



CITY OF DEL MAR
CITY COUNCIL REGULAR MEETING MINUTES
JANUARY 10, 2022 – VIA TELECONFERENCE ONLY
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 Worden called the Regular Meeting to order at 4:32 p.m.

ROLL CALL

Present: Mayor Dwight Worden; Deputy Mayor Tracy Martinez; Councilmembers Dave Druker, Terry Gaasterland and Dan Quirk

CITY ATTORNEY CLOSED SESSION REPORT

City Attorney Leslie Devaney reported that there were no recusals at the January 10, 2022, City Council closed session meeting. On Item A, the City Council met with legal counsel, including special counsel, and authorized a response to North County Transit District (NCTD)'s January 4, 2022 letter in preparation for the NCTD January 20, 2022, Board meeting. On Item B, the City Council met with legal counsel including special counsel.

PLEDGE OF ALLEGIANCE

Councilmember Gaasterland led the Pledge of Allegiance.

PUBLIC ORAL COMMUNICATIONS

None.

CITY COUNCIL COMMENTS

Mayor Worden reported on the children's art display around town; provided an update on the contract awarded for the Fairgrounds horse park facility; continuation of remote meetings for City Council, San Diego Association of Governments (SANDAG), and County Board of Supervisors; and the San Elijo Lagoon dredging and sand replenishment project.

The Council also thanked Planning & Community Development Director Joseph Smith for his service.

At Mayor Worden's suggestion, Council consensus was to schedule a special meeting before the end of January to discuss potential actions the City Council could take related to COVID-19 and for Mayor Worden and Councilmember Druker to work with City Manager Ashley Jones on the agenda report.

COMMUNITY ANNOUNCEMENTS

None.

CITY MANAGER'S REPORT

City Manager Jones reported on the San Diego Gas & Electric (SDG&E) reconfiguration project along Via de la Valle beginning today; and she reassured the Council and community that the City is taking the COVID-19 surge seriously and implementing measures to keep employees and the community safe.

PRESENTATIONS

ITEM 1: MAYOR'S STATE OF THE CITY ADDRESS (CLERK'S FILE NO. 401-1)

Mayor Worden provided a State of the City Address.

CONSENT CALENDAR

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

IT WAS MOVED BY COUNCILMEMBER DRUKER SECONDED BY COUNCILMEMBER GAASTERLAND TO APPROVE THE CONSENT CALENDAR ITEMS 2 THROUGH 5, 7-10. (VOTE 5-0)

Ayes: Mayor Worden, Deputy Mayor Martinez, and Councilmembers Druker, Gaasterland and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

ITEM 2: APPROVAL OF MINUTES: DECEMBER 7, 2021 SPECIAL MEETINGS; DECEMBER 13, 2021 REGULAR AND SPECIAL MEETING (CLERK'S MINUTES BOOK)

Council approved the minutes, on consent.

ITEM 3: RATIFICATION OF LIST OF DEMANDS, DATED JANUARY 10, 2022 (CLERK'S FILE NO. 201-3)

Council approved the list of demands, on consent.

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

Council waived the reading of ordinances, on consent.

ITEM 5: CONTINUATION OF REMOTE PUBLIC MEETINGS IN COMPLIANCE WITH GOVERNMENT CODE SECTION 54953 (ASSEMBLY BILL 361) (CLERK'S FILE NO. 401-7)

Council adopted resolution 2022-01, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, MAKING FINDINGS REQUIRED UNDER GOVERNMENT CODE SECTION 54953 RELATED TO ASSEMBLY BILL 361 IN ORDER TO CONTINUE THE USE OF TELECONFERENCE OR A REMOTE MEETING PLATFORM TO FACILITATE REMOTE PUBLIC MEETINGS", on consent.

ITEM 6: AUTHORIZATION TO REQUEST FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) HAZARD MITIGATION TECHNICAL ASSISTANCE VIA THE BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES PROGRAM (BRIC) RELATED TO DESIGN OF A LIVING LEVEE CONCEPTUAL PLAN (CLERK'S FILE NO. 1501-12)

The item was pulled from the Consent Calendar for consideration and comment by Councilmember Druker. Council questions focused on the importance of the living levee, next steps for the conceptual design, and process and timing for receiving community comments on the project.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY COUNCILMEMBER GAASTERLAND TO ADOPT RESOLUTION 2022-05, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AUTHORIZING THE FILING OF A LETTER OF INTEREST WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR HAZARD MITIGATION TECHNICAL ASSISTANCE VIA THE BUILDING RESILIENT INFRASTRUCTURE AND COMMUNITIES (BRIC) PROGRAM", AND AUTHORIZED THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTS. (VOTE 5-0)

Ayes: Mayor Worden, Deputy Mayor Martinez, and Councilmembers Druker, Gaasterland and Quirk; Noes: 0; Absent: 0; Abstain: 0.

ITEM 7: AUTHORIZATION TO APPLY FOR FISCAL YEAR 2022-23 NEIGHBORHOOD REINVESTMENT PROGRAM AND COMMUNITY ENHANCEMENT GRANT FUNDS FOR THE RIVERPATH DEL MAR EXTENSION PROJECT PHASE 3 (CLERK'S FILE NO. 201-13, 702-12)

Council adopted resolution 2022-02, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AUTHORIZING THE FILING OF APPLICATIONS WITH THE COUNTY OF SAN DIEGO FOR NEIGHBORHOOD REINVESTMENT PROGRAM AND COMMUNITY ENHANCEMENT FUNDING FOR FISCAL YEAR 2021-2022", to supplement the cost of design, environmental documentation, and environmental permitting for the Riverpath Del Mar Extension Project Phase 3, and authorized the City Manager to execute the necessary documents, on consent.

ITEM 8: APPROVAL OF AN AMENDMENT TO THE MANAGEMENT AND PROFESSIONAL COMPENSATION PLAN (CLERK'S FILE NO. 502-1)

Council adopted resolution 2022-03, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE FISCAL YEAR 2021-2022 MANAGEMENT AND PROFESSIONAL COMPENSATION PLAN", on consent.

ITEM 9: ACCEPTANCE OF A DONATION FROM THE DEL MAR LIFEGUARD ASSOCIATION (CLERK'S FILE NO. 201-16)

Council accepted a donation of \$17,000 from the Del Mar Lifeguard Association to be used to purchase a lifeguard boat and engine as further described in Attachment A of the agenda report, and amended the Fiscal Year 2021-22 Operating and Capital Budget as indicated in the Fiscal Impact section of this report, on consent.

PUBLIC HEARING

ITEM 10: RESOLUTION AUTHORIZING THE SUBMITTAL AND PROCESSING OF AN APPLICATION FOR THE FISCAL YEARS 2022-2023 THROUGH 2026-2027 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING FOR RECONSTRUCTION

OF SIDEWALKS, WALKWAYS, AND PEDESTRIAN RAMPS TO MEET ADA COMPLIANCE (CLERK'S FILE NO. 201-13)

Mayor Worden opened and closed the public hearing. There were no public speakers and the item was moved to the consent calendar for approval. Council adopted resolution 2022-04, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AUTHORIZING THE SUBMITTAL AND PROCESSING OF AN APPLICATION FOR FISCAL YEARS 2022-2023 THROUGH 2026-2027 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING", on consent.

COUNCIL MEETING RECESS:

The City Council took a meeting recess from approximately 6:17 p.m. to 6:45 p.m.

CITY COUNCIL OTHER BUSINESS

ITEM 11: CITY COUNCIL LOCAL AND REGIONAL APPOINTMENTS FOR 2022 (CLERK'S FILE NO. 401-1)

An introduction to the item was provided by Mayor Worden.

There were no public speakers for the item.

The City Council discussed various local and regional appointments including appointments to the Sustainability Advisory Committee, North County Transit District (NCTD), San Diego Associations of Governments (SANDAG), Clean Energy Alliance (CEA), Safe Rail Crossing and Bluff Stabilization and Long-term Rail Relocation Subcommittees.

The City Council discussed but did not make changes to the City Council appointments to the Sustainability Advisory Committee and SANDAG Board of Directors.

IT WAS MOVED BY COUNCILMEMBER GAASTERLAND AND SECONDED BY DEPUTY MAYOR MARTINEZ TO AFFIRM THE CITY'S APPOINTMENTS OF COUNCILMEMBER QUIRK (PRIMARY) AND COUNCILMEMBER GAASTERLAND (ALTERNATE) TO THE NCTD BOARD OF DIRECTORS AND TO ADD COUNCILMEMBER DRUKER AS THE SECOND ALTERNATE. (VOTE 4-0-1)

Ayes: Mayor Worden, Deputy Mayor Martinez, and Councilmembers Druker, Gaasterland and Quirk;
Noes: 0; Absent: 0; Abstain: Councilmember Druker.

Council consensus was to replace Councilmember Quirk with Councilmember Druker on the Safe Rail Crossing and Bluff Stabilization and Long-Term Rail Relocation Subcommittees and to update the 2022 Regional and Local Appointments to reflect that the Council appointments to these subcommittees should be the same appointments as the City's SANDAG Board of Director appointments.

ITEM 12: CONTINUATION OF COMMITTEE EFFICIENCIES TASKFORCE REPORT AND RECOMMENDATIONS (CLERK'S FILE NO. 401-5)

A presentation was provided by Management Analyst/Acting City Clerk Sarah Krietor.

Council questions focused on simultaneous service of Council Member's significant others on the City Council, Design Review Board, and Planning Commission.

There were no public speakers for the item.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY DEPUTY MAYOR MARTINEZ TO ADOPT RESOLUTION 2022-06, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING AND RESTATING CHARTERS OF THE CITY OF DEL MAR ARTS ADVISORY COMMITTEE, FINANCE COMMITTEE, MEASURE Q CITIZEN OVERSIGHT COMMITTEE, PARKS AND RECREATION COMMITTEE, LAGOON COMMITTEE, SHORES ADVISORY COMMITTEE, SUSTAINABILITY ADVISORY COMMITTEE, AND TRAFFIC AND PARKING ADVISORY COMMITTEE". (VOTE 5-0)

Ayes: Mayor Worden, Deputy Mayor Martinez, and Councilmembers Druker, Gaasterland and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY MAYOR WORDEN, SECONDED BY DEPUTY MAYOR MARTINEZ TO ADOPT RESOLUTION 2022-07, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING COUNCIL POLICY 200 COMMITTEES - CITY COUNCIL ADVISORY COMMITTEES, BOARDS, AND COMMISSIONS, AND COUNCIL POLICY 202 RESPONSIBILITIES AND EXPECTATIONS OF COUNCIL LIAISONS TO CITY ADVISORY COMMITTEES AND OF COUNCIL REPRESENTATIVES TO OUTSIDE AGENCIES".

COUNCILMEMBER DRUKER MADE AN AMENDED MOTION TO AMEND SECTION C, ARTICLE EIGHT IN POLICY 200, WITH THE FOLLOWING LANGUAGE TO READ: "THE SPOUSE OR SIGNIFICANT OTHER ARE NOT ALLOWED TO SERVE SIMULTANEOUSLY ON THE CITY COUNCIL, PLANNING COMMISSION OR DESIGN REVIEW BOARD".

COUNCILMEMBER GAASTERLAND MADE A SUBSTITUTE MOTION, SECONDED BY COUNCILEMBER DRUKER, TO APPROVE THE CURRENT MOTION APPROVING RESOLUTION 2022-07 WITH THE FOLLOWING TWO ELEMENTS TO BE ADDED: 1) AMEND THE CITY'S POLICY TO STATE THAT TARGET COMMITTEE MEMBERSHIP SIZE IS SEVEN TO NINE COMMITTEE MEMBERS AT THE DESCRETION OF THE COUNCIL LIAISONS, AND COMMITTEE MEMBERSHIP SIZE MAY BE REDUCED THROUGH ATTRITION WITH THE EXCEPTION THAT COMMITTEE MEMBERS WHO HAVE SERVED ONLY ONE TERM AND ARE WILLING TO SERVE A SECOND TERM ARE ABLE TO DO SO; 2) TO DIRECT STAFF TO COME BACK WITH AMENDED LANGUAGE TO REFLECT INTENT OF COUNCILMEMBER DRUKER'S AMENDED MOTION FOR POLICY 200, SECTION C(8). (VOTE 5-0)

Ayes: Mayor Worden, Deputy Mayor Martinez, and Councilmembers Druker, Gaasterland and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY DEPUTY MAYOR MARTINEZ TO ADOPT RESOLUTION 2022-08, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING STANDARD OPERATING PRINCIPLES FOR DEL MAR ADVISORY COMMITTEES AND BOARDS". (VOTE 5-0)

Ayes: Mayor Worden, Deputy Mayor Martinez, and Councilmembers Druker, Gaasterland and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

ITEM 13: CITY COUNCIL CONSIDERATION OF A SIX-MONTH PICKLEBALL PILOT PROGRAM (CLERK'S FILE NO. 1401-4)

A presentation was provided by Public Works Director Joe Bride and Principal Engineer Karen Falk.

Council questions focused on the impetuosity for this agenda item; logistics of striping a pickleball court; consideration of sound or community impacts of the proposed pickleball pilot program; life of a pickleball court compared to a tennis court; and whether pickle ball courts need to be resurfaced more frequently than tennis courts.

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

- 1) Claire McGreal
- 2) Ed Yuskiewicz

Mayor Worden closed the item to public comment.

Council discussion focused on noise impacts of pickleball courts; best practices of cities who have public pickleball courts; potential parking impacts of the pickleball pilot program; whether staff considered other locations for pickleball courts; public outreach for the item; and consideration of options for a reservation system at the tennis courts.

Council consensus was to defer discussion of the pickleball pilot program to the City Council Goals & Priorities workshop in February or March 2022.

ITEM 14: CONSIDERATION OF A RESOLUTION SUPPORTING PROPOSED CITIZENS' STATE BALLOT INITIATIVE ON LOCAL LAND USE DECISIONS (CLERK'S FILE NO. 401-7)

A presentation was provided by Councilmember Gaasterland and Deputy Mayor Martinez.

There were no public speakers for this item.

Council discussion focused on support for the initiative and the resolution.

IT WAS MOVED BY COUNCILMEMBER GAASTERLAND, SECONDED BY DEPUTY MAYOR MARTINEZ TO ADOPT RESOLUTION 2022-09, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, EXPRESSING SUPPORT FOR ACTIONS TO FURTHER STRENGTHEN LOCAL DEMOCRACY, AUTHORITY AND CONTROL RELATED TO LOCAL LAND USE PLANNING AND HOUSING ISSUES." (VOTE 5-0)

Ayes: Mayor Worden, Deputy Mayor Martinez, and Councilmembers Druker, Gaasterland and Quirk;
Noes: 0; Absent: 0; Abstain: 0.

ITEM 15: PROPOSED RESOLUTION SUPPORTING EFFORTS TO ANALYZE AND BETTER UNDERSTAND THE LONG-TERM TRAIN VIABILITY (CLERK'S FILE NO. 1506-20)

A presentation was provided by Councilmember Quirk and Deputy Mayor Martinez.

Council questions focused on clarification of the ultimate goal of the resolution.

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

- 1) Matthew Tucker, Executive Director of North County Transit District
- 2) Mark Handzel

Mayor Worden closed the item to public comment.

Council discussion focused on the resolution and consideration of various amendments to the recitals; and desire to focus City resources on relocating the rails off of the Del Mar bluff.

Councilmembers Gaasterland and Quirk will work on revisions to the resolution and return to City Council for consideration.

ITEM 16: POLICY DISCUSSION REGARDING TIMING TO COMPLETE FORMAL DESIGN OF PHASE 3 OF THE RIVERPATH DEL MAR EXTENSION PROJECT (CLERK'S FILE NO. 702-12)

A brief project status update was provided by Public Works Director Bride and Planning & Community Development Director Smith. Councilmember Quirk provided an overview of his proposal to accelerate the timing for the engineering design phase of the project.

Council questions focused on whether the accelerated engineering design would allow for an earlier start of project construction; potential risks of designing the project ahead of permit approvals; clarification on documents needed to submit to the CCC; and potential impacts to staff capacity and existing CIP work plan.

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

- 1) Jim Smith, President of San Dieguito River Valley Conservancy

Mayor Worden closed the item to public comment.

Council discussion focused on a recent donation received by the San Dieguito River Valley Conservancy; concerns about expedited timing for the project given the constraints of outside agency permitting and prohibition of construction during bird nesting season; and importance of staff oversight of the consultant work related to the project.

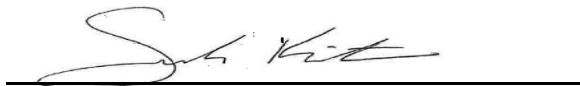
It was the consensus of the Council to continue to pursue the project schedule provided by staff and not to accelerate the engineering design for the project.

REGIONAL ORGANIZATION, COMMITTEE, SUBCOMMITTEE, AND COMMUNITY ORGANIZATION REPORTS

Council representatives reported on the SANDAG Shoreline Protection Working Group.

ADJOURNMENT

Mayor Worden adjourned the meeting at 9:46 p.m.



Sarah Krietor, Acting City Clerk