



MINUTES

Thursday, January 28, 2021

6:00 P.M. Open Session

**ADJOURNED 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: Cristina Medina Dirksen, David Burnett, Lisa Berkley, Mayor Pro-Tem/Vice Chair Kathy Biala, Mayor/Chair Bruce C. Delgado
3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

DELGADO/BURNETT: IN THE EVENT THAT WE HAVE A PAWER OUTAGE THIS EVENING TONIGHT MEETING WILL BE CONTINUED TO THE FIRST MEETING IN FEBRUARY, WHICH IS FEBRUARY 2, 2021. 5-0-0-0 Motion Passes by Roll Call Vote

9. PUBLIC HEARINGS:

- b. City Council open a public hearing and take testimony from the public and consider Planning Commission recommendation to adopt a Resolution approving a Combined Development Permit consisting of 1) a Lot Line Adjustment; 2) Conditional Use Permit for residential density over 25 units per acre; 3) 35% Density Bonus and Project Incentives to allow an increase in allowable height from 42 feet and three stories to 54 feet and four stories and a reduction in parking with associated waivers for a reduction in front yard setback and a reduction in covered parking; 4) Affordable/Inclusionary Housing Plan for 14 on-site affordable housing units; 5) Tree Removal Permit for the removal of nine (9) trees; 6) a Sign Permit; and 7) Site and Architectural Design Review for the Site Plan, Elevations and Landscape Plan to allow the development of a new four-story, 94-unit apartment complex at 3298 Del Monte Boulevard (APNs 032-031-001 and 032-031-003). *Continued from January 20, 2021*

Council Questions: Is it possible to instead of cutting the set back to 5-feet from 10-feet and we have a 10-foot setback in the back is it possible to move building #2 further back and that way preserving a 10-foot setback? Street visibility, can we rotate the building so the massive front that is now sited for Del Monte were not sited to go along the driveway? Patio fencing, can colored panels used instead of metal railings? Balcony Storage, how will that visibility be addressed? How will residents get to their cars parked along either side of Del Monte Blvd? How safe is it for people to cross Del Monte at this site? How many parking spaces are there inside the project and how many parking spaces do you think would be needed inside the project to handle all the expected cars that we think would be living at the project? What is the route that these residents will take if we want them to safely get the recreation trails/bike path? Do you know where sidewalks will remain absent north and south of this project on the northbound side of Del Monte Blvd? How much missing sidewalk will there be? On the Tree Species list, what are the names of the trees that are listed as multi-prong? Is there discretion about the removal or designing around the Cypress trees? Is it true that this stretch of missing sidewalk to the north of the project would potentially be used by residents in the 1260 homes planned by Marina Station if the Marina Station people wanted to walk or bicycle to downtown? What kind of identifying marking will be placed on the building for public safety matters? Thresholds 5, 10 and 12, and in those three issues they were over the threshold, but it was not stated by how much, how much is this project over its normal requirements? Who will be the tenants moving into these apartments? Will they be coming from Silicon Valley? How many handicap parking spaces are there? Is there a list of rents for each unit? Does the city have discretion to ask the developer to give priority to those being displaced by this development?

Mayor opened public comment period:

- Brad – Was there a height restriction? Was there a restriction for underground garage? With regard to the height if you go up another couple of stories you get more of a in terms of value and value to the developer because the higher you go obviously you get more units and a little more density. The comments was brought up that there might have been some restrictions with the fire department because the ladders don't go as high and confused about that because we see a lot of high-raised buildings and wondering if fire suppressions can be built into the buildings to accommodate going higher. Overall, it looks like a great project and hopefully the council will consider looking at a higher density.
- Victor Jacobsen – Believes there are 21-units that are currently there that are low-income and maybe even very low-income that will be displaced when this project begins. I would like to know that the developer has in mind for those folks. I know that they said that they could apply for housing once it's built but they're going to be displaced for a significant amount of time and I'm

wondering if the developer has done any thought about helping those citizens of Marina, thank you.

- Jeffrey Markham – The school site designations for the project and the number of increased students we think would be in the system as a result of the project; and also, any mitigation for the business parking that's directly across from the project. If you're looking to accommodate 60% of the residents that's most likely spot, they're going to push into so, are you going to help the business owners there?
- Brian McCarthy – Speaking as a member of the public. Spoke about subjective/objective guidelines that started about 2-years ago. Cities throughout California have done that, and Marina has not. We have not reviewed our subjective/objective guidelines. The Commission has expressed interest in creating these subjective/objective guidelines and thinks we would definitely need the DRB and possibly the Tree Committee to help with this process. The City Manager needs to decide if the staff has the bandwidth to do this and if the answer is no, then I think the Council needs to allocate some money towards creating these subjective/objective guidelines. When will we create and review our subjective guidelines with the understanding the challenges this new legislation presents? Spoke about the VMT traffic study and the possible room for error and encourage Council to look at it closely. Thinks open space at this project is lacking and should be looked at. Questioned our RHNA numbers. Does this project do anything, if approved to make it dent in our RHNA number? What would we have to do as a city to not have to abide by these streamlining provisions? If we meet our RHNA numbers and we no longer have to abide by some of the state legislation and it that's true how far along? If this project gets approved tonight how much farther along will we be? Will this make a dent or are in such a deep hole that we're never going to get out of it? Made a plea to the developer and the City that if there is any leeway in the law to have some kind of mutual agreement to either waive or extend the right to the streamlined meeting provisions that that be explored? Concerned where this leads Marina in the future.
- Grace Silva-Santella – Appreciates the Mayor questions this project is not appropriate for this location. This project would be great if we were filling in our downtown vitalization area. This is not the place for this project. Was surprised to hear staff say that nobody should be parking on the westside of Del Monte Blvd. because the parking spaces aren't marked. That's a big surprise for everybody who has their vehicles parked along there. This project is going to create a horrendous parking and traffic problem. This is going to create some dangerous situations for pedestrians for those crossing the street. My biggest problem right now is that a majority of you knew this was coming. When you guys had the strategic planning in December I sent an email urging you to start looking at these kinds of projects and you needed to make it a priority what you as a city council can do to protect our city and you have not done that. As enthusiastic and as excited as the architect is, I want him to list this project and drop it off in the downtown area and I want something that's going to be three-stories tall. I was us to be sensitive to those who are currently living in that neighborhood.
- CJ Boyce – Couple of concerns here and one had been brought up earlier with this discussion that they held back off the eastside of this property because of the multi-family dwellings that were back there and on the westside of this property and the southside of this property it's being stuck right up against the property lines. I was wondering where the concern went for the property owners of multi-family dwellings on this side. On the parking, they say there is going to be 8 handicap parking and 13 electric car parking now do those deduct from the 98 because not everybody can park there and if they designated it as electric car anybody who wants to park there can park there? The 8 handicap that would mean that on the 71 parking spaces now you're going to have another 21 on top of that. For the size of this project and what the city has already announced in meetings in the past that the density of this project would require a 3-acre lot. This is just under 2-acres. The density of covering over 90% of this lot is going to be hardscaped for 90%

of it and my concern is where is the water's going. It was stated that the water has to be retained on their property. On the eastside of my property their asphalt comes all the way up to the property line so I'm wondering how come there isn't a 10-foot setback on that side of my property for parking? We requested and it was stated that it would be asked to the architect and the property owner that they would put up battle stage or something on that side of my property or delete the last two parking spaces because there is no way you can back a car out of there without backing into my property. So with that concern with what this whole thing has come out to be and what it's going to be that with you guys being the guardians of the city I hope that there is a way to find out a way to change this project as far as the other lady said this project isn't in the right location and that the structural portion of this property is way to high for the concerning portions.

Mayor Delgado closed the public hearing.

Delgado/Biala: that we schedule a fourth meeting in between now and then and try to tackle some of these issues with the developer, with the TAMC, with the adjacent land owners one that owns the property to the North where the sidewalk should extend in my opinion when putting in a large project like this, and to bring it to the table with the property owner to the South so that we do a little deeper look into these problematic standout issues.

Modified motion

Delgado/Biala: that we continue this meeting to a fourth meeting prior to the deadline at which time we address some of these issue because we only have a few days to do that and at that time we ask the developer for an extension, a bilateral extension.

Council Member Medina Dirksen Called for the Question. 2-3(Burnett, Berkley, Delgado)-0 Motion Fails

Restated Motion

DELGADO/BIALA: FEBRUARY 8TH AT 6PM WE MEET AGAIN ON THIS PROJECT; HEAR FROM STAFF TO THE EXTENT THEY CAN THE FOLLOWING ISSUES:

- 1. DISLOCATION OF EXISTING RESIDENTS, WHAT CAN BE DONE TO HELP THEM?**
- 2. CONVERSATION WITH TAMC REGARDING POTENTIAL LEGAL USE FOR PARKING IN ACCESS TO PARK**
- 3. DISCUSSION WITH NORTH AND SOUTH PROPERTY OWNERS OVER SIDEWALK TO THE NORTH AND WHAT WE CAN DO TO ALLEVIATE THE IMPACT TO THE TENANT/RESIDENTS TO THE SOUTH**
- 4. A LIST OF SUSTAINABILITY FEATURES THE DEVELOPER MIGHT BE WILLING TO ADD TO THE PROJECT AND THOSE THAT ARE ALREADY IN THE PROJECT**
- 5. WHETHER OR NOT THERE IS ADEQUATE WATER PRESSURE**
- 6. WHETHER OR NOT THE DEVELOPERS ARE WILLING TO AUGMENT THEIR PROJECT WITH SOME KIND OF SPEED CALMING DEVICES INSIDE THEIR PROJECT.**

5-0-0-0 Motion Passes by Roll Call Vote

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).

BURNETT/DELGADO: TO HEAR THIS ITEM AND LET THE PUBLIC MAKE COMMENTS ON THIS MATTER AND CONTINUE THE MEETING TO 10:30 PM. 5-0-0-0

Motion Passes by Roll Call Vote

- d. City Council consider adopting Resolution No. 2021, receiving a staff presentation on blight removal and blight removal projects and providing direction on priorities for blight removal and building rehabilitation.

Public Comments:

- Vaughn Moonan – Seem like the topic is to use as much land in a positive manner as possible. Commented on Water City Roller Hockey and keeping it open to the public and making improvements to the building would be a good thing. It's an attraction for the future.
- PK Dffenbaugh – Commended the Council representatives on FORA for advocating for the bond funds. Aware the city has more project than the money will allow. Asked that consideration be given to the Cypress Knolls buildings particularly the buildings that are closed to Marina High School that create a very not pleasant environment for our student coming to and from school. We've put a lot of money into Marina as a school district we built the gym, we're adding science, medical and culinary classrooms and we're replaced the windows, gas lines and painted and we're very proud in the investment in Marina High School. We know the community is growing and we look forward to continuing that investment; and we believe that removal of those blighted building in Cypress Knolls is an essential piece to creating a first-class educational environment for our students. This area is a priority and should rise to high level in your consideration.
- Doug Yount – Echo's PK comments. Encouraged the Council's strong support for the staff recommendation that has been made, the various tiers that are shown. Tier 1 utilizing the existing funding under the bonds now; and Tier 2 beyond utilizing a bit of that funding plus additional funding from the Escrow Bonds coming forward as projects move forward. As you know with the Dunes project there's significant amount of investment being made not only in building removal but infrastructure and future development improvements with the expectation that the buildings would be removed around in a relatively quick fashion and of equal investment and level of effort that's being made to improve the community and to remove the blight. Encouraged council to adopt the staff recommendation which in fact does do that. There is one modification to that under Tier 2, it talks about the removal of barracks in the future Dunes Park south, the recommendation is to move that up under Tier 1 and move the duplexes in Cypress Knolls down to Tier 2. That doesn't remove anything from Cypress Knolls from the priority list it just uses current allowable funding right now, available funding for the immediate blight removal in the areas that are adjacent to immediate development that's happening; and then still allows those building to be removed on a reasonable timeframe in the future. It's important that the building removal go forward and these funds be used for building removal as they are available as first priority and then for rehabilitation if necessary, as a second priority.
- Nick Rivera – Cares about securing the High School and a pool for our community and cares about repurposing buildings specifically ones that have beautiful architecture and a history of this

community. Cares about keeping all our recreation programs and facilities and not losing them. If I must pick a line item, I would pick the old gym. It's always been a safe place and a home for me. Commented on the many public safety personnel and active participants involved at the old gym and expressed support to keeping the gym open.

- Danielle Burchett – Provided power point presentation summary of Mayor Delgado's Social Media Inquiry on Community Member Blight Funding Priorities for the \$15.2 million. Barracks removal was the top priority followed by the Gym and then Aquatics Center.
- Heather Murphy – Community member Commented on the Water City Roll Hockey building and what it provides to the community and the need to renovate and keep it open, it's a vital role in our community.
- Mike Owen – Supports Doug Yount's rational and reasons for making the priority to the Dunes recreation area between 6th and 8th street. If that become the choice than this is a unique opportunity for the city to get ahead of the curve as far as saving trees. Up till now anybody interested in preserving trees has always been on the back step because the developers and the staff have laid out all these plans and rationales' in effect clear-cutting so that when you're given the choice and the explanation (grading, sewerage, drainage, improvements etc.) prohibit saving any trees you just don't have a case. At this point when the public has input at the very beginning there's really more of a chance that these trees can be saved. Healthy trees are not blight. They are the opposite of blight. There are approximately 30-tress on that site the city is going to be required to submit a tree removal request and the request should indicate not only trees to be removed but trees that need to be saved; and there should be an arborist evaluation. There are at least 12 significantly mature healthy Cypress trees that are not dissimilar from the landmark cypress tree on the corner of 9th Street and 2nd Avenue. There is no reason to remove these trees if you don't have to. Recalled that when the Tree Committee reviewed the tree removal request for Cypress Knolls back in 2006 CSUMB and the Sierra Club supported and advised in writing that trees as much as possible when removing barracks trees should be preserved. This is a real asset for a park. this is a great opportunity at the beginning not to lay out something that doesn't allow any trees to exist at all.
- Brandy Irwin – Coach at Water City Roller Hockey and voiced concerns and opinions about closing and or renovating the Gym building. Supports Water City Roller Hockey.
- Alex Garcia – Supports using as much funds to support the gym facility. It's a family facility and it's important to a lot of people.

10:30 PM

BIALA/DELGADO: THAT WE CONTINUE TO HEAR THE LAST 5 SPEAKERS. 3-2(Burnett, Berkley)-0-0 Motion Passes by Roll Call Vote

- Ernesto & Rebekah Pacleb – Echoed pervious speakers on the need to rehabilitate the Water City Roller Hockey building. The rink has done a lot of good things for many families throughout the community. Seen the community grow and seen families come together that might now have had it not been for this rink. Supports keeping that rink open.
- Roland Rocco – Spoke about going to the Gardens in Monterey to skate when he was young and now that the Gardens is gone the only place to skate is Water City Roller Hockey. The rink and the youth programs are invaluable to this community. Supports using the monies to rehabilitate the Gym building.
- Ryan White – Echo's previous speakers on keeping the Water City Roller Hockey building open. We have an already established community in this rink. Not sure what the cost would be to improve the facility but it's worthwhile putting the money and time into this building.

- Andrew Patralla – Spoke in favor of keeping Water City Roller Hockey open. Noted that Water City is the only place in two counties that allows hockey. Many people come from out of the area to enjoy this event. It generates money for the city. Supports the allocation of monies to make improvements and keep the building open.
- Mike – Supports spending \$3 million on the rink and help getting it up to speed and building a better place for the community in Marina. Echo's previous speaker on people coming from other areas to use the Water City building to play hockey.
- Don Hofer, Marina Community Partners – Back in December 2019 we received a new set of approval from the City that allowed the project to move forward and with that new agreement we have a number of companies that are looking to invest in the community and blight removal is important for the future of the Dunes and the future of this area of the city. Trouble about some of the comments being more about the hockey and the gym as an either or. The gym facility is part of the future park, a community park by the way that will serve the entire community and not just with just hockey or certain aspects that can be done inside the gym but in a comprehensive park environment. When the park project begins, we contributed over \$8 million to that project and in addition we contributed another \$7 million in just park fees as a result of our projects. \$15 million gets generated to pay for construction of that park facility which includes the gym in the future. The Water City Hockey facility and a much more enhanced environment that will serve all the residents of Marina, not just hockey players, not just people that play indoor sports but people that play outdoor sports in a much more comprehensive way will be served in this future park. Asked that as you consider this issue consider priorities of how you want to use deconstruction funding that you make sure that clear the blight on city property to give the project the best chance to move forward. Consider the bigger picture, the bigger project and continue to see it through to the end with us.
- Kelley Jones – Asked for consideration of the Equestrian Center and rehabbing the building there will help with mental and physical health. A few stables that we thought were not touchable. Thank you for the blight removal and look forward to getting the military building gone and the historical building up and running. Look forward to partnering with the different nonprofits.

e. Covid Updates

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 10:58 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor