



MINUTES

Wednesday, September 23, 2020

5:00 P.M. CLOSED SESSION

6:00 P.M. OPEN SESSION

SPECIAL 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 Hall
211 Hillcrest Avenue
Marina, California

Telephone (831) 884-1278 - Fax (831) 384-9148

E-Mail: marina@cityofmarina.org Website: www.cityofmarina.org

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-Milias-Brown Act representative.*
 - a. (i) Conference with Legal Counsel, three case of existing litigation pursuant to paragraph (1) of subdivision (d) of CA Govt. Code Section 54956.9: (1) 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; (2) City of Marina and Marina Groundwater Sustainability Agency v. County of Monterey; Monterey County Board of Supervisors; County of Monterey Groundwater Sustainability Agency; California

Department of Water Resources (DWR); and Director Karla Nemeth in her official capacity, Monterey County Superior Court Case No. 19CV005270; and (3) City of Marina v. RMC Lonestar, RMC Pacific Materials LLC, California-American Water Company, Marina Coast Water District, and Monterey County Water Resources Agency, Monterey County Superior Court Case No. 20CV001387.

6:00 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

Robert Rathie, Assistant City Attorney reported out Closed Session: Council met at 5:00 pm in Closed Session on the matters listed on the agenda. Council received information, gave direction and no reportable action was taken.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

4. **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.*
 - a. City Council to consider adopting Resolution No. 2020-, making an appointment to fill a currently vacant seat on the City Council with the appointee to serve for the remainder of a four-year term, that is, until a successor is qualified at the November 2022 General Municipal Election.

City Council received 10-minute presentations from applicants Peter Le, Dusan Tatomirovic, David Burnett and Brian McCarthy.

Public Comments:

- Peggy – Supports and recommends Brian McCarthy
- Nathaniel Sawyer – Supports and recommends Brian McCarthy
- Danielle Burchett – Supports both applicants
- Cristina Medina Dirksen – Supports and recommends Brian McCarthy
- Jackie Ambrose –
- Hans Ongchua – Supports and recommends Brian McCarthy
- David Brown – Supports and recommends Brian McCarthy
- Lindsey Alexander-Beavers –
- Kelly Vasquez – Supports and recommends Brian McCarthy
- Matt Zefferman – Supports both applicants
- Mike Kennedy – Supports and recommends Brian McCarthy
- Zoe Carter – Supports and recommends Brian McCarthy
- Nancy Amadeo – Supports and recommends Brian McCarthy
- Kyle Soliven – Supports and recommends Brian McCarthy
- Krystle Potts – Supports and recommends Brian McCarthy

- Jeff Perrine – Supports and recommends Brian McCarthy
- Elizabeth Fonts – Supports and recommends Brian McCarthy
- Phelan Low – Supports and recommends Brian McCarthy
- Cherlyn – Supports and recommends Brian McCarthy
- Liezbeth Visscher – Supports and recommends Brian McCarthy
- Margaret Davis – Supports and recommends David Burnett
- Kathy Biala – Supports and recommends Brian McCarthy
- Nick Kite – Supports and recommends Brian McCarthy
- Rob Weisskirch – Supports and recommends Brian McCarthy
- Elizabeth Billingsley – Supports and recommends Brian McCarthy
- Greg Furey – Supports and recommends David Burnett
- Jan Shriner – Supports and recommends David Burnett
- Haze Campbell – Supports and recommends Brian McCarthy
- Paula Pelot – Supports and recommends David Burnett
- Dawn Alva – Supports and recommends Brian McCarthy
- Jacqueline Simon – Supports and recommends David Burnett
- Tom Moore – Supports and recommends David Burnett
- Christine Burnett – Supports and recommends David Burnett
- Herbert Cortez – Supports and recommends David Burnett

DELGADO/MORTON: TO ADOPT RESOLUTION NO. 2020-128, APPROVING THE BALLOTS APPOINTING DAVID BURNETT TO A TWO-YEAR CITY COUNCIL TERM. 4-0-0-0 Motion Passes by Roll Call Vote

Public Comment on Motion

- Cristina Medina Dirksen – 24 people voted in favor of Mr. McCarthy and 7 for Mr. Burnett and disappointed that you did not listen to the public.
- Paula Pelot – Thanked all the people who were here this evening both the public and the candidate. Thinks the candidates presented well and not disappointed in the results. Would be disappointed if the other three candidates walked away and didn't continue to contribute to the city in the ways that they have. It's not a popularity contest, this was purely a judgement of the council and thinks the discussion afterwards and the responses to the questions was more informative than the comments some of us made.
- Jacqueline Simon – Complemented all the candidates for eloquently sharing your comments, positions and platforms. Worked in government for a long period and believe in the need for continued compassionate responses and participation. Heard no negativity and issues that normally come up when you have issues that you're dealing with in many different areas. It does not matter how many people came online tonight. You have a democratic process and with 21,000 people in your community and this process was positive and good. You all need to continue to work

together, you have a lot to do in this community and country. Let's keep it positive and professional and not personal.

- Greg Furey – Learned a lot about each of the candidates and hats off to you for putting yourselves out there. If Brian plant to run in the 2022 election pledged his support in everyway possible to you. You are a very impressive candidate and enjoy hearing you speak. David, 17-years of contributing to this community in a very quiet, understated humble way. You've shown leadership and has a lot of respect for you. You didn't campaign for this position the way Brian did, but you certainly earned it. Commented on the snarkyness from the first speaker part. Congratulated and thanked all the candidates.
- Liezbeth Visscher – Disappointed, not surprised. What does the public need to do to be heard? How many letters do we need to write? What do we need to say? Feels very unheard. What does the candidate need to do to show that he is the perfect candidate for this position? Would like to congratulate the new council member, David Burnett and to thank all the candidates. Thank you
- David Burnett – Thanked all of the participants, candidates this evening. I think we learned a lot about each other's traditions and I truly believe that everyone of us equally qualified. Echoed his support for Brian I think he's a real asset to our community. I think this process has been long this evening that possibly looking at the options available I thinks it's probably worked out for the best, the most democratic. Once again, I would like to thank the Council for paying long attention to this and I thank the public for their participation; and again, a thanks to the candidates for their participation.
- Brian McCarthy – Texted David Burnett prior to tonight meeting and I shared with him how much I though of him as the Chair of the Planning Commission; he's a fantastic professional. I'm confident he's going to move our city forward and I'm looking forward to that. Peter Le is an amazing person, transparency is the name of the game for him. He ensures that the public is apprised of public documents and that's been so valuable to the community; and certainly Dusan, the leader of the Marina Facebook page that keeps us in the loop and such a great asset to our community on the different commissions he's served on; glad to be a part of this process and appreciate the support from the public. Congratulations to David and thank you all for allowing this process to take place tonight.
- Dusan Tatomirovic – Wanted to congratulate David. That is a well-deserved selection and pretty sure that the current Council will actually have a very successful cooperation with David and will move the city forward. I would also like to thank Brian and Peter for this absolutely exciting evening and all the contributions that both of them have made for the benefit of the city and everything else. I look forward to working with all of you in the future.
- Peter Le – Wanted to congratulate David Burnett, I worked with him on the campaign a couple of times and thanked the City Council for allowing me to apply for the vacant position and thank you Brian and Dusan for your participation. Thank you
- Nathaniel Sawyer – I respect everyone who put their names out for this position. I am one of those believers that what the people want should go but I do respect that and love the fact that we have an intelligent African-American on the City Council but I do hope moving forward that David is actually going to do thing for the African American community and not just use his skin tone as a way to say he is including as an African American person. I'm really confused with how the process works on these types of things. We heard over and over again the love and admiration for Brian and again, I'm one of those people that what the people want and I heard all sorts of different side advocating for Brian so it really speaks to how he is a bridge marker and I really hope that David can do the same thing but also truly fight for the black and brown community. I want to get

to know him more, I like the way he speaks and how intelligent he is and there's no reason to move backwards, we have to move forward now. This is our city and we have to build it up and be divisive. So, congratulations sir and I respect all of you who put your name in the hat. Brian, you have a bright future ahead of you sir, keep moving.

- Tom Moore – Congratulations to David Burnett. Offered heartfelt thanks to the other three candidates who took a chance and put their names forward. Thanked the current City Council Members from refraining from causing the Board of Director of the MCWD to have to go through this same thing that you just gone through, because if you picked Peter Le we would have had a vacancy on our board and it would have been the same thing all over again. So, thank you.
5. ADJOURNMENT: The meeting adjourned at 10:42 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor