MINUTES

Tuesday, December 14, 2021

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 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 accordance with California Government Code §54953(e)(1)(A) and (C) and the Proclamation of a State of Emergency issued by Governor Newsom on March 4, 2020, under the provisions of Government Code §8625 related to the COVID-19 (coronavirus) pandemic, consistent with recommendations by State and local health officials regarding social distancing and in order to prevent an imminent risk to the health and safety of attendees as determined in Resolution 2021-118, public participation in City of Marina City Council public meetings shall be electronic only and without a physical location for public participation until the earlier of December 16, 2021, or such time as the City Council may adopt a resolution in accordance with Government Code §54953(e)(3). 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, Mayor Pro-Tem/Vice Chair Kathy Biala, Mayor/Chair Bruce C. Delgado

   MEMBERS ABSENT: Lisa Berkley (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. Conference with Legal Counsel – anticipated litigation, significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of CA Govt. Code sec. 54956.9 – one potential case.

b. Conference with Legal Counsel – anticipated litigation, initiation of litigation pursuant to paragraph (4) of subdivision (d) of section 54956.9 – one potential case.

c. Property: Building 535, 711 Neeson Road, APN 031-112-125
Negotiating Party: Light & Motions Industries, Inc
Negotiator(s): City Manager
Terms: Price and Terms

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

Robert Rathie, Assistant City Attorney reported out Closed Session: The council met this evening and closed session on the matter is listed on the agenda three matters to matters of anticipate a litigation and one concerning real property. The council received information and provided direction on each one of those matters and there was no reportable action taken

It was with consensus of the council to hear agenda item 6a, Sports Center Update prior to the Consent Agenda.

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

5. 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. ADOPTION OF RESOLUTIONS:

(1) City Council to consider adopting **Resolution No. 2021-134**, regarding the Ralph M. Brown Act (California Government Code §§54950-54963, hereinafter the "Brown Act") making certain findings, and authorizing the City to continue to implement remote teleconferenced public meetings of the City Council and its constituent bodies for the period December 14, 2021 through January 13, 2022.

(2) City Council consider adopting **Resolution No. 2021-135**, authorizing expenditure of American Rescue Plan Act Funds. ***Staff report to be provided Monday, December 13, 2021***

b. APPROVAL OF AGREEMENTS:

(1) City Council consider adopting **Resolution No. 2021-136**, approving Amendment No. 1 to the agreement between City of Marina and Kimley-Horn and Associates, Inc. of Salinas, California, to provide design services during construction for the Imjin Parkway Improvement Project; authorize the Finance Director to make the necessary accounting and budgetary entries; authorize the City Manager to execute the amendment on behalf of the City subject to final review and approval by the City Attorney.

(2) City Council consider adopting **Resolution No. 2021-137**, approving an agreement between City of Marina and Harris and Associates, Inc. of Salinas, California, to provide construction management services for the Imjin Parkway Improvement Project; authorize the Finance Director to make the necessary accounting and budgetary entries; authorize the City Manager to execute the agreements on behalf of the City subject to final review and approval by the City Attorney

(3) City Council consider adopting **Resolution No. 2021-138**, approving a Conditional Airport Use Permit for Joby Aero, Inc. for use of the middle tarmac and runway at the Marina Municipal Airport for commercial aeronautical-related ground testing activities; and authorizing the City Manager, as the Airport Manager and the 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.

Council Member Burnett inquired about agenda item 5a(1), Remote Meetings and the need to do this….

Mayor Pro-Tem Biala 5b(1) asked if the contractor, Kimley-Horn and Associates could incorporate into their non-discriminatory section the same language that was very articulately and very thoroughly covered in the Harrison Associates contract

BIALA/MEDINA DIRKSEN: THAT WE ACCEPT THE CONSENT AGENDA AS PRESENTED WITH THE EXCEPTION OF INCORPORATING FURTHER LANGUAGE IN THE KIMBERLEY HORN CONTRACT ON THE NON-DISCRIMINATION CLAUSE. 4-0-1(Berkley)-0 Motion Passes by Roll Call Vote

6. OTHER ACTION ITEMS: *Action listed for each Agenda item is that which is requested by staff. The City Council may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*

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

a. City Council consider adopting **Resolution No. 2021-139**, receiving a presentation and providing comments on the updated draft report and financial analysis for the sports center. ***Continued from December 7, 2021***

Council Questions: the revenue or the utilization projections, seem to me that the pavilion would have maybe a nine-month utilization not a 12 month? The timing of the buildings, could something be completed and utilized while construction started on another phase of it or would it have to be all completed before we can actually start having programs and getting revenue generated? Was there space for administration considered in this plan? Does the schedule include fitting in practices? What projections should be sued for skating? What are the costs for the Pavilion space in addition to the renovation? What numbers were used to come up with the skating figures? Did it also specifically include numbers from the skate leagues, the hockey team leagues, and the roller derby teams? Are there going to be any seats for spectators watching any of the activities? Could you address some infrastructure things that you're considering a for Covid, for example, high grade air ventilation in the system or automated doors for the, the bathrooms automated faucets flushing hand dryers etc.? What would be the maximum occupancy capacity for the whole facility? Is there enough walkway places for people to get to different venues? What about parking for both facilities, will they be synergetic? Refurbishing floors, how much does refurbishing the surface costs, and it will be covered by the amount of set aside that your

budget included? What is the status of taking care of the red-tagged items? What's the minimum amount of time that we could do minimal renovation, to allow previous users to continue until we get the Cadillac approach that we're talking tonight? You talked about getting going right away with the design for the sports and the aquatic, so can you clarify. If your proposal, concluding your presentation tonight was to exclude the design of the outdoor pavilion, and only, go ahead in the near term with design of that Sports Center and the Aquatic Center? Commercial kitchen, what does it take in space and dollars to upgrade to a commercial kitchen? Membership, did you do any attempt to budget in scholarships, discount rates, so that it's not costing $450 bucks per family? We asked you to consider expanding the building standing today, to allow for more space did you consider that? Better public participation, what other outreach have you anticipated? Would this be something that the Planning Commission could maybe hold a charrette? If we proceed with this proposal on the Sports Center, but on the table, we still have sort of the open pavilion and Aquatic Center with a cost of about $3.5 dollars for us to execute those plans, how do you see this? Is this an either or at the next level or do we have money for both, or do we only have one for money for one, and then five years to now we consider another one? Is it feasible that we should think about is not committing to anything with aquatic center but designing it as part of the design of the Sports Center? Do we have enough money to do a design plan for both buildings? If it was possible to get some kind of a private-public partnership on building the pavilion, then we would be a little bit closer to realizing it, is that feasible?

Public Comments:

- Chad Hutchins – Commented on the presentation and the funds needed to bring the building back up to code. Thought council directed staff to look at hockey and roller sports in their presentation. Commented that meteorologist or climatologist on staff when suggesting outdoor facilities. Climate plays a key roll in outdoor activities. Noted the city already has fitness locations on Second Avenue, not including CSUMB. Concerned the number seem optimistic for this. Would love to see some clarification and some solidification of what the plans for this really should be. Mentioned the on-line petition that was signed by 1000 people asking to keep the facility.
- Megan Stone Hutchins – Echoed husbands' comments on the lack of having a meteorologist or climatologist on staff. Commented on the comparison of Marina's climate to Irvine, Florida and Minnesota because their climates are nowhere even comparable to Marina or the Central Coast. Recommended that somebody engage with the National Weather Service, or with a professional genealogist to take a look and compute some numbers and determine if this is a feasible thing to do.
- Larry Moonan – Commented on the numbers and figure thrown out there for operations over 5-years. Previous operator did it for less than a hundred thousand over 5-years. Noted that roller hockey and roller derby has never really been promoted by the city. Noted that to my knowledge, there is no open-air pavilion in Northern California that hosts inline hockey. City needs to do more outreach and more engagement with its populous and maybe could come up with something workable, feasible and productive for the city of Marina, and the peninsula in general.
- Elizabeth Plante – Interesting presentation, pleased to see that this plan appeals to all demographics and the city. Lot of the comments are geared towards the outdoor skating rink system there but didn't talk a lot about the actual Sports Center. talked a lot about the actual Sports Center, if we were to build this Sports Center, the only limit would be our imagination. Asked if this was about the skate rink or the skating community or is this about the marina community and the marina residents in general? What is the percentage of Marina residents that are positively impacted by having this Sports Center and plan adopted versus saying no?
- Nancy Amadeo – Agrees that this is a phenomenal presentation because it offers many opportunities for the community. Commented that the fees for family membership is lower than most facilities and the ability for family members to do their activities at the same time at the same facility. Commented on the climate in Marina and suggested a drop-down canvass for the outdoor pavilion

or possibly plexiglass for the westside for the wind. Looks forward to seeing the council vote to move this forward. It's a fantastic opportunity for the entire community, to be together to enjoy recreating for people of all ages and all interests.

- Liesbeth Visscher – Wonderful presentation and the city, definitely should treat this as a business. The city no longer can afford not receiving any rent for such facility It should be self-sustaining. Impressed with the reports about the sports center and Aquatic Center, from a couple of years ago, hopeful that it will be doable to change this existing building into a successful sports center that can be used for not only sports but so many other uses it for many people of all ages. Hopes some of the tress can be saved.
- Dessy Murphy – Echoed some of the sentiments earlier regarding an outdoor pavilion offered in this discussion. Concerns about year-round access for the roller sports activities. Humidity and roller sports don't agree with one another, it can be dangerous. Asked council to consider indoor roller sports into this plan.
- Greg Simmons – Commented that the sports center idea with the most number of users and different types of sports makes the most sense and seems like a reasonable compromise to have whatever fashion and skating in the outdoor pavilion with the cover. Believes the priority ought to be what do we get the most used for the most Marina residents.
- Jorge Melgoza – Excited to finally have a facility for public use for everyone. Wants to see the money stay in Marina And what better way than to have a public facility instead of the money doing to other cities.
- Tonja Roos – Spoke about Blue Zone Project and making healthy choices easier and more accessible to the community. Commented that the conceptual design of this Sports Center, Aquatic Center and the surrounding city park is, is going to make healthy, physical activity, natural movement and social cohesion much more accessible for the community. Read an excerpt from a letter that Dan Burton submitted to council earlier on the proposed sports center. Appreciate the broader vision with the bike and pedestrian trail connectivity within the city, the incorporation of the FORTAG trail and Tatum's garden. Urged the council to move the project forward this evening.
- Grace Silva-Santella – Thanked the design team, very excited about this presentation. Spoke about the new designs and all the activities this sports center will provide to the community. Likes the idea of an outdoor pavilion and the potential mixed uses for it. Made comments on the climate on the peninsula. Commented on the membership fess being reasonable compared to other areas. Asked if the membership fees in the presentation includes both the sports center and Aquatic Center when they are built out?
- Katelyn – Leads a walking group of all ages and who can enjoy this facility. Feels like the facility being discussed will bring together people who are interested in all different kinds of recreational opportunities. Grateful the city is putting this forward. See a huge need for a larger facility that is accessible to the whole community.
- Morgan – Spoke about the concerns or lack of concerns regarding an outdoor pavilion, it's just simply impossible to escape and humidity it's unsafe, the ground become slippery. Commented on the exercises and sports you can play outside that generate body heat but it's not easy on wheels. Spoke about Derby Dames Home bouts at current facility and relied on for profit, generated community engagement within the community. Does not see how the pavilion can be a viable option for roller sports year-round. Good that we can update facilities and have options for many sports, we're just asking that the roller sport community don't lose the space that we have relied on to exist for many years. Monterey Bay Roller Derby is an 11-year-old organization and has taken a hit in the past year.

DELGADO/BIALA: THAT WE PROCEED WITH THE CONSULTANT RECOMMENDATIONS. AND WE INCLUDE THESE THREE FOLLOWING POINTS THAT WE: (1) DIRECT STAFF AND THEIR NECESSARY PARTNERS TO BEGIN THE DESIGN OF ALL THREE FACILITIES. SPORTS CENTER OUTDOOR PAVILION, AND AQUATIC CENTER IN PREPARATION FOR A 2022 BOND; THAT THE PAVILION, BE DESIGNED TO BE AS WEATHER SAFE AS REASONABLE; AND (2) THAT WE PROCEED WITH SPENDING THE THREE AND A HALF MILLION DOLLARS WE HAVE BUDGETED TO DESIGN AND BUILD THE NEW SPORTS CENTER AND OTHER TWO BUILDINGS AND DO ALL THAT WE CAN TO START ACTUALLY CONSTRUCTION OF THE NEW SPORTS CENTER; AND (3) WE ASKED STAFF AND CONSULTANTS TO CONSIDER STRONGLY UPGRADING TO A COMMERCIAL KITCHEN.4-0-1(Berkely)-0 Motion passes by Roll Call Vote

7. ADJOURNMENT: The meeting adjourned at 9:20 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor