



MINUTES

Tuesday, October 20, 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

In response to Governor Newsom's Executive Order N.29-20 and City Council Resolution 2020-29 ratifying the Proclamation of a Local Emergency by the City Manager/Director of Emergency Services related to the COVID-19 (coronavirus) pandemic, public participation in the City of Marina City Council and other public meetings shall be electronic only and without a physical location for public participation, until further notice in compliance with California state guidelines on social distancing. This meeting is being broadcast "live" on Access Media Productions (AMP) Community Television Cable 25 and on the City of Marina Channel and on the internet at <https://accessmediaproductions.org/>

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: David Burnett, Lisa Berkley, Frank O'Connell, Mayor Pro-Tem/Vice Chair, Gail Morton

MEMBERS ABSENT: Mayor/Chair Bruce C. Delgado (Excused)
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. Labor Negotiation

i. Marina Professional Fire Fighters Association

City Negotiators: Layne P. Long, City Manager and Employee Relations Officer

b. Real Property Negotiations

- i. Property: 3262 Imjin Road, Marina, Marina Municipal Airport Bldg. 515, Cell Site
Negotiating Party: AT&T
Property Negotiator: City Manager
Terms: Price and Terms

- c. (i) 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 – two potential cases
- (ii) Conference with Legal Counsel, one 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;

6:42 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 all the matters listed. With regard to all the matters Council received information, provided direction and no reportable action was taken.

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

5. **SPECIAL PRESENTATIONS:**

- a **Danny Sepagan Retirement Proclamation**
- b **Matthew Jones, Public Works Superintendent**
- c **Announcement of October 27, 2020, Blight Removal Special Meeting**
- d **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 – Agrees with local newspaper objective reviews and endorsements for Wendy Askew, Kathy Biala and Gail Morton for our Supervisor and City Council elections. Hopes that the majority votes for them. Started campaigning for Wendy to be our Supervisor almost a

year ago and the most revealing disappointment for me has been the very deliberate and consistent lack of support from Mayor Delgado for Wendy for which I am sure Steve McShane should be sincerely grateful. However, if Wendy loses, I'm confident our Mayor will dramatically make up for his current indifference by waging an extremely enthusiastic and riotous campaign to personally unseat McShane four years from now and redress McShane's support for CalAm's takeover of Marina's water and unchecked development. If the Mayor's endorsed candidates win, Cristina and Kathy they might be persuaded to fill the Mayor's shoes. Both are ambitious, energetic, creative and well-funded campaigners. Another disappointment is the City's head in the sand reaction to the proliferation of McShane outsized campaign signs violations of our city ordinances outlawing commercial sized signs on R1 single family home lots. Disappointed that Bruce is not here personally to hear my views directly to him about his absolute refusal to lend any support to the most progressive candidate that we have to be our County Supervisor. Considering all of the above, your vote could really make a difference in more ways than one. So, please if the negative campaigning has sort of caused you to take a pause and wonder if it's worth your voting for any candidate it will really make a difference. Bottom line is that I'm encouraging everybody to please cast a vote no matter who you vote for it will make a difference.

- Kyle Soliven – The last of the fire evacuees returned home yesterday. Our Horsing Around the MEA virtual program has been a success, we've been receiving a lot of emails from people who are sharing their experiences and how their children look forward to the videos each week. We have our Candy-Corn Lane Event which will be a drive through haunted house at the Marina Equestrian Center from 6:00-9:00pm on Halloween evening and we're going to start reaching out to the community, definitely put on by the community, for the community so we're going to be reaching out to the community members if you family still wants to carve pumpkins but not have trick-or-treaters visiting your homes this year, if you would like your jack-o-lanterns displayed we will have battery operated tea light candles but we plan on using jack-o-lanterns through the haunted house event. If you would like to donate your carved jack-o-lanterns to the event you can drop them off Halloween morning from 8:00-Noon.
- Karen Anderson – Why don't we move forward with an indigenous land acknowledgement statement at the beginning of the City of Marina public meetings? This is a way to show respect and appreciation for the people who cared for this land before the arrival of explorers, missionaries, and other Europeans.
- Les Martin – Is there a delay being created between the city and contractor related to building the 18-acer park over in Sea Haven? With the expansion to four lanes on Imjin, will that include some kind of sound wall to protect those that live in Abrams/Sea Haven areas that are close to the parkway?
- Grace Silva-Santella – Thanked Kyle from the MEA on the MEC update and hope they will continue that as they are greatly appreciated. This political season in our country makes me urn for the long-time friendship of Joe Biden and the late John McCain. One of the candidates in District 3 I've considered a friend; and one of the candidates, Mayor Pro-Tem Morton I have admired and respected since she joined our city council eight years ago. Believes Gail Morton is the candidate who will best protect Marina residents and serve our city with honor and integrity. I was shocked when I saw a distasteful hit piece mailed to District 3 voters by the Committee to Support Cristina Medina Dirksen. The mailer falsely represents Mayor Pro-Tem Gail Morton's voting record on several issues, and absurd charges of gerrymandering. One statement on the mailer says Mayor Pro-Tem Morton's opponent opposed election districts. This position does not make Mayor Pro-Tem Morton's opponent unique or special. Everyone opposed going to district. There was no choice in the district elections, and it is ignorant of Mayor Pro-Tem Morton's opponent to imply City Council had any choice in the matter. I

request this evening our City Manager and our City Attorney address these charges of gerrymandering against Mayor Pro-Tem Gail Morton. I ask that you put to rest these claims that anything was done illegal by the majority council that voted for our current district maps. Specifically, did the city districting procedure or city's adoption of District Boundaries in Map 109c violate state or federal law? Thank you

- Tami Young – A few issues have been arising in my neighborhood Preston Park and I want you to know that the Tenants Association seems to be advocating for changes that do not represent the whole community. First you should know that we are families, we are single parents, we are working class, we are low-income, we are regular income, we are police, firefighters, correction officers, social workers, we are diverse; we are the most vulnerable and we are Marina. With that said, our Tenants Association does not represent all of us. I have not been asked what my opinion is. I have not been notified of important changes and I have not been given a voice and for a fact neither have my neighbors or many other community members. The changes to our community deserve a loud voice, a person who represents our families and will include all of the community when hard topic will be discussed. As a result, we've been dealing with punitive fines, arbitrary writeups at a time when we're all struggling due to Covid-19 and sheltering in place. Please use compassion when changing our leases, allowing tickets, giving lease violations and most importantly making decisions without the whole community having an input. I'm asking you, City Council to collaborate with all residents and do not let the Association speak for us as a whole. Thank you
- Kim Stemler – Your video's rock and should get an award for best videos. Second, I am so over this negative spirit and lack of integrity in our politics nationally and locally. It's not how I see Marina. It's not how I want Marina to be. It's not the community I want to live in. Mr. City Attorney, a charge of gerrymandering is being made against a City Council. What is gerrymandering and what's occurred locally actually gerrymandering? Mayor Pro-Tem Morton, I wonder if you might speak about some of the statements made about you by an opponent's supporters regarding the Theater, Shopping Center, the Plastic Bag Ban and the Martin Luther King statue; and the elimination of the election of Mayor? Thank you
- Cristina Medina-Dirksen – Read a letter that was printing in today's Monterey Herald in response to an October 14th letter from Greg Simmons, *"If you know me I'm a person who bring people together and what's what is best for Marina where I've lived and raising my children and have worked to make better for more that 20-years. In all of my work I'm focusing on elevating people even those with whom I have I have a difference of opinion. I've recently become aware as a candidate for Marina City Council District 3 of a campaign mailer that I want to make clear was not sent by my campaign, with unflattering photos and contested information. I want to be clear that it did not come me or my Cristina Medina Dirksen for Marina City Council campaign. I knew nothing about it, and it is not my voice. Negative campaigning is not my tactic. Speaking with voters and urging participants is. I thank all of you who have reached out to me and my campaign to support me. This has been a very troubling campaign for me and my family. I have learned very real lessons that when one challenges power it's not easy and reactions from those in preservation mode are not always respectful. I have focused on moving forward, standing strong on my own merit. Talking with District 3's 2800 voters, thank you all of you; and speaking my truth as a candidate, a mother, a wife, a community leader and active participant in Marina City Council meetings and action. In this troubling political climate, it's vital to respect different opinions, especially like a community that honors diversity. That is Marina".* So, that is my response and I also want to echo what other have said about the work being done by Terry Siegrist. Thank you, Terry.
- Greg Simmons – Point out that after the election Frank O'Connell is going to step down from Council after 12-years of service and I would like to thank him for his service. With Frank we

always had someone who listened to his constituents, reasonably not to political, calm and smart in his decision making and will miss his leadership on the Council and his monthly mailer. Saw the mailer that went around that was supporting Cristina's candidacy. I was trying to be fair in the letter. I didn't use anybody's name in the letter, but I think it's disagreeable to see those kinds of politics. Cristina just did what I asked in the letter, which was at least some of our city leaders should denounce these tactics, which she just did that publicly and I commend her for that. Cristina made it clear that it wasn't her and that's good. I would like to ask all the candidates and not just the candidate but all of our city and local office holder to denounce these tactics. I would also like to ask the people who are behind this mailer, and I've actually heard through the grapevine that there may be another mailer coming, to really think what's the effect on our city where we're so focused on winning that we lose the ability for people to come together no matter who you support. In November and whoever wins we're going to have a new council and I think most people in Marina want to see council that can work together and decide more issues by consensus and practice in the art of persuasion rather than trying to beat those who you don't agree with. Thank you.

- Paula Pelot – First, the Tenants Association has been in place for 20-years. Tammi had been invited to every single meeting as had any other tenants who are on the management company's email list which we also post on the bulleting boards. The only questions Tammi has every raised at these meeting has to do with whether or not she received a rent increase. At those meetings we discuss openly with everyone and everyone includes many of the people she enumerated. Tammi complained on Next Door about the parking and said I did a great job as heading up the Tenants Association however, she disagreed with me about the parking and the parking that I have promoted; there are a number of things I enumerated and asked if she had any disagreement and she never responded to that. Second, Cristina Medina Dirksen's statement, it is good that she has said what she has said however, the committee was formed by former council member David Brown with a financial support of Daniel Martinez and Diego Farra, so if anyone want to know who is behind it that's who's behind it. The Committee is a primarily formed candidate committee, it's not an independent expenditures committee and what I would like to hear is for Cristina Medina to ask them to stop publicly, not to denounce it but to just stop. I think it's sad and I'm assuming it's more of the assassination that's going on relative to her campaign work with Cristina Medina Dirksen. Back to the Tenants Association, we have not been holding meetings because of Covid, we did do some Zoom meetings and the City at my request and at Mayor Pro-Tem's request has reached out to the tenants on the issues regarding parking, the Assistant City Manager and City Manager were apart of that as well as many tenants so, it is inclusive and we speak many languages in our meetings, thank you.
- Greg Furey – Echoed Greg Simmons comments about Frank O'Connell. Doubts too many people in this community have any kind of clue the hundreds of hours Frank has dedicated to the community. He knows how the city works and knows how government works and he is a bit of a terrier when he's pursuing something that he believes in or feels will help the community. Commented on the amazing job Terry and staff is doing in the community during this time. Thanked the City Manager for reaching out to him during a very difficult time in my life with heartfelt personal comments. Read an article written by Jim Johnson about the water issue here in Marina and CalAm's general manager reaching out to try to come to some sort of an agreement about the water situation and slant wells. Notice there was commentary about the mayor haven written a letter, who writes those letters? Did the Mayor write the letter or was it a professional? Did that letter represent what the city's views are on the current situation with CalAm? Angry about the attacks on the candidates I support, mainly because I have so much respect for them and I know the hundreds of hours they put into the city. Regarding the mailers that were sent out, when a mailer like the ones we've seen was sent out, a week or two weeks

later is not the time to stand up and try to quell them. The damage is done. The time to do that is the day that mailer goes out, the day that it hits the streets. Some kind of a statement should have been made and if there's another one a statement should be made swearing that off and criticizing it and denying any of those claims. Thank you

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 96137-96240, totaling \$308,472.48
Accounts Payable Successor Agency Check Number 55-56 & EFT's totaling \$5,285.00

- b. MINUTES:

- (1) September 1, 2020, Regular City Council Meeting

- c. CLAIMS AGAINST THE CITY: None

- d. AWARD OF BID: None

- e. CALL FOR BIDS: None

- f. ADOPTION OF RESOLUTIONS:

- (1) City Council consider adopting **Resolution No. 2020-136**, directing staff to submit an application to the State of California Regional Early Action Program (REAP) Planning Grant Program to contribute funding toward projects designed to increase affordable housing in the City.

- g. APPROVAL OF AGREEMENTS

- (1) City Council consider adopting **Resolution No. 2020-137**, approving an agreement between City of Marina and Kimley-Horn and Associates, Inc. of Salinas, California, to provide engineering services to complete the plans for widening of Imjin Parkway between Reservation Road and Imjin Road; authorize the Finance Director to make the necessary accounting and budgetary entries; authorize the City Manager to execute the agreement on behalf of the City subject to final review and approval by the City Attorney.

- (2) City Council consider adopting **Resolution No. 2020-138**, approving a Conditional Airport Use Permit with Apple, Inc. for use of the unleased portion of the north tarmac at the Marina Municipal Airport for autonomous systems testing; and authorizing City Manager and Airport Services Manager to execute the Conditional Airport Use Permit 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):

- (1) City Council receive Monterey-Salinas Transit October 12, 2020 Board Highlights

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

- (1) ~~City Council consider by approving by title only Ordinance 2020, Repealing Marina Municipal Code Chapter 17.06.040 (Secondary Dwellings and Guest Houses) and replace it in its entirety with a new Chapter 17.06.040 (Accessory Dwelling Units) governing the development of accessory dwelling units in the City of Marina.~~ ***Pulled by Council Member Berkley, becomes agenda item 11a***

m. APPROVE APPOINTMENTS: None

Council Member O'Connell reminded Council that agenda item 8l(1) needed to be voted on separately due to it being an ordinance.

Council Member Berkley requested to pull agenda item 8l(1) for discussion on a change to the ordinance.

O'CONNELL/MORTON: TO APPROVE THE CONSENT AGENDA MINUS 8l(1) FOR A SEPARATE VOTE. 4-0-1(Delgado)-0 Motion Passes by Roll Call Vote

9. PUBLIC HEARINGS:

- a. City Council consider Planning Commission recommendation to open a public hearing, take any testimony from the public, and adopt **Resolution No. 2020-139**, approving a Tentative Map for the Subdivision of a 1.6 acre lot into nine (9) Single-Family Parcels located at 3320 Abdy way (APN 033-011-006).

Council Questions: None received

Mayor Pro-Tem Morton open the Public Hearing for Public Comments:

- Peter Taormina – One of the owners of this parcel and wanted to express our gratitude with working with staff for the last couple of years and we've been discussing this development with staff and we originally had to get it properly zoned, there was a mismatched in the General Plan and Zoning Map so we got that taken care of. It was very open and collaborative discussion to create this configuration you see before you. The road turning into Abdy provides a buffer between commercial and the first home there. The walkability, over 1200 feet of sidewalk, curb and gutters creates walkability. There's a gap between the sidewalk on western Healy and Abdy so its connected for walks to the beach and the proximity to Paul David Drive offer some live/work opportunities there. It's been a good progress and just wanted to thank staff.

Mayor Pro-Tem Morton closed the public hearing.

BERKLEY/MORTON: TO PLANNING COMMISSION RECOMMENDATION TO OPEN A PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC, AND ADOPT RESOLUTION NO. 2020-139, APPROVING A TENTATIVE MAP FOR THE SUBDIVISION OF A 1.6 ACRE LOT INTO NINE (9) SINGLE-FAMILY PARCELS LOCATED AT 3320 ABDY WAY (APN 033-011-006). 4-0-1(Delgado)-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 by approving by title only **Ordinance 2020-06**, Repealing Marina Municipal Code Chapter 17.06.040 (Secondary Dwellings and Guest Houses) and replace it in its entirety with a new Chapter 17.06.040 (Accessory Dwelling Units) governing the development of accessory dwelling units in the City of Marina. ***Pulled by Council Member Berkley, was agenda item 8l(1)***

Council Member Berkley – this is in response to Mr. Taormina email sent to us in which he was talking about the concern about the issues around parking as we start developing ADU's around here and I think he makes a very good point. His point was to maximize the height for junior ADU's that are being placed as a second story above a garage or so that that is a possibility. He was suggesting that we change the maximum height from 16-feet to 22-feet so that that can occur, so that a second story could be built. Unless there is a deadline that we have to have this by I would like to see this come back as a first reading at our next council meeting with that height adjustment made because I think it makes a very good point because it allows a garage to remain a garage and help us with all the numerous parking issues we have around the city. I would also like to hear from the Planning Department director on any ramifications or if it's harmful at all for us to bring this back for a first reading with that adjustment.

BERKLEY/MORTON: to approve by title only Ordinance 2020-06, repealing Marina Municipal Code Chapter 17.06.040 (Secondary Dwellings and Guest Houses) and replace it in its entirety with a new Chapter 17.06.040 (Accessory Dwelling Units) governing the development of accessory dwelling units in the City of Marina; and ask staff to further look into the issue of increasing the height level from 16-feet to 22-feet for Junior ADU's's build above a garage; and then come back to us

Mayor Pro-Tem Morton asked for a friendly amendment that it come back to us to look at adding to the height restrictions but not be limited at 22-feet.

Council Member Berkley accepted the friendly amendment.

Amended Motion

TO APPROVE BY TITLE ONLY ORDINANCE 2020-06, REPEALING MARINA MUNICIPAL CODE CHAPTER 17.06.040 (SECONDARY DWELLINGS AND GUEST HOUSES) AND REPLACE IT IN ITS ENTIRETY WITH A NEW CHAPTER 17.06.040 (ACCESSORY DWELLING UNITS) GOVERNING THE DEVELOPMENT OF ACCESSORY DWELLING UNITS IN THE CITY OF MARINA; AND ASK STAFF TO FURTHER LOOK INTO THE ISSUE OF INCREASING THE HEIGHT LEVEL RESTRICTIONS NOT BE LIMITED AT 22-FEET FOR JUNIOR ADU'S'S BUILD ABOVE A GARAGE; AND THEN COME BACK TO US. 4-0-1(Delgado)-0 Motion Passes by Roll Call Vote

Public Comments:

- Les Martin – Wondered if these rules applies to the Dunes? In 2017 when I moved into the Dunes, I requested to build a gazebo in my back yard, the HOA approved it subject from getting something from the city saying it was approved. I went to the city and I was told we didn't need it if it was under 120sqft, so I built a gazebo. Three months later Christy Hopper apparently withing with the Dunes development created some guidance that applied to the Dunes which said you couldn't build a structure with a roof. So, she said these rules were specific to us, now I had already built my gazebo by that time and I've had three different people come and inspect it and say my gazebo was illegal. The second time I worked through it and got a letter from the City saying my gazebo was legal and I'm still working through the third person now who came and said that my gazebo is illegal. I met the setback rules, just because I have a roof on it I was told the Dunes has a separate set of rules than the rest of the city and my gazebo would be ok in Sea Haven, it would be ok in the rest of the city. Why does the Dunes have a separate set of rules for these kinds of things and would it apply to these specific units? We shouldn't have all these separate rules. We should have one set of rules for the City and that should be it. Does the Dune have a separate set of rules and should they have a separate set of rules? Or should we keep it simple for the city employees? Thank you
- Peter Taormina – You've read my letter and appreciate the feedback. I've worked in Marina for over 40 years and I've built about 22 of these ADU's and all of them over garages. Garages are good, ADU's are good and especially when you start impacting these lots with multiple residences garages are really good. They shield parking and if the ADU is over the garage you don't take more open space and you provide parking. It's a well crafted ordinance but that tweak about the 16ft height, again the state allowed for reduced setbacks of an ADU and it's hard to space plan these and I've spent hours trying to figure out how to get ADU's on lots before and that 4ft side yard setback is very helpful but if you can only build a 16ft tall unit you're regulated to a one-story structure and I can just see people putting Junior ADU's in their garage and wanting to put an ADU in their backyard but only able to build a one-story and poof the garage disappears. So, by allowing the ADU's to exceed 16-feet, 22-feet is about the minimum for a two-story structure and still capitalize on those reduced setbacks that are allowed I think you'll have a lot more opportunities for people to construct an ADU over a garage. In fact, I looked at the wording it says on D-1, an accessory unit is limited to 16-feet in height. That's how is currently worded. You can add these words *"unless the accessory unit is constructed over a garage whereby the height shall be limited to 22-feet"*. So, your allowing the applicant to build a taller ADU with the reduced setbacks but only if its over a garage. I appreciate you guys having staff look at this again, it's a good smart use of their time and I think it will produce a lot of well built, functional R1 lots that have ADU's on them. Thank you

b. Covid-19 Update

Brian McMinn provided update on the opening of Marina playgrounds and parks. Yes, we're looking at can we be consistent and comply with state guidelines and what has been done by Seaside and Pacific grove in the area and other cities. Salinas and Monterey maintain their playground closed and Pacific grove and Seaside have opened their playgrounds with signs making it clear that they are not regularly cleaning and sanitizing them to make sure that they're free from Covid. We've looked into options, we've talked to our custodial service as to what it will cost to wipe it down with a sanitizing type wipe and we got a quote for that but we did have another firm that we talked to last Friday and they are a bit more sophisticated in their knowledge and understanding of what it takes and what would be effective to sanitize playgrounds against Covid-19. A couple of the solutions they have available involve a form of copper-oxide or copper-polymer coating to the play structures and copper along with titanium are two of the materials where the Covid-19 virus cannot survive on it for more than 4-hours. So, it's an alternative that we're working with them to see what kind of cost that would be, how effective that would be and how long that would last. We're really looking at if we open the playgrounds we're really looking at a long-term prospect here of how often are we going to have to coat those, probably well into next year, maybe looking at a years' worth investment in what we would have to do to treat the playgrounds if we're going to represent that there is some level of sanitation going on there. So, we're still gathering data and we've got quotes on hand sanitizing stations that we would like to place around playgrounds, along with signage if we do open up, but we would like to get a good handle on the cost and a menu of options to bring back to council whether that be to open the playgrounds with a level of sanitation that we're comfortable with or go the route of Seaside and Pacific Grove where they've just made it clear that yes they're open but we're not representing that they're safe and Covid free or do we keep the playgrounds closed such as Salinas and Monterey.

12. COUNCIL & STAFF INFORMATIONAL REPORTS:

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

13. ADJOURNMENT: The meeting adjourned at 8:45 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Gail Morton, Mayor Pro-Tem