such as shrubs, Hedges, and bushes. References to "Tree" herein shall include both the singular and the plural form.

- BB. *Tree Owner* shall mean the Person who holds title of the real property for the Site of the Subject Tree, or the Person responsible for maintenance of the Subject Tree in accordance with Section 23.51.030 of this Chapter.
- CC. *Tree Removal* shall mean the elimination of any Tree from its present location.
- DD. *Trimming* shall mean the selective removal of portions of branches from a Tree to modify the Tree shape or profile or otherwise alter the Tree's appearance.

23.51.030 Private Property Owner Maintenance of Adjacent Trees Located in Public Right-of-Way.

The maintenance of any Tree located within the public right-of-way, between the improved street edge and the property boundary of a private lot, shall be the responsibility of the adjacent private property owner, and not the City. As such, the adjacent private property owner shall be considered the "Tree Owner" for purposes of this Chapter.

23.51.040 Process for Alleging Obstruction of Scenic Views and/or Sunlight.

- A. Application Submission to City.
 - 1. Any Person alleging Obstruction of Scenic Views and/or Sunlight may submit an Application to the City Department of Planning and Community Development, which shall contain the following information and may be subject to review and approval by the Director:
 - a. Uniform Development Application on a form provided by the City;
 - b. Trees, Scenic Views and Sunlight Supplemental Questionnaire on a form provided by the City;
 - c. Floor plan of the Applicant's PLA depicting the direction of the Scenic Views and/or floor plan and building elevation plans depicting the source of Sunlight (e.g., windows, doors, or other transparent surfaces);
 - d. Photographic evidence taken from the Applicant's PLA depicting both of the following:
 - (1) Pre-existing Scenic Views– Photograph must have been taken at some point in time during the timeframe set forth in Section 23.51.010(B)(2) of this Chapter to the present; and
 - (2) Alleged Obstruction of Scenic Views– Photograph must have been taken on or around the time of Application submittal;

- e. Shade study demonstrating the amount and duration of the alleged Obstruction of Sunlight from a PLA or Solar Energy System (for Applications alleging Obstruction of Sunlight only); and
- f. Tree survey of the Subject Tree(s) signed and/or stamped by a Certified Arborist and providing the following information, which may be subject to review and approval by the City's Arborist:
 - (1) Species, common name and variety of the Subject Tree(s);
 - (2) Physical measurements of the Subject Tree(s) (e.g., height and trunk circumference at two (2) feet above the natural grade);
 - (3) Approximate age of the Subject Tree(s);
 - (4) Overall health and structural condition of the Subject Tree(s);
 - (5) Life expectancy and suitability for preservation of the Subject Tree(s);
 - (6) Desired Restorative Action, anticipated impact of such Restorative Action on the Subject Tree(s), and recommended maintenance activities (if any) for the long-term preservation of Applicant's Scenic Views and/or Sunlight; and
 - (7) Other recommendations for management of the Subject Tree(s) and/or pertinent information related to the Subject Tree(s).

If the Tree Owner does not grant Applicant's Certified Arborist access to the Site of the Subject Tree to conduct the tree survey required by this Subsection, then a tree survey shall be prepared containing as much of the above information as possible. Applicant's Certified Arborist may use other sources to obtain this information, such as photographs taken from other properties, satellite photographs from commercially-available sources, and public record permit information for work performed on the Tree Owner's property.

- 2. Together with the submission of an Application, the Applicant shall remit an Application fee to the City in an amount established by Ordinance or Resolution of the City Council.
- 3. Upon review of the Application for completeness, the Director may request additional information, if necessary, within thirty (30) days following Application submittal.
- 4. The Application will not be deemed complete for further processing by the City until all materials required by this Section and any additional information requested by the Director have been submitted in a format deemed acceptable by the Director.
- 5. By submitting an Application to the City, Applicant agrees to allow City staff and/or the Tree Owner to personally enter upon Applicant's property (under Applicant's supervision) to view and photograph the alleged Obstruction of Scenic Views from the Applicant's PLA or Solar Energy System.

6. Group Applications are not permitted. A single Application must be submitted for each Person alleging Obstruction of Scenic Views and/or Sunlight. Each Application will be considered on an individual basis at a public hearing before the Planning Commission, or City Council on appeal.

B. Mediation Efforts.

1. Together with the information required under Subsection (A) of this Section, Applicant shall also submit documentation to the City demonstrating the following:
 - a. Applicant contacted the Tree Owner and made reasonable efforts to resolve the dispute alleging Obstruction of Scenic Views and/or Sunlight, including, at a minimum, offering to engage in Mediation.
 - b. Proof of Applicant's efforts to meet and confer with the Tree Owner shall include:
 - (1) Documented attempts offering to participate in Mediation (via certified mail, e-mail exchanges, text messages, etc.); and
 - (2) An explanation of whether such offers to participate in Mediation were declined in writing by the Tree Owner, or if Mediation was unsuccessful between the parties.
2. The Tree Owner's failure to respond to Applicant's offer for Mediation within thirty (30) days following receipt of the offer shall be deemed a refusal by the Tree Owner to participate in Mediation.
3. If the Tree Owner agrees to Mediation, the Mediation shall be completed within one hundred and eighty (180) days following Tree Owner's acceptance of Applicant's offer for Mediation, unless an extension is granted by the Director.

C. Notice to Tree Owner. Within thirty (30) days following receipt of a complete Application, City staff shall provide notice to the Tree Owner including the following information:

1. Copy of the Application and any other materials submitted by the Applicant;
2. Copy of this Chapter 23.51;
3. Statement notifying the Tree Owner that there is still time and an opportunity for the parties to resolve the dispute prior to the public hearing;
4. Statement encouraging the Tree Owner to participate in Mediation and informational materials associated with the Mediation process, such as a referral to the National Conflict Resolution Center; and
5. Notice that a written response to the Application may be submitted in advance of the public hearing for review by the Planning Commission, the deadline for any such response, and the anticipated date and time of the public hearing.

D. Public Hearing and Decision.

1. The Application shall be presented at a noticed public hearing conducted by the City of Del Mar Planning Commission. The public hearing procedures shall be consistent with those contained in Section 7.2 of the Planning Commission's adopted Policy Manual.
2. The Applicant and the Tree Owner shall each be allowed one (1) request for a postponement of the public hearing, provided that the written request is received by the Director at least fourteen (14) days prior to the scheduled hearing date.
3. At least ten (10) days prior to the scheduled public hearing date, notice shall be published and mailed to all real property owners of record located within three hundred (300) feet of the Applicant's property boundary and the Site of the Subject Tree.
4. During the public hearing, the Applicant and the Tree Owner shall each be allowed an opportunity to present testimony and evidence relating to the Application and the Subject Tree(s). The public shall also be given an opportunity to provide comment on the Application and the Subject Tree(s).
5. The Planning Commission shall issue a decision regarding the Application to determine whether an Obstruction of Scenic Views and/or Sunlight has occurred based on the criteria set forth in Section 23.51.060 of this Chapter.
 - a. The Planning Commission's decision shall be documented in the form of a Resolution.
 - b. If the Planning Commission finds in favor of the Applicant, the Planning Commission's Resolution shall also include the requirement to perform Restorative Action work in accordance with Section 23.51.080 of this Chapter. If desired, the Planning Commission may choose to appoint a subcommittee of the Planning Commission to work with City staff on the creation of a draft Restorative Action plan for consideration and action by the Planning Commission at a future meeting.
 - c. The Planning Commission's decision on the Application shall become final on the eleventh (11th) business day following the adoption of the Planning Commission's Resolution, unless appealed to the City Council in accordance with Section 23.51.100 of this Chapter.

23.51.050 Criteria for Determining Unreasonable Obstruction of Scenic Views.

- A. In considering whether an unreasonable Obstruction of Scenic Views has occurred pursuant to this Chapter, the Planning Commission, or City Council on appeal, shall determine whether the Subject Tree(s) obstructs the Applicant’s Scenic Views (observed from the Applicant’s PLA) by more than the permissible percentages listed for the type of Scenic Views identified in Table 1 of this Section.
- B. The Planning Commission, or City Council on appeal, shall be responsible for determining the type(s) of Scenic View and appropriate view angle upon which to base its review from those listed in Table 1 of this Section. In making this determination, the recommendation of staff may be considered.
- C. Scenic Views of a specific type (e.g., White Water, Blue Water, etc.) could possibly be observed from multiple vantage points and directions inside the Applicant’s PLA, resulting in several separated views of a similar type. When this occurs, the Planning Commission, or the City Council on appeal, shall consider the Scenic View to be the culmination of all (separated) views that can be observed within a 180-degree corridor from the PLA, and shall apply the allowable percentages of Obstruction accordingly.

Table 1

<u>ALLOWABLE SCENIC VIEW OBSTRUCTION – 180 DEGREE CORRIDOR</u>			
Type of Scenic View	Slot (< 45°)	Middle (45° – 90°)	Panorama (> 90°)
White Water	0 – 5 %	0 – 5 %	0 – 10 %
Blue Water	0 – 10 %	0 – 10 %	0 – 15 %
Horizon/Back Country	0 – 15 %	0 – 20 %	0 – 20 %

23.51.060 Findings for Determining Unreasonable Obstruction of Scenic Views and/or Sunlight.

- A. Obstruction of Scenic Views (from the Applicant’s PLA). To render a decision in favor of the Applicant regarding unreasonable Obstruction of Scenic Views, the Planning Commission, or City Council on appeal, shall make all of the following findings of fact:
 - 1. The Subject Tree(s) is/are located on the Tree Owner’s property, which is located within three hundred (300) feet of the Applicant’s property (also referred to herein as the “Site of the Subject Tree”);

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2. The Applicant's Scenic View is consistent with the definition of "Scenic View" as provided in Section 23.51.020 of this Chapter;
 3. The Applicant's stated PLA is consistent with the definition of "Primary Living Area (PLA)" as provided in Section 23.51.020 of this Chapter;
 4. The Applicant has contacted the Tree Owner and made reasonable efforts to resolve the dispute alleging Obstruction of Scenic Views, as required by Section 23.51.040(B) of this Chapter;
 5. Consistent with Section 23.51.040(A) of this Chapter, the Applicant has provided photographic evidence of prior Scenic Views taken from the Applicant's PLA on or after the later of the following: (i) the date Applicant acquired Applicant's property; or (ii) ten (10) years prior to the submittal date of a complete Trees, Scenic Views and Sunlight application;
 6. Based on a review of the photographic evidence submitted by the Applicant, the Applicant's Scenic View has been reduced by more than the maximum allowed percentage of Obstruction listed in Table 1 under Section 23.51.050 of this Chapter; and
 7. Restoration of the Applicant's Scenic Views will not create an infringement on the Tree Owner's privacy that cannot be reasonably mitigated.
- B. Obstruction of Sunlight (to the Applicant's Solar Energy System). To render a decision in favor of the Applicant regarding unreasonable Obstruction of Sunlight to Applicant's existing Solar Energy System, the Planning Commission, or City Council on appeal, shall make the following findings of fact:
1. The Subject Tree(s) is/are located on the Tree Owner's property, which is located within three hundred (300) feet of the Applicant's property (also referred to herein as the "Site of the Subject Tree");
 2. The Applicant's Sunlight is consistent with the definition of "Sunlight" as provided in Section 23.51.020 of this Chapter;
 3. The Applicant's Solar Energy System is consistent with the definition of "Solar Energy System" as provided in Section 23.51.020 of this Chapter;
 4. The Applicant has contacted the Tree Owner and made reasonable efforts to resolve the dispute alleging Obstruction of Sunlight, as required by Section 23.51.040(B) of this Chapter;
 5. Consistent with Section 23.51.040(A) of this Chapter, the Applicant has provided photographic or other documentable evidence of prior Sunlight to the Solar Energy System taken on or after the later of the following: (i) date Applicant acquired Applicant's property; or (ii) ten (10) years prior to the submittal date of a complete Trees, Scenic Views and Sunlight application;
 6. The Applicant has provided an exhibit demonstrating the amount and duration of the Obstruction of Sunlight in a graphic format, such as a shadow study, as required by Section 23.51.040(A) of this Chapter;
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7. Based on a review of the photographic evidence and exhibit submitted by the Applicant, the Subject Tree(s) cast(s) a shadow on the Applicant's Solar Energy System that is greater than ten percent (10%) of the Solar Energy System absorption area at any time between 10:00 a.m. and 2:00 p.m., Pacific Standard Time (PST); and
 8. Restoration of Sunlight to the Applicant's Solar Energy System will not create an infringement on the Tree Owner's privacy that cannot be reasonably mitigated.
- C. Obstruction of Sunlight (to the Applicant's PLA). To render a decision in favor of the Applicant regarding unreasonable Obstruction of Sunlight to the Applicant's PLA, the Planning Commission, or City Council on appeal, shall make the following findings of fact:
1. The Subject Tree(s) is/are located on the Tree Owner's property, which is located within thirty (30) feet of the Applicant's property (also referred to herein as the "Site of the Subject Tree");
 2. The Applicant's Sunlight is consistent with the definition of "Sunlight" as provided in Section 23.51.020 of this Chapter;
 3. The Applicant has contacted the Tree Owner and made reasonable efforts to resolve the dispute alleging Obstruction of Sunlight, as required by Section 23.51.040(B) of this Chapter;
 4. Consistent with Section 23.51.040(A) of this Chapter, the Applicant has provided photographic or other documentable evidence of prior Sunlight to the PLA taken on or after the later of the following: (i) the date Applicant acquired Applicant's property; or (ii) ten (10) years prior to the submittal date of a complete Trees, Scenic Views and Sunlight application;
 5. The Applicant has provided an exhibit demonstrating the amount and duration of the Obstruction of Sunlight in a graphic format, such as a shadow study, as required by Section 23.51.040(A) of this Chapter;
 6. Based on a review of the photographic evidence and exhibit submitted by the Applicant, the Subject Tree(s) cast(s) shadows greater than fifty percent (50%) of the total window glazing of the Applicant's PLA at any time between 10:00 a.m. and 2:00 p.m., Pacific Standard Time (PST); and
 7. Restoration of Sunlight to the Applicant's PLA will not create an infringement on the Tree Owner's privacy that cannot be reasonably mitigated.

23.51.070 Criteria for Determining Appropriate Restorative Action.

After it has been determined through the hearing process that an unreasonable Obstruction has occurred, then the following unweighted factors may be considered by the Planning Commission, or City Council on appeal, in determining the appropriate Restorative Action:

- A. Any hazards posed by the Subject Tree(s) to any Persons or structures on the Applicant's property, including, but not limited to, fire danger, as determined by a City Fire Official, and the danger of falling limbs or Trees, as determined by a Certified Arborist;

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- B. The variety of the Subject Tree(s), its/their projected rate of growth and maintenance requirements;
 - C. The aesthetic quality of the Subject Tree(s), including but not limited to, species characteristics, size, growth, form and vigor;
 - D. The location of the Subject Tree(s) with respect to overall appearance, design and/or use of the Site of the Subject Tree(s);
 - E. Soil stability provided by the Subject Tree(s) considering soil structure, degree of slope and extent of the Subject Tree's root system per a report from a soils engineer licensed by the State of California;
 - F. Privacy (visual and auditory) and wind screening provided by the Subject Tree(s) to the Tree Owner and neighbors of the Tree Owner;
 - G. Energy conservation and/or climate control provided by the Subject Tree(s);
 - H. Wildlife habitat provided by the Subject Tree(s);
 - I. Whether the Subject Tree(s) is/are considered a "Protected Tree", as defined herein and in Chapter 23.50 (Trees) of this Municipal Code;
 - J. The value of the Subject Tree(s) to the community/neighborhood;
 - K. Whether the Subject Tree(s) is/are located on or in the public right-of-way or City-owned property; and
 - L. Whether the Subject Tree(s) has/have been deemed "discouraged" or undesirable by the City, as provided in the City's Public Tree Policy Manual.

23.51.080 Determination of Restorative Action Work to be Performed.

- A. Consideration of Recommendations. In determining the type(s) of Restorative Action work to be performed under this Chapter, the Planning Commission, or City Council on appeal, shall first consider any recommendation(s) made by City staff, which could include recommendation(s) from a Certified Arborist retained by the Applicant, Tree Owner and/or City.
- B. Types of Restorative Action. Restorative Action work may include, but is not limited to, any of the following (in order of preference):
 - 1. Crown Cleaning. Removing dead, dying, diseased and broken branches from the crown of the Subject Tree(s).
 - 2. Lacing/Thinning. Lacing is the preferred pruning technique, which removes excess foliage within the canopy, improves general views through the Subject Tree(s), and can improve the structure of the Subject Tree(s).

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3. Crown Raising. Selectively removing the lower limbs from the crown of the Subject Tree(s).
 4. Crown Reduction/Shaping. Crown Reduction/Shaping of the Subject Tree(s) is preferable to Topping or Tree Removal, if it is determined that the impact of Crown Reduction/Shaping would not destroy the visual proportions of the Subject Tree(s), adversely affect the Subject Tree's growth pattern or health, or otherwise constitute a detriment to the Subject Tree(s).
 5. Heading Back. Heading Back should only be permitted if all of the following apply:
 - a. The Subject Tree(s) is/are specifically planted and maintained as a Hedge, espalier, bonsai, or in pollard form;
 - b. Restorative Actions 1 through 4 of this Section will not accomplish the intended Restorative Action; and
 - c. Subsequent growth characteristics will not create a future Obstruction of greater proportions.
 6. Tree Removal. Tree Removal of the Subject Tree(s) may be considered when the above-mentioned Restorative Actions are judged to be ineffective. Where Tree Removal is required, replacement by appropriate species shall be considered by the Planning Commission, or City Council on appeal for feasibility, but is not required.
 7. Stand Thinning. The removal of a portion of the total number of Trees from a grove of Trees on the Site of the Subject Tree, including the removal of the Subject Tree(s), without any replacement plantings.

In cases where Trimming or any other type(s) of Restorative Action work may affect the health of a Tree that is intended to be preserved or trees in the vicinity, such Restorative Action work shall be carried out in accordance with the standards established by the International Society of Arboriculture (ISA) for use in the State of California and under the supervision of a Certified Arborist. Severe Pruning should be avoided due to the damage that such practices can cause to a Tree's form and health.

- C. Written Conditions. Restorative Action imposed by the Planning Commission, or City Council on appeal, may also include written conditions (such as ongoing maintenance), and directions as to the appropriate timing of such conditions.
 - D. Ongoing Maintenance. If ongoing maintenance is required by the Planning Commission, or City Council on appeal, as part of the Restorative Action work to be performed, then such ongoing maintenance shall be performed according to the time schedule (e.g., annually, bi-annually, etc.) established by the Planning Commission, or City Council on appeal. On each such occasion that ongoing maintenance is scheduled to occur, the procedures set forth in Section 23.51.090(E) of this Chapter shall apply.
 - E. Consistency with Chapter. The performance of any Restorative Action work required under this Chapter shall be performed consistent with all other provisions of this Chapter.
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- F. Timeline for Compliance. Any Restorative Action work required under this Chapter shall be performed no later than the timelines set forth in Section 23.51.090 of this Chapter, unless an exception applies, as follows:
1. An exception applies if it is determined by the Planning Commission, or City Council on appeal, that it would be less harmful to the Subject Tree(s) for the Restorative Action work to occur at a specific time of the year.
 2. If it is determined that an exception applies, then the Restorative Action work shall be performed no later than ninety (90) days following the specific date set forth by the Planning Commission, or City Council on appeal.

23.51.090 Allocation of Costs and Procedures for the Payment of Restorative Action Work.

- A. Responsibility for Application Fees and Related Costs. The Applicant shall be responsible for the Application fee(s) owed to the City, and any other fees and costs relating to providing the required Application materials to the City, including other information requested by the City to review and process the Application, as well as the costs associated with the public noticing requirement under Section 23.51.040(D) of this Chapter.
- B. Responsibility for Costs of Initial Restorative Action Work. When Restorative Action is required by the Planning Commission, or City Council on appeal, the costs for the initial Restorative Action work required to be performed under this Chapter (excluding any ongoing maintenance) shall be as follows:
1. The Applicant and the Tree Owner shall each pay fifty percent (50%) of all costs associated with the initial Restorative Action work, which includes the full cost of the Tree Survey required by DMMC Section 23.51.040(g), unless an exception applies, as set forth below.
 2. The Tree Owner shall pay one hundred percent (100%) of all costs associated with the initial Restorative Action work, which includes the full cost of the Tree Survey required by DMMC Section 23.51.040(g), if the Planning Commission, or City Council on appeal, makes a determination that:
 - a. The Tree Owner has refused to participate in good faith attempts to resolve the dispute as required by Section 23.51.040(B) of this Chapter; and/or
 - b. The Subject Tree constitutes a hazard to the safety of the Applicant and/or the Applicant's property, and is being maintained by the Tree Owner in disregard for the safety of others and/or property.
- C. Responsibility for Costs of Ongoing Maintenance. The Tree Owner shall pay one hundred percent (100%) of all costs associated with any ongoing maintenance of the Subject Tree(s) required by the Restorative Action plan approved by the Planning Commission, or City Council on appeal, whether or not the Applicant paid any or all of the costs for the initial Restorative Action work.
- D. Procedures for Payment, Scheduling and Completion of Initial Restorative Action Work.
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1. Applicant Partially Responsible for Costs of Initial Restorative Action Work. When the Applicant is partially responsible for the cost of the initial Restorative Action work as set forth in Subsection (B)(1) of this Section, then the following procedures shall be enacted:

- a. For any initial Restorative Action work, the Tree Owner shall submit to the City two (2) itemized written cost estimates for performing the initial Restorative Action work. The estimates shall be prepared by licensed and insured landscape or Tree service contractors, under the supervision of a Certified Arborist, and acceptable to the City. The estimates shall be submitted to the City within thirty (30) days following the adoption of the Resolution approving the Restorative Action plan. The estimates shall be subject to review for acceptance by the Director. The Director reserves the right to consult with a Certified Arborist retained by the City if both of the estimates appear to be substantially above the professional average for such services, and in that case, the Tree Owner shall be responsible for reimbursing the City for the cost of consultation with the City Arborist and may be required to submit additional estimates to the City.
- b. Estimates provided by the Tree Owner shall only include, and the Applicant shall only be responsible for, payment of costs to perform the initial Restorative Action work (excluding any ongoing maintenance) as required by the Planning Commission, or City Council on appeal. Such costs may include debris removal/recycling fees, and the purchase and installation of mitigation Trees (if required by the Planning Commission, or City Council on appeal). Applicant shall not be responsible for any other costs associated with the Restorative Action work required to be performed, including, but not limited to, tarping, removal and/or replacement of fencing, walls or other improvements to bring equipment onto the Site of the Subject Tree, temporary relocation and re-installation or removal and replacement of appurtenances, structures, fixtures and other improvements on the Site of the Subject Tree, and/or any other costs not directly related to the costs of performing the Restorative Action work, as required by the Restorative Action plan approved by the Planning Commission, or City Council on appeal.
- c. Within fifteen (15) days following the Director's acceptance of the cost estimates submitted by the Tree Owner, the Applicant shall deposit with the City an amount equal to the cost percentage required to be paid by the Applicant pursuant to Subsection (B) of this Section, using the lower amount of the two cost estimates. Failure of the Applicant to timely make the required deposit within these fifteen (15) days will render the City's Resolution requiring the Restorative Action work to become null and void.
- d. Once the Applicant's deposit is received by the City, the Tree Owner shall, at the Tree Owner's sole discretion, choose which one of the two companies that submitted estimates accepted by the Director will perform the initial Restorative Action work, and shall notify the City of its decision. Within thirty (30) days following the City's receipt of the Applicant's deposit (or such other period of time as the Planning Commission, or City Council on appeal, may determine to be reasonable and appropriate), the Tree Owner shall schedule the initial Restorative Action work to be completed. If the Tree Owner does not have the initial Restorative Action work completed within thirty (30) days or within the time-period indicated by the Planning Commission, or City Council on appeal, then the City may pursue

any and all available remedies and enforcement mechanisms against the Tree Owner, in accordance with Section 23.51.110 of this Chapter.

- e. The Tree Owner shall notify the City in advance of the date and time that the initial Restorative Action work is scheduled to take place. City staff, or a qualified third party designated by the City, shall inspect the initial Restorative Action work, upon completion, to determine whether the work complies with and satisfies the requirements and conditions contained in the Restorative Action plan. The City's inspection of the initial Restorative Action work shall be scheduled for a time when the contractors performing the initial Restorative Action work are still present at the Site of the Subject Tree and available to perform additional work, if deemed required by the City. The final determination of compliance with and satisfaction of the Restorative Action plan is made by the Director.
 - f. Following City approval of the initial Restorative Action work, the Tree Owner shall submit a copy of an invoice for the work performed to the City. Upon submittal of the invoice, the City shall transmit the funds held in the City's deposit account to the Tree Owner.
2. Tree Owner Fully Responsible for Costs of Initial Restorative Action Work. When the Tree Owner is fully responsible for the cost of the initial Restorative Action as set forth in Subsection (B)(2) of this Section, then the following procedures shall be enacted:
- a. The initial Restorative Action work shall be completed within thirty (30) days following adoption of the Resolution approving the Restorative Action plan (or such other period of time as the Planning Commission, or City Council on appeal, may determine to be reasonable and appropriate). If the Tree Owner does not have the initial Restorative Action work completed within the time-period indicated by the Planning Commission or within thirty (30) days, then the City may pursue any and all available remedies and enforcement mechanisms against the Tree Owner, in accordance with Section 23.51.110 of this Chapter.
 - b. The Tree Owner shall notify the City in advance of the date and time that the initial Restorative Action work is scheduled to take place. City staff, or a qualified third party designated by the City, shall inspect the initial Restorative Action work, upon completion, to determine whether the work complies with and satisfies the requirements and conditions contained in the Restorative Action plan. The City's inspection of the initial Restorative Action work shall be scheduled for a time when the contractors performing the initial Restorative Action work are still present at the Site of the Subject Tree and available to perform additional work, if deemed required by the City. The final determination of compliance with and satisfaction of the Restorative Action plan is made by the Director.
- E. Procedures for Scheduling and Completion of Ongoing Restorative Action Work.
- 1. Any ongoing maintenance required as part of the Restorative Action plan shall be completed according to the time schedule (e.g., annually, bi-annually, etc.) established by the Planning Commission, or City Council on appeal. If the Tree Owner does not timely complete the ongoing maintenance work, then the City may pursue any and all available remedies and enforcement mechanisms against the Tree Owner, in accordance with Section 23.51.110 of this Chapter.

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2. The Tree Owner shall notify the City in advance of the date and time that the ongoing maintenance work is scheduled to take place. City staff, or a qualified third party designated by the City, shall inspect the ongoing maintenance work upon its completion to determine whether the work complies with and satisfies the requirements and conditions contained in the Restorative Action plan. The City's inspection of the ongoing maintenance work shall be scheduled for a time when the contractors performing the work are still present at the Site of the Subject Tree and available to perform additional work, if deemed required by the City. The final determination of compliance with and satisfaction of the Restorative Action plan is made by the Director.

23.51.100 Appeal.

- A. The Planning Commission's decision under this Chapter shall become final on the eleventh (11th) business day following the adoption of the Planning Commission's Resolution documenting the decision, unless the decision is appealed pursuant to this Section.
- B. The Planning Commission's decision may be appealed to the City Council consistent with the appeal provisions of this Municipal Code.
- C. The provisions of Section 1094.6 of the California Code of Civil Procedure are applicable to judicial review of any final decision made by the City of Del Mar pursuant to this Chapter.

23.51.110 Enforcement.

Failure to comply with any provision under this Chapter shall constitute a misdemeanor or infraction, punishable in accordance with the provisions of Chapter 1.08 of this Municipal Code, and is further declared to be a public nuisance that may be enjoined or abated as provided by law.

23.51.120 Liability.

- A. The City shall not be liable for any claims, demands, causes of actions, damages, injuries, litigation, costs, and/or liability arising out of or related to any agreement, decision, determination, or order concerning claims relating to Scenic Views and/or Sunlight that may result from Mediation or litigation.
- B. Under no circumstances shall the City have any responsibility or liability to enforce or seek any legal redress (civil or criminal) for any agreement, decision, determination, or order that any other Person or entity makes concerning claims relating to Scenic Views and/or Sunlight.

23.51.130 Limitations.

- A. It is not the intent of the City in adopting this Chapter to affect obligations imposed by an existing easement or a valid pre-existing covenant or agreement between private parties.
- B. Nothing in the Chapter shall deny private parties the right to seek remedial action for any Imminent Danger caused by any Tree(s).

23.51.140 Process for Alleging Obstruction of Scenic Views and/or Sunlight by City Trees.

The below provisions shall apply when any Person alleges Obstruction of Scenic Views and/or Sunlight caused by City Trees. The process for determining whether an unreasonable Obstruction of Scenic Views and/or Sunlight has occurred as a result of City Trees is set forth below.

A. Pre-Application/Early Consultation Process.

1. Any Person who believes that the growth, improper maintenance and/or installation of a City Tree has caused an unreasonable Obstruction of Scenic Views and/or Sunlight may contact the City of Del Mar Planning and Community Development Department and request to meet with staff to explain the scenic view and/or sunlight obstruction.
2. During the early consultation process, City staff will gather information regarding the TSVS claim of obstruction, verify eligibility for the process, and observe the alleged obstruction.
3. Prior to submitting a TSVS/City Tree application, the Planning and Community Development Director will, in consultation with the Public Works Director and City Arborist, determine if unique factors exist that would cause the City to perform restorative action on the subject City Tree without need to submittal of an application.

B. Application Submittal.

1. Any Person who believes that the growth, improper maintenance and/or installation of a City Tree has caused an unreasonable Obstruction of Scenic Views and/or Sunlight may submit an Application to the City in accordance with the provisions of Section 23.51.040(A) of this Chapter.
2. Together with the submission of an Application, the Applicant shall remit an Application fee to the City in an amount established by Ordinance or Resolution of the City Council.
3. Upon review of the Application for completeness, the Director may request additional information, if necessary, within thirty (30) days following Application submittal.
4. The Application will not be deemed complete for further processing by the City until all materials required by this Section and any additional information requested by the Director have been submitted in a format deemed acceptable by the Director.

C. City's Review of the Alleged Obstruction. Upon receipt of a complete Application, the Director, in consultation with the City's Public Works Director and/or a City Arborist, shall:

1. Review and evaluate the Application to determine whether the required findings of fact can be made pursuant to Section 23.51.060 of this Chapter;
2. Perform a site visit to the Applicant's PLA or Solar Energy System; and
3. Consider the public interest in maintaining the public environment created by the existing City Tree(s) and its/their contribution to the community character.

D. City's Decision and Public Notice.

1. The Director shall approve or deny the Application by written decision within thirty (30) days following the Application has been deemed complete.
2. The Director's written decision shall specify findings of fact for Application approval or denial as provided in Section 23.51.060 of this Chapter.
3. Approval of an Application under this Section shall include appropriate Restorative Action based on a recommendation by City staff working in consultation with a City Arborist. The Restorative Action plan shall consider the criteria set forth in Section 23.51.070 of this Chapter, shall be consistent with Section 23.51.080 of this Chapter, and shall involve the least amount of impact necessary to the overall aesthetic of the City Tree(s).
4. If the Restorative Action plan requires Tree Removal of a Protected City Tree, the City shall provide public notice of the Director's decision, as follows:
 - a. Notice shall be posted on the City's website and mailed to all owners of real property located within three hundred (300) feet of the location of the City Tree(s).
 - b. Notice shall include a number assigned to the Application, a description of the City Tree(s) causing an Obstruction of Applicant's Scenic Views and/or Sunlight, and information on the process for appealing the Director's decision.
5. The Director's decision shall become final on the eleventh (11th) business day following the date of the posted/mailed public notice, unless appealed.

E. Appeal of Director's Decision. For purposes of this Section only, the Director's decision may be appealed to the Planning Commission pursuant to the provisions of this Municipal Code. The Planning Commission's decision shall become final on the eleventh (11th) business day following the adoption of the Planning Commission's Resolution, unless appealed to the City Council in accordance with Section 23.51.100 of this Chapter.

F. Procedures for Restorative Action Work and Allocation of Costs.

1. If any Restorative Action work is required to be performed in accordance with this Section, the City and the Applicant shall each be responsible for paying fifty percent (50%) of the cost to perform the Restorative Action work.
2. Within thirty (30) days following the date the Director's written decision approving the Application, City staff shall provide the written decision to the City's contracted tree maintenance company to obtain a cost estimate for the performance of the Restorative Action work.
3. Upon receipt of the cost estimate for the performance of the Restorative Action work, City staff shall provide the Applicant with an invoice for fifty percent (50%) of the total cost estimate.

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4. Within fifteen (15) days following receipt of the invoice from the City, the Applicant shall remit the full invoiced amount to the City as a deposit for the performance of the Restorative Action work. Failure of the Applicant to timely make the required deposit within these fifteen (15) days will render the Director's decision requiring the Restorative Action work to become null and void.
 5. Upon completion of the Restorative Action work, the deposited funds shall be used towards payment of the Applicant's fifty percent (50%) share of the total cost to perform the Restorative Action work.
 - a. If the final cost of the Restorative Action work is less than the initial estimate, any unused amount of the deposit shall be returned to the Applicant.
 - b. If the final cost of the Restorative Action work exceeds the initial estimate, the City shall provide the Applicant with an invoice for the remaining amount owed by the Applicant. Within fifteen (15) days following receipt of the invoice, the Applicant shall remit to the City the remaining amount of the Applicant's share owed to the City.

Chapter 23.51 TREES, SCENIC VIEWS AND SUNLIGHT

23.51.010 Purpose and Application of Chapter.

A. Purpose.

1. The City recognizes that Trees, Scenic Views and plentiful Sunlight contribute to the special character of Del Mar and to the overall quality of life enjoyed by residents, property owners and visitors.
2. The City further recognizes that Trees, Scenic Views and Sunlight produce a wide variety of significant psychological and tangible benefits, and contribute to the economic value and comfortable enjoyment of the community, neighborhoods and individual properties, including, but not limited to, the following:
 - a. Trees, vegetation and other landscaping provide aesthetic value as part of an urban forest, visual and auditory privacy, carbon sequestration, climate control, wind screening, soil stability, and wildlife habitat.
 - b. Scenic Views, whether of the Pacific Ocean, nearby lagoons, canyons, the community and its landscapes and urban forest character, or other scenic backcountry (eastern) vistas, encourage distinctive architecture, artistic expression, and provide creative inspiration.
 - c. Plentiful Sunlight provides an opportunity to utilize solar energy both actively and passively for home heating and climate control, thereby reducing dependance on fossil fuels.
3. This Chapter acknowledges the benefits derived from Trees, Scenic Views and plentiful Sunlight, and balances the goal of maintaining each of them, when possible.
4. This Chapter further provides a process by which ~~any~~ Person may seek to preserve and restore Scenic Views and/or Sunlight ~~when there is an unreasonable Obstruction of such Scenic Views and/or Sunlight by the growth, improper maintenance and/or installation of Trees and/or vegetation located on a property within three hundred (300) feet of the Applicant's property line.~~

B. Application.

1. This Chapter applies to all properties within the jurisdictional boundaries of the City of Del Mar, excluding property owned by governmental entities not subject to the City's regulatory jurisdiction.
2. Any Person shall have the right to file an Application with the City alleging Obstruction of pre-existing Scenic Views and/or Sunlight, and further seeking Restorative Action to restore the pre-existing Scenic Views and/or Sunlight that existed on or after the later of the following:
 - a. Date the Applicant acquired Applicant's property; or

- b. Ten (10) years prior to the submittal date of a complete Trees, Scenic Views and Sunlight application.
- 3. A decision by the Planning Commission, or City Council on appeal, that an Obstruction of Scenic Views and/or Sunlight has occurred, and any associated Restorative Action, is specific to the Applicant and does not run with the land. Any orders issued by the Planning Commission, or City Council on appeal, for ongoing maintenance of the Subject Tree are not binding on subsequent property owners and shall terminate with the transfer of property title. This paragraph does not apply when property title is transferred due to inheritance

23.51.020 Definitions.

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

- A. *Applicant* shall mean any Person who owns residential real property within the jurisdictional boundaries of the City of Del Mar (or the legal occupant of said real property with written permission from the property owner of record to act on their behalf), who files an Application with the City pursuant to this Chapter.
- B. *Application* shall mean a Trees, Scenic Views and Sunlight Application filed with the City alleging that any Tree located on the property of another Person is causing an unreasonable Obstruction of the Applicant’s pre-existing Scenic Views and/or Sunlight, for which the Applicant seeks Restorative Action.
- C. *Certified Arborist* shall mean a professional arborist who holds a valid ISA Certified Arborist credential from the International Society of Arboriculture (ISA). For purposes of this Chapter, a Registered Consulting Arborist (RCA) with current membership in the American Society of Consulting Arborists (ASCA) shall be considered a “Certified Arborist” for purposes of providing professional tree surveys, reports, recommendations, and other technical information related to arboriculture.
- D. *City* shall mean the City of Del Mar.
- E. *City Tree* shall mean any Tree planted, installed, owned, and/or maintained by the City, which is located in, within or on a City park, Parkway, street, median, or other property owned by the City. For purposes of this Chapter and consistent with Section 23.51.030 of this Chapter, the term “City Tree” does not include any Tree located within the public right-of-way between the improved street edge and the property boundary of a private lot.
- F. *Crown Reduction/Shaping* shall mean a method of comprehensive trimming that reduces a Tree’s height and/or spread. Crown Reduction/Shaping entails the reduction of the top, sides or individual limbs of a Tree by removal of leaders or the longest portion of limbs to a lateral large enough to assume the terminal role.
- G. *Director* shall mean the City’s Planning and Community Development Director, or his or her designee.
- H. *Heading Back* shall mean a pruning process whereby overall reduction of the mass of a Tree is achieved by modification to major limbs.

- I. *Hedge* shall mean generally dense vegetation so aligned as to form a physical barrier or fence.
- J. *Imminent Danger* shall mean an immediate risk to the health, safety and/or welfare of any Person or property, whether privately- or publicly-owned.
- K. *Lacing* shall mean a comprehensive method of Trimming that systematically and sensitively removes excess portions of a Tree and improves the structure of the Tree.
- L. *Mediation* shall mean a private, voluntary process in which an impartial and qualified third-party professional negotiator facilitates communication between parties to a dispute to promote settlement and reach a mutually satisfactory solution, in this case regarding a claim for Obstruction of Scenic Views and/or Sunlight.
- M. *Obstruction* shall mean any substantial and unreasonable blocking or diminishment of Scenic Views and/or Sunlight that is attributable to the growth, improper maintenance and/or the location of a Tree, as determined by the Planning Commission or City Council on appeal, consistent with the findings of fact required by this Chapter.
- N. *Parkway* shall mean that area of the street between the back of curb and the sidewalk that is typically planted or landscaped.
- O. *Person* shall mean any individual(s), corporation, partnership, firm, or other legal entity (including the City of Del Mar), owning real property or residing in real property within the Del Mar City limits.
- P. *Primary Living Area (PLA)* shall mean that (single) portion of a primary residence (typically the living room, dining room or great room) determined by the Planning Commission, or City Council on appeal, to be the main gathering and entertainment room of the primary residence.
 1. The determination of a PLA is to be made on a case-by-case basis and shall be consistent with any prior determinations made by the City. Each primary residence shall be limited to the designation of only one (1) PLA (a primary residence does not include “Accessory Dwelling Units,” as that term is defined by Chapter 30.91 of this Municipal Code).
 2. Under rare and extraordinary circumstances, the Planning Commission, or City Council on appeal, may determine that another area of a primary residence (other than the living room, dining room or great room) is the PLA.
 3. Under no circumstances shall a bathroom, laundry room, storage room, stairwell, hallway, outdoor deck, patio, balcony, or any other area outside of the enclosing walls of a primary residence, be designated as a PLA. Additionally, a PLA may not be from any space within an Accessory Dwelling Unit (as that term is defined by Chapter 30.91 of this Municipal Code).
- Q. *Protected Tree* shall mean any of the following:
 1. A Tree of the species *Hesperocyparis macrocarpa* (Monterey Cypress);
 2. A Tree of the species *Pinus torreyana* (Torrey Pine);

3. A Tree of any species and located on property within the Central Commercial or Open Space Overlay zones of the City, within a public right-of-way, or on public- or City-owned property; or
 4. Any Tree planted as a result of required mitigation for the removal of another Protected Tree.
- R. *Restorative Action* shall mean any specific action(s) and conditions required by the Planning Commission, or City Council on appeal, to be implemented to resolve a dispute relating to the Obstruction of the Applicant's pre-existing Scenic Views and/or Sunlight.
 - S. *Scenic View* shall mean a view of the ocean, lagoons, canyons, the community and its landscapes and urban forest character, or other scenic backcountry (eastern) vistas from the PLA of a primary residence. When observed through more than one window or multiple locations within the PLA, the full extent of the Scenic View shall be a culmination of all vantage points from within the PLA. A Scenic View shall not have been created by natural disaster/causes such as storms, fire, disease or pest infestation, or illegal activity.
 - T. *Severe Pruning* shall mean the cutting of branches and/or the trunk of a Tree in a manner which substantially reduces the overall size of the Tree or destroys the existing symmetrical appearance, natural shape and/or health of the Tree, and which results in the removal of main lateral branches leaving the trunk and branches of the Tree in a stub appearance. "Topping" and "Heading Back" as defined herein are considered to be Severe Pruning. As stated herein, Severe Pruning should be avoided due to the damage that such practices can cause to a Tree's form and health.
 - U. *Site of the Subject Tree* shall mean the property on which a Subject Tree is located, which shall be located within three hundred (300) feet of the Applicant's property boundary for an Application involving obstruction of scenic views and/or sunlight access to a Solar Energy System, or located within thirty (30) feet of the Applicant's property boundary for an Application involving obstruction of sunlight access to a Primary Living Area.
 - V. *Solar Energy System* shall have the same meaning as set forth in Section 801.5(a) of the California Civil Code, as that Section may be amended, renumbered, or redesignated from time to time. For purposes of this Chapter, the location of a Solar Energy System collector is required to comply with the local building and setback regulations.
 - W. *Subject Tree* shall mean a Tree for which an Application has been submitted regarding the alleged Obstruction of Scenic Views and/or Sunlight.
 - X. *Sunlight* shall mean the availability of direct and/or indirect sunlight to the PLAA room or rooms, or to the existing Solar Energy System of an Applicant's primary residence.
 - Y. *Thinning* shall mean the selective removal of entire branches from a Tree so as to improve visibility through the Tree and/or improve the Tree's structural condition.
 - Z. *Topping* shall mean eliminating the upper portion of the trunk or main leader of a Tree. Topping is not recommended in almost all cases.
 - AA. *Tree* shall mean any perennial plant growing on public or private property in the ground or in an above-ground container, with a self-supporting woody main stem or trunk. For purposes of this

Chapter, "Tree" shall also include vegetation such as shrubs, Hedges, and bushes. References to "Tree" herein shall include both the singular and the plural form.

- BB. *Tree Owner* shall mean the Person who holds title of the real property for the Site of the Subject Tree, or the Person responsible for maintenance of the Subject Tree in accordance with Section 23.51.030 of this Chapter.
- CC. *Tree Removal* shall mean the elimination of any Tree from its present location.
- DD. *Trimming* shall mean the selective removal of portions of branches from a Tree to modify the Tree shape or profile or otherwise alter the Tree's appearance.

23.51.030 Private Property Owner Maintenance of Adjacent Trees Located in Public Right-of-Way.

The maintenance of any Tree located within the public right-of-way, between the improved street edge and the property boundary of a private lot, shall be the responsibility of the adjacent private property owner, and not the City. As such, the adjacent private property owner shall be considered the "Tree Owner" for purposes of this Chapter.

23.51.040 Process for Alleging Obstruction of Scenic Views and/or Sunlight.

- A. Application Submission to City.
 - 1. Any Person alleging Obstruction of Scenic Views and/or Sunlight may submit an Application to the City Department of Planning and Community Development, which shall contain the following information and may be subject to review and approval by the Director:
 - a. Uniform Development Application on a form provided by the City;
 - b. Trees, Scenic Views and Sunlight Supplemental Questionnaire on a form provided by the City;
 - c. Floor plan of the Applicant's PLA depicting the direction of the Scenic Views and/or floor plan and building elevation plans depicting the source of Sunlight (e.g., windows, doors, or other transparent surfaces);
 - d. Photographic evidence taken from the Applicant's PLA depicting both of the following:
 - (1) Pre-existing Scenic Views– Photograph must have been taken at some point in time during the timeframe set forth in Section 23.51.010(B)(2) of this Chapter to the present; and
 - (2) Alleged Obstruction of Scenic Views– Photograph must have been taken on or around the time of Application submittal;

- e. Shade study demonstrating the amount and duration of the alleged Obstruction of Sunlight from a PLA or Solar Energy System (for Applications alleging Obstruction of Sunlight only); and
- f. Tree survey of the Subject Tree(s) signed and/or stamped by a Certified Arborist and providing the following information, which may be subject to review and approval by the City's Arborist:
 - (1) Species, common name and variety of the Subject Tree(s);
 - (2) Physical measurements of the Subject Tree(s) (e.g., height and trunk circumference at two (2) feet above the natural grade);
 - (3) Approximate age of the Subject Tree(s);
 - (4) Overall health and structural condition of the Subject Tree(s);
 - (5) Life expectancy and suitability for preservation of the Subject Tree(s);
 - (6) Desired Restorative Action, anticipated impact of such Restorative Action on the Subject Tree(s), and recommended maintenance activities (if any) for the long-term preservation of Applicant's Scenic Views and/or Sunlight; and
 - (7) Other recommendations for management of the Subject Tree(s) and/or pertinent information related to the Subject Tree(s).

If the Tree Owner does not grant Applicant's Certified Arborist access to the Site of the Subject Tree to conduct the tree survey required by this Subsection, then a tree survey shall be prepared containing as much of the above information as possible. Applicant's Certified Arborist may use other sources to obtain this information, such as photographs taken from other properties, satellite photographs from commercially-available sources, and public record permit information for work performed on the Tree Owner's property.

- 2. Together with the submission of an Application, the Applicant shall remit an Application fee to the City in an amount established by Ordinance or Resolution of the City Council.
- 3. Upon review of the Application for completeness, the Director may request additional information, if necessary, within thirty (30) days following Application submittal.
- 4. The Application will not be deemed complete for further processing by the City until all materials required by this Section and any additional information requested by the Director have been submitted in a format deemed acceptable by the Director.
- 5. By submitting an Application to the City, Applicant agrees to allow City staff and/or the Tree Owner to personally enter upon Applicant's property (under Applicant's supervision) to view and photograph the alleged Obstruction of Scenic Views from the Applicant's PLA, ~~or in case of sunlight obstruction, from the affected room(s) and/or~~ Solar Energy System.

6. Group Applications are not permitted. A single Application must be submitted for each Person alleging Obstruction of Scenic Views and/or Sunlight. Each Application will be considered on an individual basis at a public hearing before the Planning Commission, or City Council on appeal.

B. Mediation Efforts.

1. Together with the information required under Subsection (A) of this Section, Applicant shall also submit documentation to the City demonstrating the following:
 - a. Applicant contacted the Tree Owner and made reasonable efforts to resolve the dispute alleging Obstruction of Scenic Views and/or Sunlight, including, at a minimum, offering to engage in Mediation.
 - b. Proof of Applicant's efforts to meet and confer with the Tree Owner shall include:
 - (1) Documented attempts offering to participate in Mediation (via certified mail, e-mail exchanges, text messages, etc.); and
 - (2) An explanation of whether such offers to participate in Mediation were declined in writing by the Tree Owner, or if Mediation was unsuccessful between the parties.
2. The Tree Owner's failure to respond to Applicant's offer for Mediation within thirty (30) days following receipt of the offer shall be deemed a refusal by the Tree Owner to participate in Mediation.
3. If the Tree Owner agrees to Mediation, the Mediation shall be completed within one hundred and eighty (180) days following Tree Owner's acceptance of Applicant's offer for Mediation, unless an extension is granted by the Director.

C. Notice to Tree Owner. Within thirty (30) days following receipt of a complete Application, City staff shall provide notice to the Tree Owner including the following information:

1. Copy of the Application and any other materials submitted by the Applicant;
2. Copy of this Chapter 23.51;
3. Statement notifying the Tree Owner that there is still time and an opportunity for the parties to resolve the dispute prior to the public hearing;
4. Statement encouraging the Tree Owner to participate in Mediation and informational materials associated with the Mediation process, such as a referral to the National Conflict Resolution Center; and
5. Notice that a written response to the Application may be submitted in advance of the public hearing for review by the Planning Commission, the deadline for any such response, and the anticipated date and time of the public hearing.

D. Public Hearing and Decision.

1. The Application shall be presented at a noticed public hearing conducted by the City of Del Mar Planning Commission. The public hearing procedures shall be consistent with those contained in Section 7.2 of the Planning Commission's adopted Policy Manual.
2. The Applicant and the Tree Owner shall each be allowed one (1) request for a postponement of the public hearing, provided that the written request is received by the Director at least fourteen (14) days prior to the scheduled hearing date.
3. At least ten (10) days prior to the scheduled public hearing date, notice shall be published and mailed to all real property owners of record located within three hundred (300) feet of the Applicant's property boundary and the Site of the Subject Tree.
4. During the public hearing, the Applicant and the Tree Owner shall each be allowed an opportunity to present testimony and evidence relating to the Application and the Subject Tree(s). The public shall also be given an opportunity to provide comment on the Application and the Subject Tree(s).
5. The Planning Commission shall issue a decision regarding the Application to determine whether an Obstruction of Scenic Views and/or Sunlight has occurred based on the criteria set forth in Section 23.51.060 of this Chapter.
 - a. The Planning Commission's decision shall be documented in the form of a Resolution.
 - b. If the Planning Commission finds in favor of the Applicant, the Planning Commission's Resolution shall also include the requirement to perform Restorative Action work in accordance with Section 23.51.080 of this Chapter. If desired, the Planning Commission may choose to appoint a subcommittee of the Planning Commission to work with City staff on the creation of a draft Restorative Action plan for consideration and action by the Planning Commission at a future meeting.
 - c. The Planning Commission's decision on the Application shall become final on the eleventh (11th) business day following the adoption of the Planning Commission's Resolution, unless appealed to the City Council in accordance with Section 23.51.100 of this Chapter.

23.51.050 Criteria for Determining Unreasonable Obstruction of Scenic Views.

- A. In considering whether an unreasonable Obstruction of Scenic Views has occurred pursuant to this Chapter, the Planning Commission, or City Council on appeal, shall determine whether the Subject Tree(s) obstructs the Applicant’s Scenic Views (observed from the Applicant’s PLA) by more than the permissible percentages listed for the type of Scenic Views identified in Table 1 of this Section.
- B. The Planning Commission, or City Council on appeal, shall be responsible for determining the type(s) of Scenic View and appropriate view angle upon which to base its review from those listed in Table 1 of this Section. In making this determination, the recommendation of staff may be considered.
- C. Scenic Views of a specific type (e.g., White Water, Blue Water, etc.) could possibly be observed from multiple vantage points and directions inside the Applicant’s PLA, resulting in several separated views of a similar type. When this occurs, the Planning Commission, or the City Council on appeal, shall consider the Scenic View to be the culmination of all (separated) views that can be observed within a 180-degree corridor from the PLA, and shall apply the allowable percentages of Obstruction accordingly.

Table 1

ALLOWABLE SCENIC VIEW OBSTRUCTION – 180 DEGREE CORRIDOR			
Type of Scenic View	Slot (< 45°)	Middle (45° – 90°)	Panorama (> 90°)
White Water	0 – 5 %	0 – 5 %	0 – 10 %
Blue Water	0 – 10 %	0 – 10 %	0 – 15 %
Horizon/Back Country	0 – 15 %	0 – 20 %	0 – 20 %

23.51.060 Findings for Determining Unreasonable Obstruction of Scenic Views and/or Sunlight.

- A. Obstruction of Scenic Views (from the Applicant’s PLA). To render a decision in favor of the Applicant regarding unreasonable Obstruction of Scenic Views, the Planning Commission, or City Council on appeal, shall make all of the following findings of fact:
 - 1. The Subject Tree(s) is/are located on the Tree Owner’s property, which is located within three hundred (300) feet of the Applicant’s property (also referred to herein as the “Site of the Subject Tree”);

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2. The Applicant's Scenic View is consistent with the definition of "Scenic View" as provided in Section 23.51.020 of this Chapter;
 3. The Applicant's stated PLA is consistent with the definition of "Primary Living Area (PLA)" as provided in Section 23.51.020 of this Chapter;
 4. The Applicant has contacted the Tree Owner and made reasonable efforts to resolve the dispute alleging Obstruction of Scenic Views, as required by Section 23.51.040(B) of this Chapter;
 5. Consistent with Section 23.51.040(A) of this Chapter, the Applicant has provided photographic evidence of prior Scenic Views taken from the Applicant's PLA on or after the later of the following: (i) the date Applicant acquired Applicant's property; or (ii) ten (10) years prior to the submittal date of a complete Trees, Scenic Views and Sunlight application;
 6. Based on a review of the photographic evidence submitted by the Applicant, the Applicant's Scenic View has been reduced by more than the maximum allowed percentage of Obstruction listed in Table 1 under Section 23.51.050 of this Chapter; and
 7. Restoration of the Applicant's Scenic Views will not create an infringement on the Tree Owner's privacy that cannot be reasonably mitigated.
- B. Obstruction of Sunlight (to the Applicant's Solar Energy System). To render a decision in favor of the Applicant regarding unreasonable Obstruction of Sunlight to Applicant's existing Solar Energy System, the Planning Commission, or City Council on appeal, shall make the following findings of fact:
1. The Subject Tree(s) is/are located on the Tree Owner's property, which is located within three hundred (300) feet of the Applicant's property (also referred to herein as the "Site of the Subject Tree");
 2. The Applicant's Sunlight is consistent with the definition of "Sunlight" as provided in Section 23.51.020 of this Chapter;
 3. The Applicant's Solar Energy System is consistent with the definition of "Solar Energy System" as provided in Section 23.51.020 of this Chapter;
 4. The Applicant has contacted the Tree Owner and made reasonable efforts to resolve the dispute alleging Obstruction of Sunlight, as required by Section 23.51.040(B) of this Chapter;
 5. Consistent with Section 23.51.040(A) of this Chapter, the Applicant has provided photographic or other documentable evidence of prior Sunlight to the Solar Energy System taken on or after the later of the following: (i) date Applicant acquired Applicant's property; or (ii) ten (10) years prior to the submittal date of a complete Trees, Scenic Views and Sunlight application;
 6. The Applicant has provided an exhibit demonstrating the amount and duration of the Obstruction of Sunlight in a graphic format, such as a shadow study, as required by Section 23.51.040(A) of this Chapter;
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7. Based on a review of the photographic evidence and exhibit submitted by the Applicant, the Subject Tree(s) cast(s) a shadow on the Applicant's Solar Energy System that is greater than ten percent (10%) of the Solar Energy System absorption area at any time between 10:00 a.m. and 2:00 p.m., Pacific Standard Time (PST); and
 8. Restoration of Sunlight to the Applicant's Solar Energy System will not create an infringement on the Tree Owner's privacy that cannot be reasonably mitigated.
- C. Obstruction of Sunlight (to ~~a room or rooms of the Applicant's PLA primary residence~~). To render a decision in favor of the Applicant regarding unreasonable Obstruction of Sunlight to the Applicant's PLA ~~one or more rooms in the Applicant's primary residence~~, the Planning Commission, or City Council on appeal, shall make the following findings of fact:
1. The Subject Tree(s) is/are located on the Tree Owner's property, which is located within ~~thirty~~free hundred (300) feet of the Applicant's property (also referred to herein as the "Site of the Subject Tree");
 2. The Applicant's Sunlight is consistent with the definition of "Sunlight" as provided in Section 23.51.020 of this Chapter;
 3. The Applicant has contacted the Tree Owner and made reasonable efforts to resolve the dispute alleging Obstruction of Sunlight, as required by Section 23.51.040(B) of this Chapter;
 4. Consistent with Section 23.51.040(A) of this Chapter, the Applicant has provided photographic or other documentable evidence of prior Sunlight to ~~one or more rooms~~the PLA taken on or after the later of the following: (i) the date Applicant acquired Applicant's property; or (ii) ten (10) years prior to the submittal date of a complete Trees, Scenic Views and Sunlight application;
 5. The Applicant has provided an exhibit demonstrating the amount and duration of the Obstruction of Sunlight in a graphic format, such as a shadow study, as required by Section 23.51.040(A) of this Chapter;
 6. Based on a review of the photographic evidence and exhibit submitted by the Applicant, the Subject Tree(s) cast(s) shadows greater than fifty percent (50%) of the total window glazing ~~of a room or rooms within~~ the Applicant's primary residencePLA at any time between 10:00 a.m. and 2:00 p.m., Pacific Standard Time (PST); and
 7. Restoration of Sunlight to the Applicant's PLA~~the sunlight obstructed room or rooms~~ will not create an infringement on the Tree Owner's privacy that cannot be reasonably mitigated.

23.51.070 Criteria for Determining Appropriate Restorative Action.

After it has been determined through the hearing process that an unreasonable Obstruction has occurred, then the following unweighted factors may be considered by the Planning Commission, or City Council on appeal, in determining the appropriate Restorative Action:

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- A. Any hazards posed by the Subject Tree(s) to any Persons or structures on the Applicant's property, including, but not limited to, fire danger, as determined by a City Fire Official, and the danger of falling limbs or Trees, as determined by a Certified Arborist;
 - B. The variety of the Subject Tree(s), its/their projected rate of growth and maintenance requirements;
 - C. The aesthetic quality of the Subject Tree(s), including but not limited to, species characteristics, size, growth, form and vigor;
 - D. The location of the Subject Tree(s) with respect to overall appearance, design and/or use of the Site of the Subject Tree(s);
 - E. Soil stability provided by the Subject Tree(s) considering soil structure, degree of slope and extent of the Subject Tree's root system per a report from a soils engineer licensed by the State of California;
 - F. Privacy (visual and auditory) and wind screening provided by the Subject Tree(s) to the Tree Owner and neighbors of the Tree Owner;
 - G. Energy conservation and/or climate control provided by the Subject Tree(s);
 - H. Wildlife habitat provided by the Subject Tree(s);
 - I. Whether the Subject Tree(s) is/are considered a "Protected Tree", as defined herein and in Chapter 23.50 (Trees) of this Municipal Code;
 - J. The value of the Subject Tree(s) to the community/neighborhood;
 - K. Whether the Subject Tree(s) is/are located on or in the public right-of-way or City-owned property; and
 - L. Whether the Subject Tree(s) has/have been deemed "discouraged" or undesirable by the City, as provided in the City's Public Tree Policy Manual.

23.51.080 Determination of Restorative Action Work to be Performed.

- A. Consideration of Recommendations. In determining the type(s) of Restorative Action work to be performed under this Chapter, the Planning Commission, or City Council on appeal, shall first consider any recommendation(s) made by City staff, which could include recommendation(s) from a Certified Arborist retained by the Applicant, Tree Owner and/or City.
- B. Types of Restorative Action. Restorative Action work may include, but is not limited to, any of the following (in order of preference):
 - 1. Crown Cleaning. Removing dead, dying, diseased and broken branches from the crown of the Subject Tree(s).

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2. Lacing/Thinning. Lacing is the preferred pruning technique, which removes excess foliage within the canopy, improves general views through the Subject Tree(s), and can improve the structure of the Subject Tree(s).
 3. Crown Raising. Selectively removing the lower limbs from the crown of the Subject Tree(s).
 4. Crown Reduction/Shaping. Crown Reduction/Shaping of the Subject Tree(s) is preferable to Topping or Tree Removal, if it is determined that the impact of Crown Reduction/Shaping would not destroy the visual proportions of the Subject Tree(s), adversely affect the Subject Tree's growth pattern or health, or otherwise constitute a detriment to the Subject Tree(s).
 5. Heading Back. Heading Back should only be permitted if all of the following apply:
 - a. The Subject Tree(s) is/are specifically planted and maintained as a Hedge, espalier, bonsai, or in pollard form;
 - b. Restorative Actions 1 through 4 of this Section will not accomplish the intended Restorative Action; and
 - c. Subsequent growth characteristics will not create a future Obstruction of greater proportions.
 6. Tree Removal. Tree Removal of the Subject Tree(s) may be considered when the above-mentioned Restorative Actions are judged to be ineffective. Where Tree Removal is required, replacement by appropriate species shall be considered by the Planning Commission, or City Council on appeal for feasibility, but is not required.
 7. Stand Thinning. The removal of a portion of the total number of Trees from a grove of Trees on the Site of the Subject Tree, including the removal of the Subject Tree(s), without any replacement plantings.

In cases where Trimming or any other type(s) of Restorative Action work may affect the health of a Tree that is intended to be preserved or trees in the vicinity, such Restorative Action work shall be carried out in accordance with the standards established by the International Society of Arboriculture (ISA) for use in the State of California and under the supervision of a Certified Arborist. Severe Pruning should be avoided due to the damage that such practices can cause to a Tree's form and health.

- C. Written Conditions. Restorative Action imposed by the Planning Commission, or City Council on appeal, may also include written conditions (such as ongoing maintenance), and directions as to the appropriate timing of such conditions.
- D. Ongoing Maintenance. If ongoing maintenance is required by the Planning Commission, or City Council on appeal, as part of the Restorative Action work to be performed, then such ongoing maintenance shall be performed according to the time schedule (e.g., annually, bi-annually, etc.) established by the Planning Commission, or City Council on appeal. On each such occasion that ongoing maintenance is scheduled to occur, the procedures set forth in Section 23.51.090(E) of this Chapter shall apply.

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- E. Consistency with Chapter. The performance of any Restorative Action work required under this Chapter shall be performed consistent with all other provisions of this Chapter.
 - F. Timeline for Compliance. Any Restorative Action work required under this Chapter shall be performed no later than the timelines set forth in Section 23.51.090 of this Chapter, unless an exception applies, as follows:
 - 1. An exception applies if it is determined by the Planning Commission, or City Council on appeal, that it would be less harmful to the Subject Tree(s) for the Restorative Action work to occur at a specific time of the year.
 - 2. If it is determined that an exception applies, then the Restorative Action work shall be performed no later than ninety (90) days following the specific date set forth by the Planning Commission, or City Council on appeal.

23.51.090 Allocation of Costs and Procedures for the Payment of Restorative Action Work.

- A. Responsibility for Application Fees and Related Costs. The Applicant shall be responsible for the Application fee(s) owed to the City, and any other fees and costs relating to providing the required Application materials to the City, including other information requested by the City to review and process the Application, as well as the costs associated with the public noticing requirement under Section 23.51.040(D) of this Chapter.
- B. Responsibility for Costs of Initial Restorative Action Work. When Restorative Action is required by the Planning Commission, or City Council on appeal, the costs for the initial Restorative Action work required to be performed under this Chapter (excluding any ongoing maintenance) shall be as follows:
 - 1. The Applicant and the Tree Owner shall each pay fifty percent (50%) of all costs associated with the initial Restorative Action work, which includes the full cost of the Tree Survey required by DMMC Section 23.51.040(g), unless an exception applies, as set forth below.
 - 2. The Tree Owner shall pay one hundred percent (100%) of all costs associated with the initial Restorative Action work, which includes the full cost of the Tree Survey required by DMMC Section 23.51.040(g), if the Planning Commission, or City Council on appeal, makes a determination that:
 - a. The Tree Owner has refused to participate in good faith attempts to resolve the dispute as required by Section 23.51.040(B) of this Chapter; and/or
 - b. The Subject Tree constitutes a hazard to the safety of the Applicant and/or the Applicant's property, and is being maintained by the Tree Owner in disregard for the safety of others and/or property.
- C. Responsibility for Costs of Ongoing Maintenance. The Tree Owner shall pay one hundred percent (100%) of all costs associated with any ongoing maintenance of the Subject Tree(s) required by the

Restorative Action plan approved by the Planning Commission, or City Council on appeal, whether or not the Applicant paid any or all of the costs for the initial Restorative Action work.

D. Procedures for Payment, Scheduling and Completion of Initial Restorative Action Work.

1. Applicant Partially Responsible for Costs of Initial Restorative Action Work. When the Applicant is partially responsible for the cost of the initial Restorative Action work as set forth in Subsection (B)(1) of this Section, then the following procedures shall be enacted:
 - a. For any initial Restorative Action work, the Tree Owner shall submit to the City two (2) itemized written cost estimates for performing the initial Restorative Action work. The estimates shall be prepared by licensed and insured landscape or Tree service contractors, under the supervision of a Certified Arborist, and acceptable to the City. The estimates shall be submitted to the City within thirty (30) days following the adoption of the Resolution approving the Restorative Action plan. The estimates shall be subject to review for acceptance by the Director. The Director reserves the right to consult with a Certified Arborist retained by the City if both of the estimates appear to be substantially above the professional average for such services, and in that case, the Tree Owner shall be responsible for reimbursing the City for the cost of consultation with the City Arborist and may be required to submit additional estimates to the City.
 - b. Estimates provided by the Tree Owner shall only include, and the Applicant shall only be responsible for, payment of costs to perform the initial Restorative Action work (excluding any ongoing maintenance) as required by the Planning Commission, or City Council on appeal. Such costs may include debris removal/recycling fees, and the purchase and installation of mitigation Trees (if required by the Planning Commission, or City Council on appeal). Applicant shall not be responsible for any other costs associated with the Restorative Action work required to be performed, including, but not limited to, tarping, removal and/or replacement of fencing, walls or other improvements to bring equipment onto the Site of the Subject Tree, temporary relocation and re-installation or removal and replacement of appurtenances, structures, fixtures and other improvements on the Site of the Subject Tree, and/or any other costs not directly related to the costs of performing the Restorative Action work, as required by the Restorative Action plan approved by the Planning Commission, or City Council on appeal.
 - c. Within fifteen (15) days following the Director's acceptance of the cost estimates submitted by the Tree Owner, the Applicant shall deposit with the City an amount equal to the cost percentage required to be paid by the Applicant pursuant to Subsection (B) of this Section, using the lower amount of the two cost estimates. Failure of the Applicant to timely make the required deposit within these fifteen (15) days will render the City's Resolution requiring the Restorative Action work to become null and void.
 - d. Once the Applicant's deposit is received by the City, the Tree Owner shall, at the Tree Owner's sole discretion, choose which one of the two companies that submitted estimates accepted by the Director will perform the initial Restorative Action work, and shall notify the City of its decision. Within thirty (30) days following the City's receipt of the Applicant's deposit (or such other period of time as the Planning Commission, or City Council on appeal, may determine to be reasonable and appropriate), the Tree Owner shall schedule the initial

Restorative Action work to be completed. If the Tree Owner does not have the initial Restorative Action work completed within thirty (30) days or within the time-period indicated by the Planning Commission, or City Council on appeal, then the City may pursue any and all available remedies and enforcement mechanisms against the Tree Owner, in accordance with Section 23.51.110 of this Chapter.

- e. The Tree Owner shall notify the City in advance of the date and time that the initial Restorative Action work is scheduled to take place. City staff, or a qualified third party designated by the City, shall inspect the initial Restorative Action work, upon completion, to determine whether the work complies with and satisfies the requirements and conditions contained in the Restorative Action plan. The City's inspection of the initial Restorative Action work shall be scheduled for a time when the contractors performing the initial Restorative Action work are still present at the Site of the Subject Tree and available to perform additional work, if deemed required by the City. The final determination of compliance with and satisfaction of the Restorative Action plan is made by the Director.
 - f. Following City approval of the initial Restorative Action work, the Tree Owner shall submit a copy of an invoice for the work performed to the City. Upon submittal of the invoice, the City shall transmit the funds held in the City's deposit account to the Tree Owner.
2. Tree Owner Fully Responsible for Costs of Initial Restorative Action Work. When the Tree Owner is fully responsible for the cost of the initial Restorative Action as set forth in Subsection (B)(2) of this Section, then the following procedures shall be enacted:
- a. The initial Restorative Action work shall be completed within thirty (30) days following adoption of the Resolution approving the Restorative Action plan (or such other period of time as the Planning Commission, or City Council on appeal, may determine to be reasonable and appropriate). If the Tree Owner does not have the initial Restorative Action work completed within the time-period indicated by the Planning Commission or within thirty (30) days, then the City may pursue any and all available remedies and enforcement mechanisms against the Tree Owner, in accordance with Section 23.51.110 of this Chapter.
 - b. The Tree Owner shall notify the City in advance of the date and time that the initial Restorative Action work is scheduled to take place. City staff, or a qualified third party designated by the City, shall inspect the initial Restorative Action work, upon completion, to determine whether the work complies with and satisfies the requirements and conditions contained in the Restorative Action plan. The City's inspection of the initial Restorative Action work shall be scheduled for a time when the contractors performing the initial Restorative Action work are still present at the Site of the Subject Tree and available to perform additional work, if deemed required by the City. The final determination of compliance with and satisfaction of the Restorative Action plan is made by the Director.

E. Procedures for Scheduling and Completion of Ongoing Restorative Action Work.

- 1. Any ongoing maintenance required as part of the Restorative Action plan shall be completed according to the time schedule (e.g., annually, bi-annually, etc.) established by the Planning Commission, or City Council on appeal. If the Tree Owner does not timely complete the ongoing

maintenance work, then the City may pursue any and all available remedies and enforcement mechanisms against the Tree Owner, in accordance with Section 23.51.110 of this Chapter.

2. The Tree Owner shall notify the City in advance of the date and time that the ongoing maintenance work is scheduled to take place. City staff, or a qualified third party designated by the City, shall inspect the ongoing maintenance work upon its completion to determine whether the work complies with and satisfies the requirements and conditions contained in the Restorative Action plan. The City's inspection of the ongoing maintenance work shall be scheduled for a time when the contractors performing the work are still present at the Site of the Subject Tree and available to perform additional work, if deemed required by the City. The final determination of compliance with and satisfaction of the Restorative Action plan is made by the Director.

23.51.100 Appeal.

- A. The Planning Commission's decision under this Chapter shall become final on the eleventh (11th) business day following the adoption of the Planning Commission's Resolution documenting the decision, unless the decision is appealed pursuant to this Section.
- B. The Planning Commission's decision may be appealed to the City Council consistent with the appeal provisions of this Municipal Code.
- C. The provisions of Section 1094.6 of the California Code of Civil Procedure are applicable to judicial review of any final decision made by the City of Del Mar pursuant to this Chapter.

23.51.110 Enforcement.

Failure to comply with any provision under this Chapter shall constitute a misdemeanor or infraction, punishable in accordance with the provisions of Chapter 1.08 of this Municipal Code, and is further declared to be a public nuisance that may be enjoined or abated as provided by law.

23.51.120 Liability.

- A. The City shall not be liable for any claims, demands, causes of actions, damages, injuries, litigation, costs, and/or liability arising out of or related to any agreement, decision, determination, or order concerning claims relating to Scenic Views and/or Sunlight that may result from Mediation or litigation.
- B. Under no circumstances shall the City have any responsibility or liability to enforce or seek any legal redress (civil or criminal) for any agreement, decision, determination, or order that any other Person or entity makes concerning claims relating to Scenic Views and/or Sunlight.

23.51.1340 Limitations.

- A. It is not the intent of the City in adopting this Chapter to affect obligations imposed by an existing easement or a valid pre-existing covenant or agreement between private parties.

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- B. Nothing in the Chapter shall deny private parties the right to seek remedial action for any Imminent Danger caused by any Tree(s).

23.51.1450 Process for Alleging Obstruction of Scenic Views and/or Sunlight by City Trees.

The below provisions shall apply when any Person alleges Obstruction of Scenic Views and/or Sunlight caused by City Trees. The process for determining whether an unreasonable Obstruction of Scenic Views and/or Sunlight has occurred as a result of City Trees is set forth below.

A. Pre-Application/Early Consultation Process.

1. Any Person who believes that the growth, improper maintenance and/or installation of a City Tree has caused an unreasonable Obstruction of Scenic Views and/or Sunlight may contact the City of Del Mar Planning and Community Development Department and request to meet with staff to explain the scenic view and/or sunlight obstruction.
2. During the early consultation process, City staff will gather information regarding the TSVS claim of obstruction, verify eligibility for the process, and observe the alleged obstruction.
3. Prior to submitting a TSVS/City Tree application, the Planning and Community Development Director will, in consultation with the Public Works Director and City Arborist, determine if unique factors exist that would cause the City to perform restorative action on the subject City Tree without need to submittal of an application.

B. Application Submittal.

1. Any Person who believes that the growth, improper maintenance and/or installation of a City Tree has caused an unreasonable Obstruction of Scenic Views and/or Sunlight may submit an Application to the City in accordance with the provisions of Section 23.51.040(A) of this Chapter.
2. Together with the submission of an Application, the Applicant shall remit an Application fee to the City in an amount established by Ordinance or Resolution of the City Council.
3. Upon review of the Application for completeness, the Director may request additional information, if necessary, within thirty (30) days following Application submittal.
4. The Application will not be deemed complete for further processing by the City until all materials required by this Section and any additional information requested by the Director have been submitted in a format deemed acceptable by the Director.

C. City's Review of the Alleged Obstruction. Upon receipt of a complete Application, the Director, in consultation with the City's Public Works Director and/or a City Arborist, shall:

1. Review and evaluate the Application to determine whether the required findings of fact can be made pursuant to Section 23.51.060 of this Chapter;

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2. Perform a site visit to the Applicant's PLA, ~~room or rooms affected by Sunlight Obstruction~~, or Solar Energy System; and
 3. Consider the public interest in maintaining the public environment created by the existing City Tree(s) and its/their contribution to the community character.

D. City's Decision and Public Notice.

1. The Director shall approve or deny the Application by written decision within thirty (30) days following the Application has been deemed complete.
2. The Director's written decision shall specify findings of fact for Application approval or denial as provided in Section 23.51.060 of this Chapter.
3. Approval of an Application under this Section shall include appropriate Restorative Action based on a recommendation by City staff working in consultation with a City Arborist. The Restorative Action plan shall consider the criteria set forth in Section 23.51.070 of this Chapter, shall be consistent with Section 23.51.080 of this Chapter, and shall involve the least amount of impact necessary to the overall aesthetic of the City Tree(s).
4. If the Restorative Action plan requires Tree Removal of a Protected City Tree, the City shall provide public notice of the Director's decision, as follows:
 - a. Notice shall be posted on the City's website and mailed to all owners of real property located within three hundred (300) feet of the location of the City Tree(s).
 - b. Notice shall include a number assigned to the Application, a description of the City Tree(s) causing an Obstruction of Applicant's Scenic Views and/or Sunlight, and information on the process for appealing the Director's decision.
5. The Director's decision shall become final on the eleventh (11th) business day following the date of the posted/mailed public notice, unless appealed.

E. Appeal of Director's Decision. For purposes of this Section only, the Director's decision may be appealed to the Planning Commission pursuant to the provisions of this Municipal Code. The Planning Commission's decision shall become final on the eleventh (11th) business day following the adoption of the Planning Commission's Resolution, unless appealed to the City Council in accordance with Section 23.51.100 of this Chapter.

F. Procedures for Restorative Action Work and Allocation of Costs.

1. If any Restorative Action work is required to be performed in accordance with this Section, the City and the Applicant shall each be responsible for paying fifty percent (50%) of the cost to perform the Restorative Action work.
2. Within thirty (30) days following the date the Director's written decision approving the Application, City staff shall provide the written decision to the City's contracted tree maintenance company to obtain a cost estimate for the performance of the Restorative Action work.

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3. Upon receipt of the cost estimate for the performance of the Restorative Action work, City staff shall provide the Applicant with an invoice for fifty percent (50%) of the total cost estimate.
 4. Within fifteen (15) days following receipt of the invoice from the City, the Applicant shall remit the full invoiced amount to the City as a deposit for the performance of the Restorative Action work. Failure of the Applicant to timely make the required deposit within these fifteen (15) days will render the Director's decision requiring the Restorative Action work to become null and void.
 5. Upon completion of the Restorative Action work, the deposited funds shall be used towards payment of the Applicant's fifty percent (50%) share of the total cost to perform the Restorative Action work.
 - a. If the final cost of the Restorative Action work is less than the initial estimate, any unused amount of the deposit shall be returned to the Applicant.
 - b. If the final cost of the Restorative Action work exceeds the initial estimate, the City shall provide the Applicant with an invoice for the remaining amount owed by the Applicant. Within fifteen (15) days following receipt of the invoice, the Applicant shall remit to the City the remaining amount of the Applicant's share owed to the City.



City of Del Mar Agenda Report

TO: Honorable Mayor and City Councilmembers

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

DATE: November 3, 2025

SUBJECT: Authorization to Issue Request for Qualifications (RFQ) for City Attorney Services and Confirmation of Process

REQUESTED ACTION/RECOMMENDATION:

Staff recommends that the City Council: 1) Direct staff to issue a request for qualifications (RFQ) for contract city attorney services (Attachment A); and 2) Confirm the City Council appointed Human Resources Subcommittee is designated to work with the City Manager to facilitate the process as further described in this report.

BACKGROUND:

Consistent with the practice of many municipalities, the City of Del Mar has historically contracted for City Attorney services. The City Attorney serves as the chief legal counsel for the City and is appointed by and reports to the City Council. The last time the City issued a solicitation for these services was 2009 (16 years ago). As a best practice, it is prudent that the City periodically go out to market for these services to ensure the City continues to receive high quality services at a competitive cost. To that end, included on the City Council approved City Workplan is completion of an RFQ process for City Attorney services.

DISCUSSION/ANALYSIS:

Staff has prepared a draft RFQ for Contract City Attorney Services (Attachment A) for City Council consideration. If authorized by the City Council, staff will issue the RFQ notice on Friday, November 7, 2025, and follow the tentative timeline for the RFQ process provided in the table below:

Action	Tentative Timeline / Deadline
Issue Notice of RFQ	Friday, November 7, 2025
Questions Due from Respondents	Friday, November 14, 2025 (4:30 PM)
City Responses to Questions Posted	Friday, November 21, 2025 (4:30 PM)
Deadline to Submit Proposals	Friday, December 5, 2025 (4:30 PM)
Council Review of Proposals	Monday, December 8, 2025 - Friday, December 19, 2025
Interviews with Full City Council	Week of January 5, 2025
City Council Approval of Agreement	February 2025

City Council Action:

Consistent with City past practice and similar processes undertaken by other cities in San Diego, it is recommended that the Council confirm that the City Council HR Subcommittee is designated to work with the City Manager and staff to facilitate the RFQ and Council selection process.

FISCAL IMPACT:

There is no fiscal 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 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:

Completion of an RFQ process for City Attorney services is included on the City Council list of Goals/Priorities.

ATTACHMENTS:

Attachment A – Proposed RFQ for Contract City Attorney Services



CITY OF DEL MAR, CALIFORNIA

REQUEST FOR QUALIFICATIONS No. 2025-XX

CONTRACT CITY ATTORNEY SERVICES

I. INTRODUCTION

A. *General Information*

The City of Del Mar (“City”) is seeking Statements of Qualifications (SOQ/proposals) from qualified attorneys and/or legal firms to provide municipal legal services to the City as its designated contract “City Attorney”. The focus of this solicitation is to engage the services of an outside City Attorney to oversee and manage the legal affairs of the City and ensure the policies, procedures, and activities of the City are carried out in compliance with all applicable laws and regulations. The City Attorney reports directly to the City Council.

B. *About the City*

Incorporated in 1959, the City of Del Mar is a Charter Law City with a Council-Manager form of government. The Del Mar City Council consists of five at-large seats (currently only four members due to a Council vacancy), one of whom is chosen on a rotating annual basis to serve a one-year term as mayor.

Del Mar is located just 20 minutes north of downtown San Diego on the southern California coast. Approximately 3,900 residents call this 2.2 square mile city their home. The famed horse racing and annual County Fair that take place at the Del Mar Fairgrounds and over two miles of white sandy beaches make Del Mar an inviting tourist destination for upwards of 3 million visitors annually. Residents and visitors enjoy excellent weather and a variety of outdoor activities at the City's parks and Downtown Village.

A wide range of services are provided by the City, through departments that include Administrative Services, City Manager, Community Services, Fire Services, Planning & Community Development, and Public Works. The City currently has eight Council appointed advisory committees and two quasi-judicial bodies including the Planning Commission and Design Review Board. The City Attorney or their designated staff attends City Council and Planning Commission meetings.

The City employs approximately 66 full-time employees and 44 part-time employees. The City's total budget for the Fiscal Year 2025-2026 is \$48.4 million. The Fiscal Year 2025-2026 budget for legal services is \$316,000, which is based on general retainer

costs. Legal services beyond the base services provided under the general retainer are billed separately, along with costs for special projects and claims/litigation. Annual budget documents and prior year Annual Comprehensive Financial Reports are available online via the City’s website: <https://www.delmar.ca.us/132/Budget-Financial-Reports>.

C. Inquiries

Questions and inquiries regarding this RFQ must be received by 4:30 p.m. PST on **Friday, November 14, 2025**, and directed in writing by email to Ashlea Houston, Management Analyst, at ahouston@delmar.ca.us. All inquiries must reference “RFQ 2025-xx Contract City Attorney Services” in the title or subject line. Questions and inquiries submitted over the telephone will not be accepted.

D. Submittal Requirements

Proposals are due on or before **Friday, December 5, 2025**, no later than 4:30 p.m. PST. Your proposal should be submitted via email to Ashlea Houston, Management Analyst, at ahouston@delmar.ca.us. The submittal must reference “RFQ 2025-xx Contract City Attorney Services” in the title or subject line. Facsimile submittals will not be accepted.

II. ANTICIPATED TIMELINE

Anticipated timeline for RFQ process is outlined below and is subject to change without notice:

Action	Tentative Timeline/Deadline
Issue Notice of RFQ	Friday, November 7, 2025
Questions Due from Respondents	Friday, November 14, 2025 (4:30 PM)
City Responses to Questions Posted	Friday, November 21, 2025 (4:30 PM)
Deadline to Submit Proposals	Friday, December 5, 2025 (4:30 PM)
Review of Proposals Received	Monday, December 8, 2025 - Friday, December 19, 2025
Interviews	Week of January 5, 2025
City Council Award of Agreement	February 2025

III. SCOPE OF SERVICES

A. Essential Attributes and Qualifications

The City Council and City administration expect the City Attorney to be service-oriented, actively involved in the business of the City, creative in finding solutions and pro-active in helping City officials and staff avoid legal pitfalls, as well as having experience and expertise in the following areas:

1. Land Use, Planning and Development Regulations, CEQA, NEPA, code enforcement, California Coastal Act, NPDES, and Regional Water Quality Board issues

2. Affordable Housing
3. Zoning, Development processes, Building and Housing Codes
4. Municipal Corporations in California
5. Rules of public meetings, decorum, open meeting laws, Brown Act, Conflict of Interest (AB 1234), Political Reform Act, Public Records Act, due process and other legal requirements imposed by statute and common law
6. Ethics
7. Elections
8. Public Personnel, employee discipline, labor relations, Fair Labor Standards Act (FLSA)
9. Taxes and fees, Proposition 218, assessments, franchise agreements
10. Contracting Law, contracts and transactions
11. Construction Law, claims, public contracting requirements
12. Laws pertaining to Public Utilities (water, sewer and clean water)

Additional requirements include the following:

- a) It is expected that there will be one individual designated to serve as the City Attorney from within the chosen firm. For the purpose of this RFQ, a “firm” is defined as a firm or a sole proprietor. The City Attorney will be the primary contact except when unavailable due to vacation or illness. The designated individual must have a college degree, a law degree (J.D.) from a law school accredited by the American Bar Association and must be a licensed and active member of the California State Bar.
- b) Both the firm representing this RFQ, and the individual proposed to serve as the City Attorney must describe the circumstances surrounding any malpractice lawsuit or legal services contract termination during the past five (5) years.
- c) The City Attorney must have served as a City Attorney for at least five (5) years in a California municipality or as a Deputy City Attorney for a minimum of seven (7) years.
- d) The City Attorney must be able to demonstrate an on-going commitment to receive training on contemporary issues affecting local government.
- e) The City Attorney must be an articulate, decisive, and highly motivated leader who possesses excellent political acumen and awareness.
- f) Written and oral communications by the City Attorney must be clear, concise, well-organized and intelligently explain legal concepts to different levels of audiences in a clear and direct manner.
- g) The City Attorney shares the vision of the Council and community, and can advocate,

articulate and implement that vision. The City Attorney must be able to blend innovation and creativity, think outside the box, acknowledge the challenges of the City and address those challenges in a strategic manner.

h) Both the firm responding to this RFQ, and the individual proposed to serve as the City Attorney must demonstrate the capacity to effectively deal with any existing or future time commitment conflicts.

i) The firm responding to this RFQ must provide evidence, if selected, of Commercial General Liability (\$1,000,000 per occurrence and \$2,000,000 annual aggregate), Commercial Automobile Liability (\$300,000 per occurrence), Workers' Compensation (\$1,000,000 minimum employers' liability coverage) and Consulting Liability (Errors and Omission) (\$1,000,000 per claim and \$2,000,000 annual aggregate) coverage in force and acceptable to the City.

A. Scope of Services Requested

The City Attorney shall provide the following services to the City:

1. Represent and advise the City Council and all City Officers in all matters of law pertaining to their offices.
2. Keep the City Council informed of legislation or judicial opinions that have potential impact to the City.
3. Represent the City before other governmental bodies and agencies to promote the interests of the City.
4. Oversee and manage the legal affairs of the City and to ensure the policies, programs, and activities of the City and its employees and agents are carried out in compliance with all applicable law and that the best interests of the City are otherwise protected to the fullest extent possible.
5. Attendance at City Council (open and closed sessions) and Planning Commission meetings are expected.
6. Attend Executive Team meetings or other City meetings at the request of the City Manager.
7. Be promptly available in person and/or by telephone, e-mail or other forms of electronic consultation and render written opinions on given issues related to City business in a timely manner. Same day response for items designated as urgent is expected.
8. Approve the form and content of all performance bonds, insurance certificates and like documents tendered to the City.
9. Prepare/review all Ordinances, Resolutions, Contracts, Memorandums with Public Agencies, Deeds, Leases, Staff Reports, and all other legal documents as requested by the City Council, City Manager or staff designee. Review of routine items is generally expected to be completed within five (5) to seven (7) business days of submittals. For more complex items, the City Attorney is expected to provide regular reports to the City Council, City Manager, or staff designee on the status of completion and anticipated completion dates.

10. Provide recommendation and advice when requested by the City Council or City Manager pertaining to the retention of and employment of outside special counsel in complex and important cases in which the City may be involved.
11. Coordinate with City Manager or designee for the management of services and costs of all outside legal counsel within budgetary limits as approved by the City Council.
12. Perform legal work pertaining to land use issues including but not limited to property acquisitions, property disposals, public improvements, economic revitalization, easements, dedications, and right-of-way vacations.
13. Review Environmental Impact Reports/Environmental Impact Statements for adequacy with CEQA and NEPA.
14. Provide consultation on claims and complaints by or against the City and prepare civil cases and act as trial counsel, as requested by City Manager or designee, and make recommendations to the City Council in consultation with the City Manager.
15. Aid with the City's Administrative Services Department electronic and digital records for the California Public Records Act (PRA). A plan identifying how the City Attorney can assist with digital records for PRA's is desirable. E-Discovery and Legal Holds Software for use in gathering records is highly desirable, but not mandatory.
16. Review citations for violations of City ordinances in accordance with criminal/civil law and procedures, prepare and try infractions, misdemeanors, and ordinance violations as required and requested by the City Council, City Manager or designee.
17. Assist the City in enforcing codes, zoning regulations, and building standards through administrative and judicial actions.
18. Provide conflict of interest assistance to City Council and staff and assist members and staff in seeking advice from the Fair Political Practices Commission.
19. Be available on agenda meeting day to provide full range of normal City Attorney services to City Manager, staff, and the City Council.
20. Quarterly Reports. To keep the Council and City Manager informed of the status of litigation involving the City, the City Attorney will submit a quarterly status report briefly outlining the status of each litigation matter, including code enforcement litigation matters. The City Attorney shall advise City Council and City Manager of significant developments in litigation involving the City as they occur. The status report shall be submitted between the first and fifteenth of the following months (April, July, October and January).
21. Provide advice regarding responses to media requests related to litigation or anticipated litigation matters when requested.
22. Provide written legal opinions and advise the City Council and management staff on legal matters pertaining to City operations.
23. Maintain legal files and provide the City Clerk copies of pertinent pleadings and orders in all litigation the City Attorney is handling for the City.

24. The City may propose additional tasks as deemed necessary.

IV. PROPOSAL FORMAT AND REQUIREMENTS

All proposals must provide specific and succinct answers to all questions and requests for information. Indirect, imprecise, or incomplete responses can serve only to the disadvantage of the proposer. To be considered, proposals/SOQs submitted in response to this RFQ need to include the following content:

1. Title Page

The title page must show the RFQ number and subject, name of the firm, local address, telephone number; name, title, and email address of contact person; and date of proposal submission.

2. Letter of Transmittal

The letter of transmittal must be signed by an authorized representative of the firm or the individual committing to provide the legal services described above, include a brief introduction and history of the firm, number of employees, proven work history, and a statement as to qualification. The letter must be no more than two (2) pages in length.

3. Table of Contents

Include a clear and complete identification of the materials submitted by section and page number.

4. Qualifications and Experience

The following information must be included to demonstrate qualifications and experience:

- An understanding of the work to be performed and why the firm believes itself to be the best qualified to perform the services requested.
- Number of years the firm has been in business.
- Description of the firm's experience providing the services listed above, examples of municipal projects that the firm worked on, and the outcomes of these projects/services.
- Anticipated organizational structure, core team that will be performing services, and brief summary of the qualifications and experience of each team member, including length of service with the firm and resume. All resumes must include the State Bar license number of each individual. Also include an organization chart of senior and middle management.
- Provide the name, phone number and email address for the professionals that are anticipated to manage the requested services directly to the City.
- Provide name, title, and contact information for the authorized contract signer.
- Provide location and office(s) that would serve the City of Del Mar.

5. Service Delivery and Quality Control

Describe the following components of service delivery:

- Policies and procedures for assuring high quality work.
- Procedures for ensuring the City Council and City Manager are informed of the status of litigation, legal developments, and other legal matters.
- Methods of tracking and managing legal costs.
- Suggested process for transmittal of requests and other material to City Attorney.
- Methods of communication with the City.

- Response time to inquiries made by the City Council and/or City Manager.

6. Conflict of Interest

Consultant is required to issue a brief statement disclosing potentially conflicting interests, including any litigation involving the firm or firm's personnel which is adverse to the City; and the listing of services currently being provided or provided within the last four years to any person, corporation, partnership, or other entity that made application to the City for a discretionary land use entitlement or City project.

7. Client References

List a minimum of five (5) references from California municipalities or other public sector clients for services provided by your firm. For each reference listed provide the name of the organization, dates for which the service(s) are being provided, type of service(s) being provided and the name, email, and telephone number of the responsible person within the reference's organization. An emphasis should be placed on key clients for which legal services have been provided in the past ten (10) years for public agencies located in similar communities in Southern California. The City reserves the right to contact any or all the listed references regarding the services performed.

8. Cost and Fee Structure

Provide a detailed cost description and fee schedule for all applicable services, including all anticipated reimbursement costs. Distinguish between general services covered by the retainer and special services covered by the hourly rates. Include a description of the proposed fee schedule (*retainer, hourly rate, expenses*) and what services would and would not be included in the monthly retainer. Please provide an hourly rate for each individual expected to work for the City under this arrangement, as well as a rate for specified legal services beyond the base monthly retainer.

Please describe the firm's billing practices and describe the standard format of a bill for services rendered.

Consultants shall expressly state the proposed fees are valid for the entire initial agreement term, or specify the requested fee increases for the term of the agreement. Typically, the City will not consider annual increases of more than 3% or the San Diego Area Consumer Price Index (CPI), whichever is lower.

9. Acceptance of RFQ Addendums

Proposing firm must expressly acknowledge review and acceptance of all addendums to the RFQ if any are issued before the close of the RFQ solicitation period.

10. Other Information

Respondents are invited to submit other optional information believed to be relevant to the selection process.

V. EVALUATION CRITERIA

Selection of the firm to provide contract City Attorney services shall be generally based on the information provided by in response to the RFQ and any subsequent interviews that may be conducted. Respondent interviews will be held solely at the option and discretion of the City. At a minimum, proposals and firm selection will be evaluated based on the following criteria:

- A. Experience and history of the firm in providing the services identified in this RFQ.

- B. The character, integrity, reputation, judgment, experience, communication skills, and efficiency of the proposing firm and assigned staff members.
- C. The quality of performance on previous contracts or services.
- D. Experience in meeting the needs of other governmental organizations that utilize similar services.
- E. Understanding of municipal government issues and municipal law.
- F. Experience and familiarity with State of California land use and zoning law.
- G. The ability, capacity, skills, and financial resources to provide the required service promptly and in a manner that permits the City Council, City Manager and staff to meet established deadlines and operate in an effective and efficient manner.
- H. The degree of completeness of response to the specific requirements of this RFQ.
- I. The cost of the services to be provided.
- J. Other evaluation criteria described or included by reference in the solicitation.

VI. TERMS AND CONDITIONS

A. *Reserved Rights by the City*

The rights reserved by the City includes, but are not limited to, the following:

- The City reserves the right to select, and subsequently recommend for award the firm(s) that best meets the needs of the City.
- The City reserves the right to require further documentation or information prior to entering into an agreement for services.
- The City reserves the right to conduct interviews or require oral presentations of any or all responsive firms. The City does not guarantee that an interview or an opportunity to demonstrate services will take place.
- The City reserves the right to reject any or all submittals. The City further reserves the right to waive technicality and formalities in submittals, as well as to accept in whole or part such submittals where it is deemed in the best interest of the City.
- The City reserves the right to amend, alter, or revoke this RFQ at or before the due date and time of proposal. Any modifications, clarification, or additions will be posted on the City's website as an addendum.
- Under the City's best value evaluation method, the responsive firm with the lowest rates may not necessarily be awarded this contract.

B. *Proposal Withdrawal*

Respondents may modify or withdraw their proposal, either personally or by written request, at any time prior to the scheduled closing time of proposals. Such requests should be directed to Ashlea Houston at ahouston@delmar.ca.us.

C. *Business License*

Prior to the start of the Agreement, the selected firm shall obtain a City of Del Mar Business License.

D. *Conflict of Interest*

Due to the nature of provided services, the selected Consultant's personnel directly involved in the work with the City will be required to file Fair Political Practices Commission Statement of Economic Interests (Form 700) upon commencement of the agreement and annually.

E. *Incurred Costs*

The City of Del Mar is not liable for any costs incurred by a respondent in the preparation and/or presentation of their proposals.

F. Equal Opportunity

The City of Del Mar requires all proposers to comply with equal opportunity policies. Del Mar's programs, services, employment opportunities, and volunteer positions and contracts are open to all persons without regard to race, religion, color, national origin, sex, age, sexual orientation, marital status, disability, medical condition, genetic disability, military or veteran status, or political affiliation.

G. Public Information

All materials received relative to this RFQ will become public information and be available for public inspection. Any information deemed confidential or proprietary should be clearly identified by the respondent as such. The City reserves the right to retain all proposals submitted, whether or not the proposal was selected or judged to be responsive. Firms submitting proposals which contain information deemed to be proprietary, may submit that information separately under closed cover so designated and clearly identified. Pricing information may not be so submitted and is non-privileged.

H. Inaccuracies or Misinterpretations

If, in the course of the RFQ process or in the administration of a resulting contract, the City determines that a respondent has made a material misstatement or misrepresentation or that materially inaccurate information has been provided to the City, the respondent may be terminated from the RFQ process or in the event a contract has been awarded, the contract may be immediately terminated.

I. Assignment of Rights or Obligations

Except as noted hereunder, a successful respondent may not assign, transfer or sell any rights or obligations resulting from this solicitation without first obtaining the specific written consent of each City.

J. Representations

No representations or guarantees of any kind, made orally, expressed or implied, are made with regard to the matters contained in this document, including any attachments, letters of transmittal, or any other related documents including addendums. Respondents must rely solely on their own independent assessment as the basis for the submission of any offer made.