



**CITY OF DEL MAR**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
**MARCH 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](http://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 recusals for the March 7, 2022 City Council Closed Session meeting. She reported that for Item A the City will be timely responding to North County Transit Districts' (NCTD) recent update to the federal Surface Transportation Board in coordination with the California Coastal Commission (CCC). There were no reportable actions for Item B.

**PLEDGE OF ALLEGIANCE**

Councilmember Quirk led the Pledge of Allegiance.

**PUBLIC ORAL COMMUNICATIONS**

None.

**CITY COUNCIL COMMENTS & COMMUNITY ANNOUNCEMENTS**

Councilmember Druker reported on the Friends of the Powerhouse fundraiser event on March 12, 2022, to help raise funds for the Powerhouse Park Tot Lot renovations. Councilmember Gaasterland reported on Meals on Wheels elected official week. Deputy Mayor Martinez reported on the Del Mar Village Association ribbon cutting events planned for Saturday, March 12, 2022, at the Darshan Bakery, An's Hatmakers, and Tulsi.

**CITY MANAGER'S REPORT**

City Manager Ashley Jones reported that the public comment period is underway for the Riverpath Extension Phase 3 Project Mitigated Negative Declaration and provided an update on the masking requirement in place at City facilities.

**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 1 THROUGH 5, WITH DEPUTY MAYOR MARTINEZ AND COUNCILMEMBER QUIRK RECUSED FOR ITEM 5 DUE TO LIVING WITHIN 500 FEET OF THE SUBJECT MATTER OF THAT DISCUSSION. (VOTE 5-0 FOR ITEMS 1-4; VOTE 3-0 FOR ITEM 5 WITH DEPUTY MAYOR MARTINEZ AND COUNCILMEMBER QUIRK RECUSED.)**

ITEMS 1-4: Ayes: Mayor Worden, Deputy Mayor Martinez, and Councilmembers Druker, Gaasterland and Quirk; Noes: 0; Absent: 0; Abstain: 0.

ITEM 5: Ayes: Mayor Worden, and Councilmembers Druker and Gaasterland; Noes: 0; Absent: 0; Abstain: Deputy Mayor Martinez and Councilmember Quirk.

**ITEM 1: APPROVAL OF MINUTES: FEBRUARY 22, 2022 REGULAR AND SPECIAL MEETING, FEBRUARY 28, 2022 SPECIAL MEETINGS (CLERK'S MINUTES BOOK)**

Council approved the minutes, on consent.

**ITEM 2: RATIFICATION OF LIST OF DEMANDS, DATED MARCH 7, 2022 (CLERK'S FILE NO. 201-3)**

Council approved the list of demands, on consent.

**ITEM 3: WAIVER OF READING OF ORDINANCES ON AGENDA (CLERK'S FILE NO. 401-4)**

Council waived the reading of ordinances, on consent.

**ITEM 4: CONTINUATION OF REMOTE PUBLIC MEETINGS IN COMPLIANCE WITH GOVERNMENT CODE SECTION 54953 (ASSEMBLY BILL 361) (CLERK'S FILE NO. 401-7)**

Council adopted Resolution 2022-18, "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.

### **PUBLIC HEARING**

**ITEM 5: INTRODUCTION OF AN ORDINANCE TO ACCEPT MODIFICATIONS TO THE NORTH COMMERCIAL/PROFESSIONAL COMMERCIAL (NC/PC) LOCAL COASTAL PROGRAM AMENDMENT PURSUANT TO COASTAL COMMISSION ACTION ON FEBRUARY 10, 2022 (CLERK'S FILE NO. 401-4, 401-9, 305-2)**

Deputy Mayor Martinez and Councilmember Quirk were recused from participation on the item due to living within 500 feet of the subject matter of that discussion. The public hearing was opened and closed, and the item was moved to the consent calendar for approval. Council approved the introduction of an Ordinance to accept the modifications required for final certification of the NC/PC Local Coastal Program

Amendment (LCPA) per action taken by the California Coastal Commission (CCC) on February 10, 2022, granting conditional approval, on consent.

**CITY COUNCIL OTHER BUSINESS**

**ITEM 6: CREST CANYON EVACUATION PLAN (CLERK’S FILE NO. 1103-1)**

An introduction to the item was provided by City Manager Jones. A presentation was provided by Environmental Sustainability and Special Projects Manager Clem Brown and Del Mar Fire Battalion Chief Joshua Gordon. Fire Chief Mike Stein and Michael Baker International Traffic Engineer Dawn Wilson were available to answer questions.

Council questions focused on whether impacts of events at the Fairgrounds were taken into consideration in the Crest Canyon Evacuation Plan (Evacuation Plan); clarification on how vehicle trips data referenced in the Evacuation Plan was generated; clarification on the six population areas; clarifications on hard closures used in fire evacuation traffic control plans; whether the Fairgrounds as an evacuation route and site is feasible; whether other evacuation routes were considered; confirmation that the Evacuation Plan fulfills the requirements of the referendum withdrawal agreement; whether the plan considers future development in the area; and clarification that the Evacuation Plan is a living document that will be updated as may needed in order to reflect circumstantial changes such as future development.

Mayor Worden opened the item to public comment and Arnold Wiesel spoke. Mayor Worden closed the item to public comment.

Council discussion focused on the rationale and purpose of the Evacuation Plan; traffic control elements of the plan being implemented by individuals including City Lifeguards; appreciation for staff’s time preparing the Evacuation Plan; concerns regarding the Evacuation Plan as it related to evacuations during Fairground events; discussion of whether the Evacuation Plan adequately addresses the concerns of the referendum proponents; and discussion of how the plan will evolve over time as circumstances change.

**COUNCIL MEETING RECESS:**

The City Council took a meeting recess from approximately 5:53 p.m. to 6:05 p.m.

**ITEM 7: FISCAL YEAR 2020-2021 ANNUAL COMPREHENSIVE FINANCIAL REPORT AND AUDITED FINANCIAL RESULTS (CLERK’S FILE NO. 202-5)**

A presentation was provided by Finance Manager/Treasurer Monica Molina and Principal Nitin Patel with the City’s auditor Clifton Larson Allen LLP.

There were no public speakers for the item. City Council received the presentation.

**ITEM 8: FISCAL YEAR 2021-22 MID-YEAR FINANCIAL REPORT (CLERK’S FILE NO. 202-5)**

A presentation was provided by Finance Manager/Treasurer Monica Molina.

Council questions focused on the location of the statistical section and sales tax information in the Annual Comprehensive Financial Report (ACFR); reserve levels for utility funds; clarification on COVID funds amounts the City received and the allowed uses of the funds; clarification on the Fire Department overtime costs included in the mid-year adjustment; clarification on the top 25 sales tax generator information in the ACFR; reserves for the housing reserve fund and other reserves; negative impact of

COVID on the City's reserve funds; anticipation of increased sales tax as the Fairground resumes operations; whether City staff expects Transient Occupancy Tax (TOT), sales tax, and parking reserves to continue to increase; clarification on pooled sales tax for online sales versus non-pooled Measure Q sales tax receipts; and clarification on the mid-year request related to the Adirondack chairs at City Hall.

There were no public speakers for the item.

**IT WAS MOVED BY COUNCILMEMBER DRUKER, SECONDED BY COUNCILMEMBER QUIRK TO APPROVE REVENUE ADJUSTMENTS OF \$2,689,050; APPROVE EXPENDITURE ADJUSTMENTS OF \$473,490 AND APPROVE ADDITIONAL \$100,000 TO HOUSING RESERVE FUND, AND TO ADOPT RESOLUTION 2022-19, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEL MAR, CALIFORNIA, AMENDING THE FISCAL YEAR 2021-2022 OPERATING AND CAPITAL BUDGET." (VOTE 5-0)**

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

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

Council representatives reported on the Clean Energy Alliance; San Diego Association of Governments (SANDAG) Borders Committee, Regional Solid Waste Association, SANDAG Board of Directors, North County Transit District, Finance Committee, and Safe Rail Crossing and Bluff Stabilization subcommittee.

**ADJOURNMENT**

Mayor Worden adjourned the meeting at 7:17 p.m.



Sarah Krietor, Acting City Clerk