



MINUTES

Tuesday, September 15, 2020

5:00 P.M. Closed Session

6:30 P.M. Open Session

REGULAR MEETING

**CITY COUNCIL, AIRPORT COMMISSION,
MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE
COMMUNITY NON-PROFIT CORPORATION, SUCCESSOR AGENCY OF THE FORMER
MARINA REDEVELOPMENT AGENCY AND MARINA GROUNDWATER
SUSTAINABILITY AGENCY**

Council Chambers
211 Hillcrest Avenue
Marina, California

Zoom Meeting URL: <https://zoom.us/j/730251556>

Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

1. CALL TO ORDER
2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

MEMBERS PRESENT: Lisa Berkley, Frank O'Connell, Mayor Pro-Tem/Vice Chair, Gail Morton, Mayor/Chair Bruce C. Delgado
3. CLOSED SESSION: *As permitted by Government Code Section 54956 et seq., the (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency) may adjourn to a Closed or Executive Session to consider specific matters dealing with litigation, certain personnel matters, property negotiations or to confer with the City's Meyers-Miliias-Brown Act representative.*
 - a. (i) Conference with Legal Counsel – existing litigation – Appeal No. A-3-MRA-19-0034 by California American Water Company, et. al., to the California Coastal Commission over Denial by the City of Marina for a Coastal Development Permit for Construction of Slant Intake Wells for the Monterey Peninsula Water Supply Project; paragraph (1) of subdivision (d) of CA Govt. Code sec. 54956.9.
 - (ii) Conference with Legal Counsel - anticipated litigation – significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of CA Govt. Code sec. 54956.9 - one potential case

- b. Real Property Negotiations
 - i. Property: APN: 031-251-013
Negotiating Party: Marina Coast Water District
Property Negotiator: City Manager
Terms: Price and Terms
 - ii. Property: 3262 Imjin Road, Marina, Marina Municipal Airport Bldg. 515, Cell Site
Negotiating Party: AT&T
Property Negotiator: City Manager
Terms: Price and Terms
 - iii. Property: 3200 Imjin Road, Marina, CA Bldg. 507
Negotiating Party: United States Department of the Navy
Property Negotiator: City Manager
Terms: Price and Terms

6:30 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

Robert Rathie, Assistant City Attorney reported out Closed Session: Council met in closed session this evening on two of the matters listed on the agenda including the first item 3a, information was received. The second matter of exposure to litigation concerned a claim by a citizen, the Council received information, provided direction to staff. Council also met on two matters of real property and for 3b(i), Council received information and provided direction; and the third matter 3b(iii) under real property, Council received information. There was no discussion under 3b(ii) for AT&T.

4. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)

5. **SPECIAL PRESENTATIONS:**

a **Recreation Announcements**

6. **SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR:** *Any member of the Public or the City Council may make an announcement of special events or meetings of interest as information to Council and Public. Any member of the public may comment on any matter within the City Council's jurisdiction which is not on the agenda. Please state your name for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on a future agenda. City Council members or City staff may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of four (4) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the City Council.*

- Mike Owen – Made comments on why Mayor Pro-Tem Gail Morton should be reelected.
- Kyle Soliven – Provided Council with an update on the Marina Equestrian Center and the wildfires. We are still housing some evacuees who will probably be with us for an extended period of time. The Board has voted to allow all evacuees to stay free of charge for 3-months and will reassess after that 3-month period. The Board has also approved boarding applications for people who have lost their homes and need long-term housing who have expressed interest in staying at the Marina Equestrian Center. We continue to be available for evacuees for the Dolan Fire and the other fires in the state. We have been contacted by a CSUMB Capstone group who would like to do their capstone on the Marina Equestrian Association this semester. This weekend we quite a few visitors come from the Bay Area just looking for some reprieve from the smoky conditions.

We are looking into a new avenue to replace our annual Fall Festival. Our Fall Festival generally has a few hundred children participants and obviously due to Covid that will not be possible this year. We are talking about partnering with Terry and the food delivery program and providing candy bags and pumpkins for children in the community. Thank you.

- Kathy Biala – Thanked the Council for the postcard that was mailed out to all the residents to inform them about the CalAm threat to our water and coast and the September 17th Coastal Commission hearing on the Cal-Am project. Citizens for Just Water has been fighting to stop CalAm from building a desalinization project on Marina's beach. Encourage the public who can speak for 1-minute to do so at the Coastal Commission meeting to ask the commissioners to vote according to their staff's recommendation to deny the CalAm project. We thank our city for the valiant and persistent efforts to protect Marina's water and coast. Thank you.
- Jan Schriener – Made comments on the California Coastal Commission hearing on CalAm's proposed slant wells; and comments on why Mayor Pro-tem Morton should be reelected.
- Grace Silva-Santella – Made comments on why Mayor Pro-Tem Gail Morton should be reelected.
- Danielle Burchett – Thanked the City Council for their dedication to our city and a special thank you to our city's first responders who have worked incredibly hard to address our community's regular needs in addition to addressing wildfire and Covid concerns. There's been concern about wanting to limit the time of public comments from 4-minutes down to perhaps 2 or 3 minutes and thought perhaps one way to do that if needed would be to eliminate or reduce stumping for candidates so that we can spend this time really communicating with our City Council about the issues that the current Council needs to address. Asked the City Council for all specific updates they may have related to the Martin Luther King Jr. Status project, the study of bias in Marina staff, diversity training initiatives training for staff and any other progress being planned and supportive reducing inequities in our diverse community.
- Cristina Medina Dirksen – Agrees with previous speaker that these meetings often go late into the night sometimes until 11:00pm. I appreciate the open comment time, but I think there's no place for politicking at this particular moment. Thanked the Council for all the work they do; to address the needs of our community. Announced that she is running for District 3 Council seat. Wanted to give thanks to our first responders for the work that they do and putting their lives on the line, so I think we should all give a moment to give them thanks. Lastly, someone mentioned my endorsements, I'm a collaborator and that's what people are recognizing. I collaborate and I have an open door and if anybody who is interested in speaking with me, you're more than welcome to call me any time; find me on Facebook and speak with me. Again, thank you to our first responders and all that you do up on the dais.
- Margaret Davis – Reiterated the complaint I made recently as to the outrageous length of City Council meetings and your frequent failure to get business done. The Council would do us all a favor by providing direction to the public about: a) what kinds of issue are appropriate to bring up at a public forum; and b) other ways to communicate to staff and elected short of going on camera at a City Council meeting. Disagrees that politics is an illegitimate topic especially in Covid. The perfect example is the Marina Equestrian Center park item recently. We had scores of well-meaning people who were misinformed and thought the city was trying to get rid of horse recreation at the Marina Equestrian Center. Knowing how confused the public was the Council could have scheduled a couple of minutes for Council Member Morton to provide a short background of the park before comments. Gail knows more about the legal status, legislative history, City vision, trail network and National Parks Service requirements than anyone. Asked that the City please put the link to the Coastal Commission meeting on the Marina home page; and finally, I want to make a pitch for Measure Q renewing the Urban Growth Boundary. Voters,

please continue to require developers to first build on the Fort Ord blight and vacant lots in Central Marina and not leapfrog into new undeveloped land, thank you.

- Brian McCarthy –Respect the First Amendment of the Constitution and the right of the public to speak on literally almost anything that they wish but my plan is to speak to you about both Thursday’s California Coastal Commission meeting and our vernal ponds. As you know the California Coastal Commission scheduled to decide on the CalAm Desal CUP on Thursday riding a huge piece of our future. Was surprised when the revised Coastal Commission staff report emphasized the importance of Marina’s vernal ponds. In total there are over 7 ponds identified in various reports within the city’s sphere of influence which illustrated the special habitats these ponds provided, the importance these ponds play in our city and the importance of protecting them. Surprise and confused when asking questions about Pond 3, located at the proposed Hampton Inn Hotel, across the street from Walmart. Pond 3 is broken up into two parts, Pond 3a and 3b. Pond 3a is located with a viewing platform by the Cypress Cove neighborhood on the north side of Reservation Road and Pond 3b is located across the street on the Hampton Inn lot, the south side of Reservation Road. Concerned about how we as a city are choosing to protect all of our vernal ponds but specifically Pond 3b. The preliminary drawings I was able to obtain label Pond 3b as a drainage pond and does not indicate any protections for this valuable city asset. Asked the Council to consider the future of this pond and how you would like to see it protected. I understand that the Hampton Inn has already been approved so if you find the protections provided under the previous approval are not appropriate I would also ask that you think about what options you as a city might have to now go back and help protect these important habitat areas for our city. I hope you will give this some serious consideration and ensure we are doing the right thing to protect our future, thank you
- Greg Furey –What I would say about the internal debate on politics and public comments is everything is political whether you’re on Facebook or whether you’re choosing to walk door-to-door or whether you’re choosing to make comments in the public comment section. It’s that season and there’s not a lot you can do about it. It’s your constitutional right. Made comments on why Mayor Pro-Tem Gail Morton should be reelected.
- Brian McMinn – Announced that the City and the Monterey Council Elections Department has installed a permanent ballot drop off box in front of the Community Center at 211 Hillcrest Avenue. Wanted to thank Jeff Perrine and Marina Locals United for the flags that went up on Labor Day, they made that possible.
- Council Member Berkley – Last week I recited a land acknowledgement around the relations of social justice in honoring the indigenous tribes who were on this land before we were and I wanted to give a shoutout to Karen Anderson who actually was the one who brought it to Council. This is such an important aspect to how we move forward as a community and as a country so I believe it will be brought back next week, I’m still researching to be sure we have all of the names of the correct indigenous tribes that were here. Tomorrow evening at 6:00pm there will be a Voices of Women in Leadership event via Zoom. Jacqueline Simon and I will be the co-hosts of this event and we will be highlighting some very powerful female voices within our community both here in Marina and also Seaside and Salinas. It will be Tanisha Dunn who is running for Seaside City Council, Anna Valasquez who is running for Soledad Mayor, Rosalyn Green who is an activist, Monica Kim who is a human rights activist, Mayor Pro-Tem Morton who is running for Marina City Council and Queen Tay who is a revolutionary poet and Audra Walton who is running for MPUSD formerly Wendy Askew’s seat. To register for this event, go to: <http://tinyurl.com/VOWIL> . On October 3rd at 10:00am Marina in Motion will be having their regular election debates and this debate will be for City Council and MPUSD; and if you want to learn more you can go to www.marinainmotion.org to view the flyer. You can submit any questions you have a week in advance and also on that date.

- Mayor Delgado – Thank you to all of the volunteers throughout the week for giving out food to the hundreds of cars lining up to receive food. It takes a large amount of volunteers from the Church of Latter Day Saints, the Marina Foundation, MPUSD, the City of Marina and other organizations, the Thomas Carman Food Pantry, the National Guard helping at the Library, so lot of various groups and not to underestimate the Monterey County Food Bank because without them I don't know if it would be possible to do this without the contributions of food they've been giving. The CalAm meeting this Thursday as other have mentioned is one of the most important meetings to happen in our history and if anybody cares about Marina's future this meeting on Thursday is a place where you can finally give you up to 1 minute statement that you can make about what Marina means to you and why our coastal water resources underground and aboveground including wetlands are so important for us to protect. Citizens for Sustainable Marina is having the first ever Caterpillar Catch event this Saturday at 10:00am at the Marina Library. There are tens of thousands of caterpillars that are eating 35 oak trees that volunteers have been tending to since 2013. With this infestation of the oak moth caterpillar eating up our trees and we're going to get a nickel for every caterpillar that's gleaned from these trees. There's been an outstanding dance group that performs every Saturday at 9:30am at Vince DiMaggio Park, this is free and open to the public and they keep you six feet apart.
- Mayor Pro-Tem Morton – I know that we have announced over and over about the California Coastal Commission hearing on Thursday and we also sent out post cards notifying the public that this hearing is happening and I'm trying to find out to see if there are any hotspots the public can access the internet if they can't access it from their own home. Do we have spots or the ability to have the Rocky Han Center open, sic feet apart?

7. CONSENT AGENDA FOR THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Background information has been provided to the Successor Agency of the former Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda for Successor Agency to the former Marina Redevelopment Agency and placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

8. CONSENT AGENDA: *Background information has been provided to the City Council, Airport Commission, Marina Abrams B Non-Profit Corporation, and Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda and placed at the end of Other Action Items.*

a. ACCOUNTS PAYABLE:

- (1) Accounts Payable Check Numbers 95883-95972, totaling \$418,839.77
- Accounts Payable Successor Agency Check Number 54, totaling \$3,105.00
- Wire transfers from Checking and Payroll for July 2020, totaling \$2,232,939.96

b. MINUTES:

- (1) July 7, 2020, Regular City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS:

- (1) City Council consider adopting **Resolution No. 2020-119**, authorizing staff to proceed with the public bidding process for Building 510 new roof project at the Marina Municipal Airport.

f. ADOPTION OF RESOLUTIONS:

- (1) City Council consider adopting **Resolution No. 2020-120**, approving submittal of an application for per-capita grant funds from California Department of Parks and Recreation for the Glorya Jean-Tate Park Pump Track and Restroom Improvements and delegating the authority to the City Manager, or designee, to conduct all negotiations, to sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant.

g. APPROVAL OF AGREEMENTS

- (1) City Council consider adopting **Resolution No. 2020-121**, approving an Agreement for Professional Planning Services and to Authorize the City Manager to accept the Proposal and execute the Project Authorization on behalf of the City, subject to final review and approval by City Attorney.
- (2) City Council consider adopting **Resolution No. 2020-122**, approving lease agreement between City of Marina and United States Department of the Navy for 30,460 square feet in Building 507 located at 3200 Imjin Road at the Marina Municipal Airport and authorizing the City Manager to execute lease agreement on behalf of the city, subject to final review and approval by the City Attorney.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE): None

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING): None

m. APPROVE APPOINTMENTS:

- (1) City Council consider appointing Council Member Lisa Berkley as the Interim Council Liaison to the Marina Planning Commission.

DELGADO/MORTON: TO APPROVE THE CONSENT AGENDA. 4-0-0-0 Motion Passes by Roll Call Vote

9. PUBLIC HEARINGS:

- a. City Council open a public hearing, take any testimony from the public, consider introducing Ordinance No. 2020-, for first reading by title only and waive further reading, amending Chapter 8.46 regarding Urban Storm Water Quality Management and Discharge Control in the City of Marina to align the local ordinance with state requirements.

Council Questions: None

Mayor opened public hearing for comments: None received

Mayor closed public hearing.

MORTON/BERKLEY: THAT WE OPENED THE PUBLIC HEARING, TAKING TESTIMONY FROM THE PUBLIC, AND INTRODUCING ORDINANCE NO. 2020-, FOR FIRST READING BY TITLE ONLY AND WAIVE FURTHER READING, AMENDING CHAPTER 8.46 REGARDING URBAN STORM WATER QUALITY MANAGEMENT AND DISCHARGE CONTROL IN THE CITY OF MARINA TO ALIGN THE LOCAL ORDINANCE WITH STATE REQUIREMENTS. 4-0-0-0 Motion Passes by Roll Call Vote

10. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*
11. OTHER ACTION ITEMS: *Action listed for each Agenda item is that which is requested by staff. The City Council may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*

Note: No additional major projects or programs should be undertaken without review of the impacts on existing priorities (Resolution No. 2006-79 – April 4, 2006).

- a. City Council consider adopting **Resolution No. 2020-123**, rescinding Resolution 2020-109 in part to change the date and set the time for a special meeting to hear and consider presentations by the applicants for the currently vacant seat on the City Council, to receive public comment, and to consider the appointment of a member of the City Council to serve until the November 2022 General Municipal Election.

Council Questions: None

DELGADO/BERKLEY: TO ADOPT RESOLUTION NO. 2020-123, RESCINDING RESOLUTION 2020-109 AND ACCEPT THIS ONE (Resolution) TO RESET A NEW DATE AND TIME TO BE SEPTEMBER 23RD AT 6:00PM. 4-0-0-0 Motion Passes by Roll Call Vote

Public Comments:

- Brian McCarthy – I have submitted my application for this vacancy and look forward to your consideration. As I often do I like to consider all the possible outcomes of any possible actions, and so to that extent I would like to ask some questions about item #8 that speaks to “*ballots will be counted by the Deputy City Clerk who will announce the votes for each applicant. Balloting will continue until an applicant receives a majority vote.*” I don’t think this is true, I think balloting could possibly stop at some point maybe I’m wrong, and so if that’s true I would be curious if maybe that needs to be change in that language; and maybe the council could add a little bit of color as to how that might look. Is there a time cutoff? Is there a certain number of canvassing rounds that might happen before the Council may call it a night? Hopefully you don’t have that issue but if you do, I think it’s just always good to be prepared for any possible scenario or outcome beforehand. Thank you
- Paula Pelot – Just wanted to point out and this may be uncomfortable for some people but I don’t know but the city has had a history of scheduling meetings on Jewish holidays and I think that that was in part if not in total the reason for moving this meeting and I think we need to respect those holidays going forward in all of our scheduling of all meetings. Thank you

- b. City Council consider adopting **Resolution No. 2020-124**, Authoring the City Manager to execute a conveyance agreement and corresponding quitclaim deeds with Monterey County receiving ownership transfer of 177.1 acres totaling six parcels, identified as Assessor's Parcel Numbers 031-101-039, 031-101-040, 031-101-041, 031-101-042, 031-101-056, 031-101-058, collectively known as the "Landfill Border Parcels Site, located on Imjin Parkway on the former Fort Ord from the County of Monterey to the City of Marina; which transfer includes 10 acre feet of water rights known as Marina (Sphere) water; conditioned upon approval of the Supplemental Agreement with Monterey County; approving designation from the County that the City of Marina receive from the United States Army: a) 164 acres of land over two parcels, identified as Assessor's Parcel Numbers 031-101-057 and 031-101-067, collectively known as the "Landfill Site" located on Imjin Parkway; b) 3.1 acres consisting of one parcel, identified as Army Corps of Engineers Parcel Number E4.7.2, known as the Imjin Parkway E4.7.2 Road Right-of-Way Parcel; conditioned upon approval of the Supplemental Agreement with Monterey County; authorize the City Manager to execute a Supplemental Agreement accepting from Monterey County \$300,000 in habitat conservation plan monies for habitat management after it is approved by the County Board of Supervisors and reviewed by the City Attorney.

Council Questions: How might this parcel be used for extending the trail system from the Equestrian Center or other parts of Marina over to the south side of Inter-Garrison Road and the Fort Ord National Monument? Do we have any access or are we completely restricted from doing anything on that large central landfill parcel? Would we be on the hook for doing any restoration of eroded sites? Not all of this, it's my understanding is within the habitat management plan requirements, that there's only portions of these acreage that is limited by the transfer from the Army as habitat management responsibility, correct? Trail system from the MEC to other areas; do we have access or are there restrictions to the parcel?

MORTON/BERKLEY: THAT WE ADOPT RESOLUTION NO. 2020-124, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONVEYANCE AGREEMENT AND CORRESPONDING QUITCLAIM DEEDS WITH MONTEREY COUNTY RECEIVING OWNERSHIP TRANSFER OF 177.1 ACRES TOTALING SIX PARCELS, IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 031-101-039, 031-101-040, 031-101-041, 031-101-042, 031-101-056, 031-101-058, COLLECTIVELY KNOWN AS THE "LANDFILL BORDER PARCELS SITE, LOCATED ON IMJIN PARKWAY ON THE FORMER FORT ORD FROM THE COUNTY OF MONTEREY TO THE CITY OF MARINA; WHICH TRANSFER INCLUDES 10 ACRE FEET OF WATER RIGHTS KNOWN AS MARINA (SPHERE) WATER; CONDITIONED UPON APPROVAL OF THE SUPPLEMENTAL AGREEMENT WITH MONTEREY COUNTY; APPROVING DESIGNATION FROM THE COUNTY THAT THE CITY OF MARINA RECEIVE FROM THE UNITED STATES ARMY: A) 164 ACRES OF LAND OVER TWO PARCELS, IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS 031-101-057 AND 031-101-067, COLLECTIVELY KNOWN AS THE "LANDFILL SITE" LOCATED ON IMJIN PARKWAY; B) 3.1 ACRES CONSISTING OF ONE PARCEL, IDENTIFIED AS ARMY CORPS OF ENGINEERS PARCEL NUMBER E4.7.2, KNOWN AS THE IMJIN PARKWAY E4.7.2 ROAD RIGHT-OF-WAY PARCEL; CONDITIONED UPON APPROVAL OF THE SUPPLEMENTAL AGREEMENT WITH MONTEREY COUNTY; AUTHORIZE THE CITY MANAGER TO EXECUTE A SUPPLEMENTAL AGREEMENT ACCEPTING FROM MONTEREY COUNTY \$300,000 IN HABITAT CONSERVATION PLAN MONIES FOR HABITAT MANAGEMENT AFTER IT IS APPROVED BY THE COUNTY BOARD OF SUPERVISORS AND REVIEWED BY THE CITY ATTORNEY. 4-0-0-0 Motion Passes by Roll Call Vote

Public Comments:

- Fred Watson – For several years we’ve had a wonderful series of discussions, dreaming, planning FORTAG and this area is where it all began for us to try and create opportunities for trails and greenspaces connecting through this parcel. There’s a lot of moving pieces that have been mentioned. There’re habitat management obligations, there’s opportunities for mitigation of Sea Haven mitigation for FORTAG impacts, connecting people to the beautiful landscape, the views, enhanced protection for the Sand Gilia, the equestrian trails that essentially go through that area. We’re excited that it’s finally coming to fruition and looking forward to the future, thank you.
 - Margaret Davis – This opportunity before you is a big deal for Marina and for me personally. I worked hard to get a hold of this land and working along side Gail Morton. This began in 2011 when Gail Morton and I were going to elected official and jurisdictions to get a right-of-way from the Marina Equestrian Center to the National Monument. When we were making a presentation to the County of Monterey Redevelopment Agency and the University of California Gail and I learned that a 58-acre chunk of the trail to the outback was to be developed as the headquarters for the entire Monterey-Salinas Transit bus fleet for repair, nightly garaging and huge lights on all the time; and the road Inter-Garrison between the college and college housing was planned to become a major bus thoroughfare. So, Gail and I cofounded a group called Fort Ord Rec Users for You to fight this development which was know as Whispering Oaks. Though Monterey County approved the use we worked with Land Watch to circulate a referendum petition and got 18,000 signatures against it. Gail Morton was the chief strategist for this grassroots effort and organized the opposition and signature drive. After the dust settled in 2012, we followed through with the Monterey County Fort Ord committee and with the State Department of Finance exempted the Whispering Oaks property from the forced sale mandated with the end of redevelopment agencies. So, that’s why this issue is before us. I’m thrilled that Marina is in a position to receive this land as open space habitat and preserve all the essential trail connections including FORTAG. Thank you to everyone who had a part in this and especially thank you Gail.
 - Paula Pelot – I have some specific query about the Ord Market parcels and the current tenant. What is the length of that tenancy that we have to be mindful at this point? Hoping that you can further explain what is on page 35 of the report, item D where is refers to the “First right of refusal” what that is exactly; what the means in the future and for how long that tenant is protected if at all under this agreement in their tenancy and what could happen after there is a decision to move forward with a different development if that’s what happens. If you could give some clarity to that that would be helpful, thank you.
 - Greg Furey – This is kind of a monumental thing to get this open space dedicated. I went to several meetings and this has been a long time in the making and huge for not only the City of Marina but for visitors to the area. So, I hope you will move forward with this, it’s an incredible accomplishment just because of the collaboration required and hours and hours spent in trying to make it happen so, those involved in it hats off, thank you very much it’s going to be an absolute asset for the city.
- c. City Council consider adopting **Resolution No. 2020-125**. authorizing the City Manager or his designee to negotiate and execute Grant Deeds and Purchase Agreements for the conveyance of portions of the properties along the Imjin Parkway Widening Project corridor, and; authorize all other actions necessary to accept and record said Grant Deeds on behalf of the City of Marina, and; authorize the Finance Director to transfer funds per purchase agreements and make the necessary accounting and budgetary entries.

Council Questions: What needs to be done by October 15th and how likely are we to meet that deadline?

DELGADO/MORTON: TO ADOPT RESOLUTION NO. 2020-125. AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE AND EXECUTE GRANT DEEDS AND PURCHASE AGREEMENTS FOR THE CONVEYANCE OF PORTIONS OF THE PROPERTIES ALONG THE IMJIN PARKWAY WIDENING PROJECT CORRIDOR, AND; AUTHORIZE ALL OTHER ACTIONS NECESSARY TO ACCEPT AND RECORD SAID GRANT DEEDS ON BEHALF OF THE CITY OF MARINA, AND; AUTHORIZE THE FINANCE DIRECTOR TO TRANSFER FUNDS PER PURCHASE AGREEMENTS AND MAKE THE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES. 4-0-0-0 Motion Passes by Roll Call Vote

Public Comments: None received

- d. City Council consider adopting **Resolution No. 2020-126**, receiving a report on the rate adjustment calculation for the franchise collection of solid waste, recycling, and organics by Green Waste Recovery (GWR), consider options for reconciling the surplus franchise revenue, and provide direction to staff.

Council Questions: On page 3 of the staff report there are three choices and one of them is a rebate and you make the comment “some rebates may go unclaimed, landlords may not pass it on to tenants”, were you envisioning that there would be checks mailed? Ratepayers that overpaid in 2018 or 2017 or 2016 by 2020 when we catchup they’re not getting any break. How are we being equitable? Would it be an option to give a credit on ratepayer bills? Cost of processing rebates unknown – would you have any type of estimate? We have not approached Green Waste as to the possibility of what Mayor Pro-Tem Morton referenced as to giving a credit or lowering the bill or actually not sending out a bill until these funds are exhausted? Option One – are you indicating that the rate will stay at that rate until the funds are exhausted? When is the next regularly scheduled rate adjustment? If we leave it in there as a surplus that our rates across the board everybody will stay at the 2018 rates, correct? So, if we’re adding 137 houses per year and new people are coming online for service, they would also benefit from what other ratepayers overpaid in 2017-2018, correct? Is there any deadline we have to meet with coming back with option?

MORTON/O’CONNELL: THAT WE RECEIVE THE REPORT ON THE RATE ADJUSTMENT CALCULATION FOR THE FRANCHISE COLLECTION OF SOLID WASTE, RECYCLING, AND ORGANICS BY GREEN WASTE RECOVERY (GWR), CONSIDER MULTIPLE OPTIONS WITH GREEN WASTE AND HAVE THOSE OPTIONS COME BACK FOR FURTHER ANALYSIS BY COUNCIL AND DECISION; AND TO MAKE SURE THE COST OF PROCESSING THE REBATE BE DISCLOSED. 4-0-0-0 Motion Passes by Roll Call Vote

Public Comments:

- Denise Turley – Is there another phone number to call beside the one on the bill? Is there something on their website to get information when they don’t answer their phones? What is the next step for a person who need specialized services, has questions? Is there a customer service email to send our questions to? For the surplus, I would like to see an increase in services.
- Paula Pelot – Appreciates the motion and the intent behind it to be equitable. No matter how you do this there will be some inequities because if the garbage is folded into someone’s rent and they

have left here no matter how you do that rebate, whether its electronic or by check it's going to perhaps go to a landlord who is actually receiving the benefit of that on top of the rent that was paid to them. So, there's always going to be some inequities of this. Hope that when you do look at this going forward that you recognize that you're not going to be able to remedy all of those potential inequities.

- e. City Council consider adopting **Resolution No. 2020-127**, receiving a staff presentation on blight removal and blight removal projects and; providing direction towards priorities for blight removal.

Council Questions: Can a special meeting or workshop be scheduled with the public to get their input on where they would prioritize? Is there any restriction to putting this money towards the Equestrian Center? Does city staff have any particular in these option that the city staff views as most critical and no other alternative sourcing of funds? What is the cost of removing the 47 building inside the green area? Aren't there three preservation building on the most western side? If we took down the buildings, we don't necessarily need to stabilize those three simultaneously, that would not be required correct? When we redid our agreement with The Dunes there was some additional contributions that were to be paid to help us with this park; what are those funds, how and when might those be available? And would they be available to use to help get rid of this blight? So, the \$8-million contribution could also be used if we decided in combination to rehabilitate the pool, it just happened to have the \$8-million price tag, correct?

MORTON/O'CONNELL: TO RECEIVE PRESENTATION AND SCHEDULE A SPECIAL MEETING FOR TUESDAY, OCTOBER 27, 2020 STARTING AT 6:00P.M.; AND TO BRING BACK ADDITIONAL INFORMATION AS TO THE OPTIONS AND WHAT OTHER FUNDING MIGHT BE AVAILABLE TO COMPLEMENT THE REMOVAL OF THE BLIGHT AT EACH OF THESE LOCATIONS AS APPROPRIATE; AND TO DO OUTREACH INCLUDING A FLYER TO ALL OF OUR LOCAL COMMUNITY GROUPS, USERS OF OUR FACILITIES, OUR COMMISSIONS AND THE PUBLIC; AND COMMUNITY SERVICE ANNOUNCEMENT THROUGH RADIO AND TELEVISION. 4-0-0-

0 Motion Passes by Roll Call Vote

Public Comments:

- Les Martin – When I first bought my house here in The Dunes one of the first things, I asked of the HOA was when are they going to tear down that stuff across the street. Agrees with most of the comments made here by council. I like that option about going through Cypress Knolls to get stuff out of the view of the kids, if that's something you have to do. If you're going to develop that area wouldn't the developer tear that stuff down? When if the Phase 3 of The Dunes scheduled to tear down that stuff? If it's not for 5 more years, that's not acceptable to me and I think we need to pressure the developer to do it right away. I like the idea of taking down the city park stuff soon not later. I don't like keeping things for the future that we have no money to do them with. So, that art center and fire station they got to go; and if they're not going to go then they definitely have to be overhauled to make them look nicer like you did the pool, but I don't think we can't afford that. I think those are things we'll discuss at future meetings. Great job on this brief tonight I really appreciated it.
- Grace Silva-Santella – Thank you for the presentation. It was 20 plus years ago when I was on the planning commission and I was the chair that we organized a day long workshop with all the planning commissions including the county from all the Monterey peninsula cities and we met in

one these building out at Fort Ord when we were starting to talk about redeveloping. This was with all the planning commission of all of the Monterey Peninsula cities. It's frustrating to me and in know its frustrating to all of you that these buildings are still out there and happy that Gail Morton did so much work to get this moving along for us. I am very weary an any general fund money that would get, I think Brian McMinn had talked about \$1.6 million coming back in from the general funds in order to move along with the arts habitat building. There's so much that central Marina needs and I would be very concerned if you were going to, project that got put on hold or money that was taken/pulled back because of the Covid-19 constraints we are in right now get put into this to take care of south Marina but not central Marina. I totally agree with the Mayor and I'm sure with others of you the Equestrian Center seem to me to be the place that which focus on the history of Fort Ord and \$6.5 million to rehab some barracks, this is something that's been spoken about for a long time now in Marina and reminds me of Stillwell Hall and how much people wanted to preserve Stillwell Hall and how costly that was going to be. We have to be wise how the money is going to be used. In reaching out to get people to hear the word about a workshop, I would reach out to KAZU and see if we can't have one of their morning and late afternoon local blips that they do.

- Paula Pelot – I think the motion should also include receiving the presentation. I agree 100% with what Mrs. Silva-Santella just said, all of those points. I wanted to say something about the statement that Mr. Martin said, there's always a tradeoff when you leave it to a developer. That means if later you late sell that land to a developer you're probably going to receive a reduced sales price, so there's some balancing that has to have on that and one of the factors in balancing it is how long you retain the land and how much that land value increases over the years. So, it's not just a simple equation if this is going to be very complex. I'm delighted that there's going to be at least one workshop, perhaps many and I hope people realize that we have to come up with the best outcome; it's not just a favorite project that you might have that may be in your neighborhood but overall what will benefit the city and what will move us down the road so that we can receive the most advantage for the city in terms of what comes out of is and also the best bang for our buck. Thank you
- Doug Yount, Marina Community Partners/Shae Homes – We are experienced in building removal and we do appreciate staff efforts when we went through that building removal process for everything that we needed. It does look tremendously better and very successful. I think a public workshop is a great idea. To the future blight removal, in my opinion should be one where it is a catalyst for development but also recognizes the importance of existing versus future development and as no surprise I would encourage the Council in the future to move forward with blight removal adjacent to the Dunes Project within the Dunes Specific Plan area and in redevelopment of Fort Ord in that area. I think Cypress Knolls really needs to be addressed when that development comes forward, which is probably a good time to start moving that development forward but it is I think bested addressed in the context of that development versus utilizing precious resources for many of the needs that's there that are still outstanding, that are still significantly blighted. To address the comment about what's going to happen in Phase 3, it is our intention to remove the buildings in Phase 3 in the next 5-years of the Dunes.

12. COUNCIL & STAFF INFORMATIONAL REPORTS:

- a. Monterey County Mayor's Association [Mayor Bruce Delgado]

Mayor Delgado announced there was no update to provide at this time.

- b. Council and staff opportunity to ask a question for clarification or make a brief report on his or her own activities as permitted by Government Code Section 54954.2.

Assistant City Manager Mogensen provided an update on Joby Aero at the Airport. Improvement of their facilities continues. Joby has made no formal decision has been made on their long-term manufacturing site.

- c. Covid-19 Update: No updates at this time.

- 13. ADJOURNMENT: The meeting adjourned at 9:40 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor