



CITY OF DEL MAR
CITY COUNCIL REGULAR MEETING MINUTES
FEBRUARY 7, 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 4:30 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 reportable actions or recusals from the January 25, 2022, City Council closed session meeting. For the February 7, 2022 City Council closed session meeting, there were no reportable actions. Deputy Mayor Martinez and Councilmember Quirk were recused from Item B3 and Councilmember Druker was recused from Item D due to each recused Councilmember living within 500 feet of the subject matter of the identified agenda item.

PLEDGE OF ALLEGIANCE

Mayor Worden led the Pledge of Allegiance.

PUBLIC ORAL COMMUNICATIONS

None.

CITY COUNCIL COMMENTS

None.

COMMUNITY ANNOUNCEMENTS

Deputy Mayor Martinez reported on the deficiency in blood donations via CSA-17 and requested residents who are able, to contact the Red Cross in order to donate blood. Mayor Worden reported on the Rotary Club of Del Mar model United Nation's program, recent Regional Task Force on Homelessness (RTFH) meeting he attended, the Mobile Crisis Response Team (MCRT) efforts in the County of San Diego, and the Point in Time homeless count conducted through the RTFH.

CITY MANAGER'S REPORT

City Manager Ashley Jones reported that the City recently replanted two Monterey Cypress and one Torrey Pine tree at Seagrove Park; thanked Laura DeMarco and Leslie Robson for volunteering during last week's Beach Sand Push Operations; and she introduced new Planning & Community Development Director Karen Brindley. City Manager Jones also introduced and thanked the Rotary Club of Del Mar for their efforts on refurbishing many publicly owned items including benches, tables and trash cans, around town.

PRESENTATIONS

ITEM 1: UPDATE ON THE CLEAN ENERGY ALLIANCE (CLERK'S FILE NO. 1403-4)

Councilmember Druker introduced the item. Clean Energy Alliance (CEA) CEO Barbara Boswell provided a presentation.

City Council questions focused on the 2022 delivery charges; arrangement for net energy metering CEA program; clarification on the cause in decrease in exit fees for the City of Solana Beach residents; causes of the change in expenses as a portion of revenues and whether that relates to the cities of San Marcos and Escondido joining CEA; and whether the CEA's expenses in each year going forward include repayment of the startup costs and the timing for the City to receive repayment.

There were no public speakers for the item.

City Council discussion focused on support for the CEA and for the 100% renewable option for Del Mar residents.

ITEM 2: PRESENTATION ON THE SAN DIEGUITO RIVER PARK'S W-19 PROJECT (CLERK'S FILE NO. 1405-1)

Mayor Worden introduced the item. San Dieguito River Park JPA Executive Director Shawna Anderson and San Diego Association of Governments (SANDAG) Senior Environmental Planner Kim Smith provided a presentation.

City Council questions focused on ongoing mitigation efforts and location of the sand trap; use of a berm to protect the wetlands; difference between a berm and a living levee; and timing for completion of the project's construction.

There were no public speakers for the item.

CONSENT CALENDAR

Acting City Clerk Sarah Krietor read the titles of the items included on the Consent Calendar.

IT WAS MOVED BY COUNCILMEMBER GAASTERLAND, SECONDED BY COUNCILMEMBER DRUKER TO APPROVE THE CONSENT CALENDAR ITEMS 3 THROUGH 10 AND ITEM 12. (VOTE 5-0)

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

**ITEM 3: APPROVAL OF MINUTES: JANUARY 10, 2022 REGULAR AND SPECIAL MEETING;
JANUARY 25, 2022 SPECIAL MEETING; JANUARY 26, 2022 SPECIAL MEETING
(CLERK'S MINUTES BOOK)**

Council approved the minutes, on consent.

**ITEM 4: RATIFICATION OF LIST OF DEMANDS, DATED FEBRUARY 7, 2022 (CLERK'S
FILE NO. 201-3)**

Council approved the list of demands, on consent.

**ITEM 5: WAIVER OF READING OF ORDINANCES ON AGENDA (CLERK'S FILE NO. 401-
4)**

Council waived the reading of ordinances, on consent.

**ITEM 6: CONTINUATION OF REMOTE PUBLIC MEETINGS IN COMPLIANCE WITH
GOVERNMENT CODE SECTION 54953 (ASSEMBLY BILL 361) (CLERK'S FILE
NO. 401-7)**

Council adopted resolution 2022-11, "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 7: APPROVAL OF AN AGREEMENT FOR ENGINEERING AND CONSTRUCTION
SUPPORT SERVICES FOR THE TORREY PINES BRIDGE DECK TREATMENT
PROJECT (CLERK'S FILE NO. 406-1, 901-3)**

Council approved an Agreement with T.Y. Lin International for engineering and construction support services related to the Torrey Pines Bridge Deck Treatment Project; and authorized the City Manager to execute the Agreement, on consent.

ITEM 8: LAGOON COMMITTEE MEMBER REAPPOINTMENT (CLERK'S FILE NO. 401-5)

Council reappointed Carol Kerridge as a voting member of the Lagoon Committee to serve a full three-year term effective February 7, 2022, and expiring on February 28, 2025, on consent.

**ITEM 9: ACCEPT 2020 STATE HOMELAND SECURITY PROGRAM GRANT FUNDS FOR
THE PURCHASE OF VERY HIGH FREQUENCY (VHF) MOBILE AND PORTABLE
RADIOS FOR THE DEL MAR FIRE DEPARTMENT (CLERK'S FILE NO. 201-13,
1101-8)**

Council authorized the acceptance of \$7,453 from the 2020 State Homeland Security Program (SHSP) grant funds for the purchase of VHF mobile and portable radios for

the Del Mar Fire Department, authorized the City Manager to execute the necessary grant documents, and amended the Fiscal Year 2021-2022 Operating and Capital Budget as indicated in the Fiscal Impact section of this report, on consent.

ITEM 10: AMENDMENT TO THE SUSTAINABILITY ADVISORY COMMITTEE CHARTER MEMBERSHIP REQUIREMENTS (CLERK'S FILE NO. 401-5)

Council adopted resolution 2022-12, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE SUSTAINABILITY ADVISORY COMMITTEE CHARTER TO AMEND THE COMMITTEE'S MEMBERSHIP REQUIREMENTS", on consent.

ITEM 11: PROPOSED LETTER OF OPPOSITION TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION REGARDING NET ENERGY METERING 3.0 PROCEEDING (CLERK'S FILE NO. 1001-1, 1001-3)

The item was pulled from the consent calendar. Joe Gabaldon with SDG&E provided public comment. Council discussion focused on Mr. Gabaldon's suggestion to include language about equitability in the letter.

Council consensus was for Mayor Worden and Councilmember Druker to work with staff on a revised letter of opposition to the California Public Utilities Commission regarding the Net Energy Metering 3.0 proceeding and return to Council for consideration at a future meeting.

ITEM 12: RESOLUTION AUTHORIZING THE SUBMITTAL OF CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) GRANT AND PAYMENT PROGRAM APPLICATIONS (CLERK'S FILE NO. 201-13)

Council adopted resolution 2022-13, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, TO AUTHORIZE THE SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANT AND PAYMENT PROGRAMS FOR WHICH THE CITY OF DEL MAR IS ELIGIBLE", and authorized the City Manager to execute any necessary grant documents, on consent.

COMMISSION AND COMMITTEE INTERVIEWS

ITEM 13: DESIGN REVIEW BOARD INTERVIEWS AND APPOINTMENT (CLERK'S FILE NO. 401-5)

Acting City Clerk Sarah Krietor provided an overview of the Design Review Board (DRB) interview process. The Council considered a written statement provided by applicant Glenn Warren, who was unable to attend the meeting, and interviewed applicant Arlene Prater. Following the interview process, Mayor Worden, Deputy Mayor Martinez, and Councilmembers Gaasterland and Quirk voted to reappoint Glenn Warren, and Councilmember Druker voted to appoint Arlene Prater to the DRB. Based on the outcome of the City Council vote, Glenn Warren was appointed to a second term on the DRB from February 7, 2022 to February 7, 2026.

There were no public speakers for the item.

COUNCIL MEETING RECESS:

The City Council took a meeting recess from approximately 6:20 p.m. to 6:30 p.m.

CITY COUNCIL OTHER BUSINESS

ITEM 14: TEWA COURT/10TH STREET UTILITY UNDERGROUNDING DISTRICT - AWARD OF A CONSTRUCTION CONTRACT TO BLUE PACIFIC CONSTRUCTION, PROJECT BUDGET UPDATES AND AUTHORIZATION OF CITY MANAGER TO ENTER INTO AGREEMENTS WITH UTILITY COMPANIES (CLERK'S FILE NO. 406-1, 1001-2)

City Manager Jones introduced the item. A presentation was provided by Assistant City Manager Kristen Crane. Additional information was provided by City Manager Jones and Public Works Director Joe Bride. Utility Specialist project consultants Bridget Black and Duane Strooboscher were available to answer City Council questions.

Council questions focused on the number of retaining walls that may be needed for future City undergrounding projects; climate related impacts Council could consider when selecting the retaining wall material; reasons for the differential between the project estimate and actual bids received for this project; cost savings related to the rule 32A2; and clarification on tax due to SDG&E related to the conduit.

There were no public speakers for this item.

Council discussion focused on the cost of the project and concerns regarding the cost for future projects; lessons learned related to the project and project cost estimates; support for the undergrounding project; consideration of various material options for the retaining wall; consideration of a City Council guiding principle for visible retaining walls; consideration of purchasing surplus replacement materials for the retaining wall; and potential future allocation of Measure Q funds related to the Shores Park Master Planning Project.

IT WAS MOVED BY COUNCILMEMBER GAASTERLAND, SECONDED BY COUNCILMEMBER DRUKER TO AWARD THE CONSTRUCTION CONTRACT TO BLUE PACIFIC CONSTRUCTION; AUTHORIZE THE CITY MANAGER TO EXECUTE THE CONSTRUCTION CONTRACT AND AGREEMENTS WITH SDG&E AND AT&T; AND APPROVE PROJECT BUDGET AMENDMENT FOR \$296,100 FROM MEASURE Q FUND TO THE TEWA COURT/10TH STREET PROJECT BUDGET. (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 GAASTERLAND AND SECONDED BY DEPUTY MAYOR MARTINEZ TO DIRECT STAFF TO USE THE STONE VENEER OPTION AND AMEND THE PROJECT BUDGET TO ALLOCATE \$3,000 FOR THE ALTERNATIVE RETAINING WALL MATERIAL. (VOTE 4-1)

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

ITEM 15: STATUS UPDATE REGARDING THE CITY'S NORTH COMMERCIAL/PROFESSIONAL COMMERCIAL ZONE AMENDMENT LCPA (CLERK'S FILE NO. 305-1, 1502-14)

Deputy Mayor Martinez and Councilmember Quirk were recused from participating in this agenda item due to living within 500 feet of the subject matter of this discussion. A presentation was provided by Principal Planner Amanda Lee.

Council questions focused on the definition of multi-unit and whether a duplex is considered multi-unit.

There were no public speakers for the item.

Council discussion focused on recognition that the California Coastal Commission (CCC) has the opportunity to appeal projects in the North Commercial Zone in the future; support for the amendments as outlined by staff; challenges of harmonizing and incorporating feedback received from the California Department of Housing and Community Development (HCD) and CCC in the City's 6th Cycle Housing Element; and mechanism for hazard disclosures for properties in the zone.

Council consensus was to use staff's red dot language as a starting point in discussions with the CCC and assign Mayor Worden and Councilmember Gaasterland to work with staff as needed on the amendments and determine if a letter should be issued to the CCC later this week.

ITEM 16: PREPARATIONS FOR 2022 CITY COUNCIL GOAL SETTING WORKSHOP (CLERK'S FILE NO. 401-1)

A presentation was provided by City Manager Jones.

Council questions focused on examples of past City Council team building activities; process for public input and comment; and proposed date and timing for the Goal Setting Workshop.

There were no public speakers for the item.

Council discussion focused on the format for the workshop; process for City Councilmembers to provide input and suggest potential work plan items for City Council consideration; possible formats for a City Council retreat; deferring the decision to hold a City Council team building retreat until in-person meetings can resume; and goal setting in light of the City's limited resources.

Council consensus was to direct staff to hold a City Council Goal Setting Workshop the week of March 7, 2022, and to defer consideration of holding a City Council Team Building Retreat until the City Council determines it is safe to resume in-person meetings.

ITEM 17: COUNCIL DISCUSSION REGARDING DEL MAR REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) ALLOCATION AND RELATED DATA (CLERK'S FILE NO. 303-1)

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

Council questions and discussion focused on consideration of sending a letter to San Diego Association of Governments (SANDAG) related to future RHNA calculations and methodology; clarification on the goal of issuing a letter to SANDAG regarding RHNA numbers; SANDAG's methodology for calculating RHNA numbers; outcome of challenges of RHNA numbers by local agencies; City's ability to calculate its own employment numbers in its Annual Comprehensive Financial Report; calculation of Del Mar jobs in RHNA numbers; and understanding that the City cannot change the current RHNA numbers but to engage in the process on the next cycle's RHNA numbers.

There were no public speakers for the item.

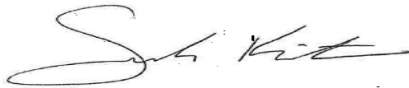
City Council consensus was to send SANDAG a letter requesting the RHNA related information described in the agenda report.

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

Council representatives reported on the Clean Energy Alliance, North County Transit District, Regional Solid Waste Association, San Dieguito River Valley Regional Open Space Park JPA, Traffic and Parking Advisory Committee, and Sustainability Advisory Committee.

ADJOURNMENT

Mayor Worden adjourned the meeting at 8:49 p.m.



Sarah Krietor, Acting City Clerk