



MINUTES

Tuesday, October 27, 2020

5:30 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**

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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, 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. Conference with Legal Counsel, anticipated litigation, significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of CA Govt. Code sec., 54956.8 – one potential case.

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 in Closed Session this evening on the one matter listed on the agenda which was a matter of potential exposure to litigation. Council discussed the matter and provided direction that a letter be written in response to a complaint the city previously received, and we will be doing that probably tomorrow.

4. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE
5. OTHER ACTION ITEMS:

- a. City Council consider adopting **Resolution No. 2020-140**, receiving staff presentation on Blight Removal Funding and Blight Removal Projects, receive public input on blight, and providing direction towards priorities for blight removal.

City Manager Long provided background information

Last 25-years after Fort Ord closed it was the Fort Ord Reuse Authority's (FORA) work program to transfer all the different properties to the cities and put together a mechanism to facility economic growth, bring job back to the community and eliminate blight. While FORA had success in certain areas one of the huge successes was keeping 80% of the land open space but as far as economic development, particularly removing blight it was a huge failure. The bulk of the blight was in the City of Marina and continues to be in the City of Marina and didn't have a mechanism to get rid of that blight.

City Council worked very hard the last few years on bringing about the termination of FORA and one of the primary reasons was this issue of blight and the issue of moving forward our community economically and the FORA Board had other priorities for the region, for the growth of the region building roads for other projects that benefited other areas of the region that left the blight in our city and it hampered the economic growth in our city. So, our council worked very hard and was successful in getting FORA to sunset on June 30, 2020.

With the sunset of FORA brought about a couple of important things, one of the biggest important things is the last year FORA was sunset we worked really hard to get a blight removal bond in place that provided funding to remove blight. Almost all of the funds that are available for this blight removal are generated from properties in the City of Marina. Initially we worked together with the County and other jurisdictions and we would have had a much large bond but ultimately the County pulled out at the very end and it was the City of Marina that really stuck it through and really worked hard on getting this blight removal bond in place and when we finally got the bond the City of Marina was able to get right now, we have \$8.5 million for blight removal and potentially in the next 3-5 years because another escrow bond that we were able to leverage we have an ability for another \$6.5 million. So, we think we're comfortably looking at \$15 million over the next 5-years; and this is a huge success of our City Council and of Council Member O'Connell and Mayor Pro-Tem Morton representing the City of Marina on the FORA Board to get us to the point where we have these funds for blight removal. Were this not to happen we would not have these funds and we would not be having this discussion tonight.

We are actively working to try to come up with other mechanisms for additional funds for blight removal. We are working with the EPA right now on trying to get grant monies for blight removal and right now we can't because of how FORA did things. We are able to get any additional grants right now but our properties are on what's called MPL list that we believe by next May we should be able to qualify for some Brownfield grants and other EPA grants, we don't know how much, they could be \$250,000 or they could be up to several million dollars. What we're working on really hard is with the EPA and other elected officials in our region are trying to get additional monies, so we don't have those for sure but we think we potentially could have some other mechanisms down the road for blight removal funds.

When FORA sunsetted the city put in our development agreements both with Sea Haven and the Dunes some alternate CFD Funds. CFD funds that were going to FORA are now coming back to our city and we have the ability to use these funds for the impact of FORA that FORA was required to do. Now that FORA has gone away there are some impacts the city has taken on these responsibilities (roads, habitat and other things) that we potentially will have CFD funds in the future. So, while these other mechanisms are not out there for sure we are working that and there can potentially be other options out there for blight removal funds.

As Brian will show in the presentation tonight, we have far more blight remaining, far more buildings to stabilize and far more building to rehabilitate than we have funds available. So, the discussion we want to have with the public tonight is to get a sense of the priorities of our community with this limited pot that we have right now but potentially we have other monies coming down the road.

Brian will talk about blighted buildings to be removed but we also have building to stabilize. When I say building to stabilize what we talk about is these buildings are assets that we can use down the road in the future but if we don't stabilize them right now then those buildings there in the next 3-5 years will decay and we will lose the ability to use those buildings as an asset and then turn into structures that we will have to remove for blight.

The wording of the Blight Removal Bond gives us the ability to potentially use these funds to rehabilitate buildings. Exactly what that means, the bond didn't go into that detail, but we'll talk about some potential buildings that we have to rehabilitate. So, tonight we're just trying to get a sense from the public of these priorities we want to explain exactly what the situation is and then get some feedback on both priorities and then get some direction from the Council on the next steps, whether it to be have additional meetings, acquire additional information, or if you actually want us to start moving down a path of blight removal or other things. We actually have the \$8.5 million right now, it is on our work program for this year the removal of blighted buildings. We are proceeding with the removal of the stockade right now and we have on-call contractor available to also help us move forward with the removal of the blight buildings if we get that direction from the Council tonight.

Council Questions: Will a comparison chart be made while working through the possibilities of spending to show what is being spent and what additional funds are needed, if any? Can we add to or augment the resolution that's before us tonight? Brownfield grants, can we sever off the top layer of land or can we sever off certain areas that might then not be within that superfund category and apply for a Brownfield grant? What is the structure of those three types of uses (removal of building, stabilization and rehabilitation)? If we prioritize and say we're going to stabilize the "art village building for example" within the scope of the Brownfield grants those can be used for doing the upgrade from the nice shell to actually an operational building, correct? Can the Brownfield grant be used to turn the swimming pool into a sports center? What kind of things might we be able to do with this blight removal funding at the Equestrian Center? FORTAG path and trail? What is the acreage of the 6-building site? What is the topography of it? If the Dunes is developing all around it and it's on the same topography, same level would it become more attractive for a potential developer if in fact we took down the blight? What is to be built by MCP around this area? Does this site have water

allocated to it? What was the cost to remove a portion of the homes in Cypress Knolls around the High School? Has the City or School District ever approach the City about purchasing apportion of Cypress Knolls with the understanding that we would sell it to them on condition that they would give us a reasonable amount but also remove the buildings that are on there? Rehabilitation - As our population grows and the need for this third fire station becomes necessary can CFD/Impact fees or other sources of funds be used for fire station reroofing? Would there be some logic in conceptually looking at our \$15 million and going down the list, not considering the grant funding we may get, would there be some logic to going down the list covering the \$4.1 million for the 47-building removal, doing the Dunes Park south, the C-DAC Hill 6-buildings and doing the \$1.6 million not all of the 260 duplex buildings at Cypress Knolls and move down to the Arts Building, Fire Station, the Dunes Barracks, would that be kind of one optional logical approach? Would another consideration be the timing? That we might delay some of these high priorities like set the monies aside to do them but keep it long enough unspent so that if we did get some of the Brownfield grant funding then we would then put that into this and be able to go further down into our priorities even as far as maybe doing something on the Pool rehab, the Roller Hockey rehab or the Dunes rehab or Chapel? What needs to be done today for the Pool and Roller Hockey buildings if anything to stabilize them or make sure that they are still going to be structurally sound and standing there for 10-years? Does \$8 million make the pool into a currently useable, ADA compliant operational swimming pool? So, if in fact we currently have \$8.5 million to get this artists rendition here, that would take 100% of our current blight removal funds, correct? Rehab, while we want to look for grants and look for things also land sale revenues, other sources of funds could come in and we can invest in capital improvements like the pool rehab, correct? We just captured some land sale revenue from the Dunes taking down phase II and I think we got \$6.75 million and some of that can be put towards these kinds of rehabs, correct? By doing this kind of rehab and taking more contribution from the Dunes Developer and their park money etc. it enhances the value of their homes and the values of their land in the Promenade for infrastructure businesses to come in, correct? What is the date that they are slated to take Title to the third phase of the Dunes and how far out is that and how much money are we slated to get? Fire Station 3 site, are we currently using this area? Is Seaside using this site? If we are potentially working in collaboration with Seaside wouldn't the renovation of that building's rooftop then be beneficial for us to partner in the cost of that if both cities would get the benefit of it? What was the cost of the reroof? Are there any buildings that are on their last legs that if they are not addressed within the next year or two, we will lose? Is there any insight as to how Seaside would go along with this? Wasn't POM Fire Station being looked at for joint operation by Seaside and Marina? Why wouldn't that be more optimal for Seaside? Pool Rehabilitation, wasn't it also true that even with these improvements, fixing of the pool and making it look beautiful that we were still looking at a substantial amount of years of negative cash flow before it started to pay for itself?

Public Comments:

- Elizabeth Billingsley – First of all you need the fire station because just think how many new homes you have out there, yet Marina has two stations, but I think you need three. I would love to see the swimming pool. You could charge a fee. The college kids could use it and the people really don't have a place to go unless they go to Monterey. That would be some income, yes not for the first 5 years or so but you would have income coming in. Maybe it would generate enough funds that would pay for the upkeep during those years until you could really make money on it. The Roller Hockey building, doesn't that generate some kind of funds for the city? Our kids don't have a place to go and there's not much to do but I think they would go swimming. I hope you listen to some of us.
- Doug Yount, Marina Community Partners – I think the priorities are fairly straight forward and if you start to think about criteria which you might want to utilize for prioritization such as adjacency to development that's happening now, adjacency to view corridors and preserving view corridors

for removal of buildings and blight also the way to catalyze development that brings in revenue to the city. I think four is really the fungibility or restrictions that are put on the money received. If you kind of go through that thinking of those criteria; and to me it sounds like you have enough funds there utilizing the FORA TI Bonds that are currently existing to get through the priority of the Dunes Park and the south southernly Dunes Park and the buildings on C-DAC Hill and all the way through some of the things you talked about on building removal even some of the rehab, stabilization and some of that corridor through Cypress Knolls and even the west end corridor of Cypress Knolls again thinking about blight corridors and view corridors. I think there's resources there and then you wait and hopefully the designation of the National Priorities List, the removal of that and superfund site therefore and being able to grant funds that would come in the spring. You have Cypress Knolls for example that will have lead and asbestos and other contaminants that can in fact be eligible probably in that grant funding can set that up plus you have land sales coming up in the future as well that can then supplement the Dunes Park, gymnasiums and the pool building. If you think about the timing of the funds, the type and nature of restrictions of funds and then the other criteria I talked about to me it seems it lays out easily the priorities and the significant amount of blight removal happens earlier than later and can really catalyze that whole area.

- Les Martin – thank you for doing this it is very informative. Been studying this a lot lately and it's obviously very complexed with EPA funds and things like that I've never heard of, but I can see the complexity added to that. I appreciate a lot of the comments that were made tonight. I thought Gail was saying a lot of things I really agreed with. What Doug just said I really agree with a lot. It seems you need to start with the Dunes City park, those 46 buildings right there need to go right away, and you might a well head off the other 15. I wouldn't get into the pool and gymnasium yet. I've talked to some residents around here and they said where's the pool, they didn't even know about a pool and I had to explain to them what building was the pool? So, I'm not sure there's a demand for a pool. I think some of those kinds of requirements could potentially be put be put into a future bond initiative and let the voters decide if they want to pay that kind of money. I was shocked that it would cost that much to fix up the pool when it's already built, but if it's that expensive I'm not sure what value it is. I wasn't aware until tonight that the fire station was going to be used as an actual fire station, I thought it was part of the museum. If it is going to be a part of the future fire station, then I do support renovating that roof right away to get that taken care of. I think that the Cypress Knolls area is important. It's going to be a very attractive area to develop some day. I agree 100% with getting the stuff out of view of the high school, pushed back right away. Most of the other area you can't really see it from California, but most of that stuff is kind of hidden but this stuff on 2nd Avenue is right there and everybody can see. If there's any way to influence the Dunes developer to take that stuff down faster than four years I think that's great too; and if you can take these removals we want to do now with their removals and kind of combined them and get them to remove them quicker I think that would be great. I do appreciate you guys doing this work. By the way, that road going up to the high school if you want to do that one area, that could potentially could be your new road to the city instead of that other one going down the hill that had environmental issues on it. Those are just some thoughts and appreciate you guys taking this one. This is very important to me and the other residents of the Dunes here, we really think getting rid of that blight is very important to us. Thank you
- Hans – With regard to the swimming pool I am going to side with Council Member O'Connell on this. I don't think a rehabilitation of the pool should be pursued unless there is a good business case behind it and that it can be a self-sustaining entity after rehabilitation that is can be self-funding. I am for the blight removal of the 46 barracks that form the entrance to CSUMB, but I don't have any strong feelings towards that. Regarding the work in Cypress Knolls linking north Marina with south Marina, I didn't get a good feeling that the funding would be adequate for a full arterial connection so, I'm not entirely sure I can get behind that. I don't want to see the city

pursue something which will just end up being a partial accomplishment. I think it might be better to defer it if necessary. Thank you

- Cristina Medina Dirksen – Thank you for having this important discussion and inviting the public this is the first step in opening up operations of what the city does for many people. Appreciates Doug Yount's thoughtful analysis. I really think timing is important as he does so the way he broke it down makes a lot of sense. But I broke it down to what can wait and what can't wait kind of situation. We've done a whole lot of what can wait because we hadn't had the funding for it, so thanks to all who made this funding available it would have been nicer to have more to work with but we are in this situation and we make the best of it. What can't wait is the fire station, that is a fact. If you have any mold or any kind of contaminates detected you're going to shut down that fire station instantly and you're going to put health and safety at risk which we cannot do. The Pool, I'm all for recreation and in all my calls to the voters that is something at is at the top of the list however, I do see that there has to be a cost analysis to see if it's sustainable or not. I know that the Monterey Sports Center operates at a deficit so we definitely have to adopt a model that will work for us in conjunction with the other recreational opportunities out there, like make the pool a destination. The Equestrian Center, I did miss some of the conversation on that but that would be imperative to do some improvements out there as your RFP has gone out. Those who respond this could be an incentive to work with the city to create a better location out there, a better structural... just improve the esthetics out there because there's a lot of work that needs to get done out there and has not been a priority as we know and if the vision in the RFP of make it a destination and make it viable as an operation the city has to put forward and invest because it's not going to be a money maker unless there's a lot of investment out there. Most certainly there is the blight removal as we enter the area. Taking a look at how we imagine ourselves is important, so the main thoroughfares and those heavily traveled roads or area around heavily traveled roads should really be considered for top priority because that's what people are going to see and that's what people drive past and I think we owe it to our city to use this money exactly for taking down that blight and starting new. We have an opportunity for a fresh start, a fresh look out there and in know this money won't go very far so we definitely have to be fiscally responsible with it. Thank you
- Grace Silva-Santella – Thanked Layne for his history and explanation of the poor job that FORA did for us in blight removal. Thanked retiring Council Member Frank O'Connell and Mayor Pro-Tem Gail Morton for the work they did to break us of the shackles of FORA. Agrees with Council Member David Burnett and Mayor Pro-Tem Morton that we be sure there is a connectivity between south and central Marina as we view the blight removal and that would also have me agreeing with Doug Yount's blight and view corridor discussion, especially I would say that if you were all considering some removal of Cypress Knolls buildings to improve the experience for Marina High School student that I also ask that you look at removing some of the buildings that some of us who walk or drive along California Avenue have to look at. When you're looking at making a determination of removal is a no brainer but as you're looking at stabilizing and rehabilitating what I stress is that you understand what is the long-term cost of any building we as a city decide at this moment we will choose to stabilize and that we will be utilizing in the years to come. It's not just the cost of maintaining those buildings in the years to come but it's the cost of staffing those buildings in the years to come. In June of 2019 you council had a presentation on the Arts Village and it was my understanding that the city was going to be seeking an economic development grant to do the roof and to stabilize the building. So, could you perhaps when you close this get an answer to that one? Is that no longer what the city hopes to do for a first step on that Arts Village and instead using the blight funds? Thank you
- Lindsey Berry – Thank you for putting on this meeting its very informative. I didn't know about a lot of those blights and I didn't even know we had a community pool, that's news to me actually. I

have a 6-year old and that would be great. I think the pool kind of like the Equestrian Center I didn't realize it would cost so much to fix up the pool but like the Equestrian Center those are kind of like staples and recreation just from a family standpoint with military families coming in and out having things like horses and the pool is great for community togetherness. As far as the Equestrian Center goes, I think it would be nice to see some of those buildings improved. I know in the past there have been improvements made to them but as we all know things wear and tear and with all the fires we just had we saw how we utilized those dog kennels and it would be nice to see that building renovated especially if they are going to be included in the RFP. As a community co-op I feel there's been significant improvement to the overall look of the property over the last 20-years obviously there's room for improvement, but I think with a good partnership with the city there's no reason we can't accomplish those goals. Just today we had about 30 people out for a docent tour around the property and I think much like the pool people just know we're there. So, bringing attention to these things I feel is really good, thank you.

Delgado/Berkley: that we approve the resolution with modifications referencing the Brownfield Grant Options.

Council Member Berkley requested a friendly amendment that providing direction toward priorities that includes an integrated city between north and south with also a focus on greenspace and recognizing for example the buildings or landmarks such as the Veterinary Hospital of the Equestrian Center.

Mayor Delgado – appreciated that addition of the friendly amendment to the motion and maybe it could be started by saying “*Council provides further direction to maintain a focus on:*” those things that you just itemized.

Council Member Berkley – great

Amended Motion

DELGADO/BERKLEY: THAT WE APPROVE RESOLUTION NO. 2020-140, RECEIVING STAFF PRESENTATION ON BLIGHT REMOVAL FUNDING AND BLIGHT REMOVAL PROJECTS, RECEIVE PUBLIC INPUT ON BLIGHT, AND DIRECT STAFF TO MODIFY THE RESOLUTION TO INCLUDE REFERENCING THE BROWNFIELD GRANT OPTION; AND COUNCIL PROVIDES FURTHER DIRECTION TO MAINTAIN A FOCUS ON GREENSPACE AND RECOGNIZING FOR EXAMPLE THE BUILDINGS OR LANDMARKS SUCH AS THE VETERINARY HOSPITAL OF THE EQUESTRIAN CENTER. 5-0-0-0 Motion Passes by Roll Call Vote

6. ADJOURNMENT: The meeting adjourned at 9:00 pm.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor