



AGENDA

Wednesday, January 19, 2022

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 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 2022-02, 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 February 10, 2022, 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, Lisa Berkley, Mayor Pro-Tem/Vice Chair Kathy Biala, 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. Real Property Negotiations (Govt. Code Section 54956.8)
 - (1) Property: Building 535
711 Neeson Road, APN 031-112-125
Negotiating Party: Light & Motions Industries, Inc
Negotiator(s): City Manager
Terms: Price and Terms.
 - (2) Property: Building 529
771 Neson Road, APN 031-112-039 (a portion)
Negotiating Party: Joby Aero, Inc.
Negotiator: City Manager
Terms: Price and Terms
- b. Public Employment Appointment (Govt. Code Section 54957(b)(1):
Position: City Attorney
- c. Conference with Labor Negotiator (Govt. Code Section 54957.6)
City's Designated Representative: City Manager
Unrepresented Employees:
 - Assistant City Manager
 - Public Works Director/City Engineer
 - Community Development Department Director
 - Finance Director
 - Police Chief
 - Fire Chief
 - Recreation & Cultural Services Director (vacant position)

6:30 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

Robert Rathie reported out Closed Session: Council met this evening in closed session on the matters listed on the agenda, which were to matters of real property negotiation, one matter concerning public employment appointment and conference with the labor negotiator, and the council received information and provided direction on all three of those matters tonight. Council reserves the right to return to closed session after the open session this evening for the matter to discuss. Public Employment appointment or any of the other matters. And there was no reportable action taken this evening.

- 4. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)
- 5. **SPECIAL PRESENTATIONS:**
 - a **Terry Siegrist Memorial Video**
- 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 – Spoke about Terry Siegrist not being replaceable. Asked what does it take for the city to allow residents to apply for the vacant positions on commissions and committees? Commented about the Public Works and Planning Commission opening. Noted there's a lot of urgency about correctly using funds for the public parks and public park improvements, totally unaffected by SB 331. You have a majority of the past commissioners, that are eager and willing to apply if allowed to that have experienced and reviewing the necessary beginnings of anything to do as public parks. Does it take the mayor to give direction or the council to give direction? Is it solely up to the city manager to decide?
- Cathleen Venn – Expressed sympathies for the passing of Terry Siegrist, he was a fixture out at the Marina Equestrian Center. Announced that the Marina Equestrian Association is doing some planning and moving forward with events for the Equestrian Center and asked for some input from the city on things they would like to see happening out there this year. We currently do have two instructors that are giving riding lessons, We are fully booked with 20 students from the city of Marina, and military families. We are giving 20% discounts to the residents and active military around here.
- Grace Silva-Santella – Terry Siegrist was always there because of his experience to share, and to teach and to help other organizations with their own nonprofit projects, the Friends of the Marina Library. Commented on the Odor meeting that happened January 27, 2021, and the talk of a study to investigate the source and mitigation, what has happened with that study? Commented on the proposed MST Bus Surf Line and asked if this was ever place on a Council agenda for discussion? Commented on a presentation made by Denise Duffy & Associated related to the Sand Gilia and noted that the maps did not include the Second Avenue Extension area where Sand Gilia is prominent. When will the city know if Second Avenue extension will remain in the city plans? Thanked Matt Jones in the public works department for replacing the missing pedestrian illuminated crossing signage, in the middle of the intersection at Del Monte and Reservation Road.
- Amy Warren – Shared condolences for the passing of Terry Siegrist. Worked with him at the teen center for six years with the Guitars Not Guns Program, and he was just the most amazing mentor and partner, and a person who really looked out for needy children in our community. Shared with the city that the Marina Equestrian Association has a slate of exciting activities planned for this year and that we plan to continue our community programming as long as we can. Asked for an update on the process with Chaparral Corporation.
- Jasona Prouse – Commented on the Marina Equestrian Center and what Cathleen and May are doing out there. What are the plans for the Equestrian Center? Recent boarder there and impressed with the facility and leadership. Asked to keep the facility open. Spoke positive about the Equestrian Center and the services it provides to the surrounding communities.
- Denise Turley – Commented about the passing of Terry Siegrist and what he has done personally for the children of not only Marina but the surrounding communities. Announced that there is a program out there called the Affordable Conductivity Program (ACP) which is offered through your internet provider. Cost is \$30/month discount off of your internet if you meet certain criteria (SSI, Lifeline, CARE) Contact your own internet provider to see if they are participating in this program. Commented on the new compostable regulations and asked if the city is going to put this information on the website when it becomes available from Green Waste so people know what to put in their green cans?

- PK Diffenbaugh – Wanted pay my respects to Terry Siegrist and communicate what an important person he was to the entire MPUSD community but particularly to our students and scholars in Marina. Always willing to help and always looking out for the best interest of students, particularly the students who had the most challenges in their lives, he's going to be missed tremendously. Wanted to thank the council and the city manager I know not every city has a liaison to the schools in the way that Marina does, and I hope that we can continue on with our partnership because I think it's in the best interest of our students.
- Karen Andersen – Expressed her condolences at the passing of Terry Siegrist. Shared a memory of Terry prior to a council meeting, he was the hero of Marina's Covid response, and still feels that way.
- Greg Simmons – Spoke about the current odor issue that are occurring in northern Marina. Had some optimism after our meeting last year. The Waste Management facility is still denying that they are the source of any odors, their general manager is still implicating agricultural sources. This agency is not transparent and they're not accountable to the public. Can the city require regular reporting by the Waste Management District, to the public impacted by their activities? Can Marina support a position that will require the composting contractor to adopt industry standard odor containment technology for urban areas or requested to composting be relocated away from Marina? Can Marina sponsors study to analyze current composting and landfill operations to analyze current older generation sources at the facility, and to predict the possible impacts, with an increase in food composting with a new state law requiring all residents to compost foodways
- Brian McCarthy – Spoke about Terry Siegrist and his commitment to supporting this community. Commented about the landfill odors and agrees with previous speaker. How can you help us strategize on a long-term solution to this issue? Looking to the council to kind of help strategize how we can move forward on this issue because with the increased diversion of food waste these issues are only going to get much worse than they've ever been in the past. Look forward to hearing some comments from Council on that.
- Kim Cohan – Shared a memory of Terry Siegrist during the height of the pandemic regarding the skate park and its attendees. Thought that was a terrific act of leadership at the teen center to actually positively reward teens for doing something right. I appreciate that and the team, the, what we do for youngsters here at the city is one of the many things about Marina that makes you proud to be a resident.
- Kate Spencer – Wanted to put in a good word for the Marina Equestrian Association and say that it is as many people know just a community treasure a wonderful place and glad, they are still operating the Marina Equestrian Center. Invited everyone out to pet the horses and meet everyone there. Spoke about the lessons and riding trails.
- Council Member Medina Dirksen – Thanked Brian McCarthy and Greg for being on this odor smell. I would like to continue working with Mayor Delgado on this issue. Commented on the Marina fields as we're honoring Terry Siegrist as some are getting facelifts by a joint action from volunteers for Marina Youth Sports, Monterey Peninsula Engineering, Don Chapin Company, MPUSD and the Marina Rotary. Hats off to the Monterey Stinging Jellies, who are a local disc golf organization they had a special New Year event. Thank you to Healing Hand, Grief Counselors to assist with the teens with Terry's passing. Spoke a Marina 10th grader representing Maria High at the County Allstar Football Team.
- Council Member Burnett – Covid 19 is real. The County Health Commissioner announced that this week, or this Monday we've reached the highest level in the two years of this pandemic and so, I know we're all suffering from pandemic fatigue but once again, please social distance, where your mask, but the number one thing you can do, and to help all of us is to get vaccinated. This prevents

or reduces the number of variants developing, and it really cuts down on community spread. Informed the public that you can go to www.covidtest.gov fill out a short form and receive test kits sent free to your home.

- Mayor Pro-Tem Biala – I will just repeat for what David Burnett, just said is www.covidtest.gov . I ordered mine yesterday so I can't tell you how long it's going to take us to get them but at least we can, they're available now. Commented on a picture I saw of the volunteers over at Los Arboles whose gather up around 10-bags of rubbish. Thank you to the amazing citizens who go out and volunteer.
- Mayor Delgado – Commented that on January 8th 16 volunteers showed up on a Saturday morning and picked up along 14 miles a roadside Del Monte Boulevard, Lapis Road and the bike trail or recreation trail heading north of town all the way to the dump into the Dole Plant, thank you. Every Saturday from 9am-1pm, volunteers have also been coming up to the Marina Library where we have a Community Garden and an Oak Woodland Project, it's just amazing how much fun and learning is going on and family participation. Announced this Saturday there'll be a special 10am to 11am botanical tour, showing the native plants, telling you what they are showing you the nonnative weeds, what the techniques are to remove each of those different kinds of weeds. The next trash pickup is February 12 because it usually happens every month on the second Saturday of the month, we meet at the southern junction of Lapis Road and Del Monte Boulevard at 10am, and we go until 12:30pm when we get pizza, that's always fun from Blaze pizza. MLK weekend dozen volunteers at Los Arboles Sports Field help clean up trash, weed-whack, leaf blown and 10 oak trees were planted just to beautify that area.

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: None

b. MINUTES:

- (1) December 7, 2021, Regular City Council Meeting
- (2) December 14, 2021 Special City Council Meeting

c. CLAIMS AGAINST THE CITY:

- (1) City Council Rejection of Claim - staff recommends that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Frank Lambert for a claim received on December 17, 2021.

d. AWARD OF BID:

- (1) ~~City Council consider adopting Resolution No. 2022 , awarding a construction contract for the City of Marina Annual Street Resurfacing 2021 Phase 2 Project to Precision Grade Inc. of San Juan Bautista in the amount of \$1,742,295; and authorizing the City Manager or designee to expend up to an additional 10% of the contract amount for potential construction contingencies and to execute contract documents, subject to final review and approval by the City Attorney and construction change orders on behalf of the City; and authorizing the Finance Director to make necessary accounting and budgetary entries. *Pulled by Mayor Pro-Tem Biala, becomes agenda item 11a*~~
- (2) ~~City Council consider adopting Resolution No. 2022 , awarding a construction contract for the Glorya Jean Tate Park Site Improvements and Pump Track Project to Monterey Peninsula Engineering of Marina in the amount of \$982,700; and authorize the City Manager, or his designee, to expend up to an additional 10% of the contract amount for potential construction contingencies and to execute contract documents, subject to final review and approval by the City Attorney and construction change orders on behalf of the City; and authorize the Finance Director to make necessary accounting and budgetary entries. *Pulled by Mayor Delgado, becomes agenda item 11b*~~

e. CALL FOR BIDS: Nonef. ADOPTION OF RESOLUTIONS:

- (1) City Council consider adopting **Resolution No. 2022-04**, amending the Salary table for members of the Marina Public Safety Management (MPSMA); and authorize the Finance Director to make the necessary accounting entries.

g. APPROVAL OF AGREEMENTS:

- (1) City Council consider adopting **Resolution No. 2022-05**, approving acceptance of \$45,086 from State of California, Department of Justice, Division of Operations, Tobacco Grant Program, and; authorize expenditure of said \$45,086 received from State of California, Department of Justice, Division of Operations, Tobacco Grant Program, and; authorize Finance Director to make necessary accounting and budgetary entries, and; authorize City Manager to execute grant documents on behalf of City subject to final review and approval by the City Attorney.
- (2) City Council consider adopting **Resolution No. 2022-06**, approving the purchase of one (1) cloud-based Records Management System (RMS) platform in the amount of \$164,000.00 and four (4) years of recurring fees for updates and management in the amount of \$48,500.00 per year for years two through five, at a total cost of \$358,000.00 over a 5-year period from MARK43, New York, NY, and; consider waiving the City's formal bid process; finding that competitive bidding would be unavailing, would not produce an advantage and would not be in the public interest, and; authorize Finance Director to make necessary accounting and budgetary entries, and; authorize City Manager to execute purchase agreement on behalf of City subject to final review by the City Attorney.

- (3) City Council consider adopting **Resolution No. 2022-07**, approving the creation of public utility easements on City properties for utility improvements benefiting Airport Development subject to the technical approval of the legal descriptions by the City Engineer, and; authorizing the City Clerk to record a certified copy of the resolution and a public utility easement in the Monterey County office of the County Recorder.
- (4) City Council consider adopting **Resolution No. 2022-08**, authorizing application for and acceptance of a 2021 American Rescue Plan Act Federal Aviation Administration Grant for the airport and authorizing City Manager to execute the application and grant agreement.
- (5) City Council consider adopting **Resolution No. 2022-09**, authorizing the City Manager to execute a Memorandum of Understanding between the City of Marina and the Management Employees Association of Marina (MMEA); and, authorizing adjustments to the City's salary schedule and compensation plan and authorizing the Finance Director to make appropriate budget and accounting entries.
- (6) ~~City Council consider adopting Resolution No. 2022 , approving a Conditional Airport Use Permit for Joby Aero, Inc. for use of ramp space in the aircraft operations area of the Marina Municipal Airport for aircraft flight testing activities and authorizing the City 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.~~ ***Pulled by Mayor Delgado, becomes agenda item 11c***

- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
- i. MAPS: None
- j. REPORTS: (RECEIVE AND FILE): None
- k. FUNDING & BUDGET MATTERS:
- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None

Mayor Delgado requested to pull agenda items 8d(2) and 8g(6)

Council Member Burnett requested to pull agenda item 8c(1) so that he can recuse himself from the vote

Mayor Pro-Tem Biala pulled agenda item 8d(1) and had questions for 8g(1)

DELGADO/MEDINA DIRKSEN: TO APPROVE THE CONSENT AGENDA MINUS 8c(1), 8d(1), 8d(2) AND 8g(6). 5-0-0 Motion Passes by Roll Call Vote

8c(1)

DELGADO/BERKLEY: TO APPROVE STAFF RECOMMENDATION THAT THE CITY COUNCIL REJECT THE FOLLOWING CLAIM AND DIRECT SENDING APPROPRIATE NOTICE OF REJECTION TO CLAIMANT: FRANK LAMBERT FOR A CLAIM RECEIVED ON DECEMBER 17, 2021. 4-0-1(Burnett)-0 Motion Passes by Roll Call Vote

9. PUBLIC HEARINGS: None

10. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: None 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 adopting **Resolution No. 2022-10**, awarding a construction contract for the City of Marina Annual Street Resurfacing 2021 Phase 2 Project to Precision Grade Inc. of San Juan Bautista in the amount of \$1,742,295; and authorizing the City Manager or designee to expend up to an additional 10% of the contract amount for potential construction contingencies and to execute contract documents, subject to final review and approval by the City Attorney and construction change orders on behalf of the City; and authorizing the Finance Director to make necessary accounting and budgetary entries. ***Pulled by Mayor Pro-Tem Biala, was agenda item 8d(1)***

Council Questions: The price tag for all the streets mentioned is approximately \$2 million, correct? What are conformed curbs that are mentioned? Pg 2 says “phase two is primarily for streets to receive micro surfacing treatment”, what does that mean? Will some streets only be crack sealed and not micro surface or crack ceiling always a precursor to the final micro surfacing treatment? Why are we doing streets like Rendova or other streets that aren't well used and might be removed in the future by say like Cyprus Knolls? Can you give a brief reason why we don't take over Peninsula Drive why we don't take over that dirt portion?

MEDINA DIRKSEN/BIALA: TO ADOPT RESOLUTION NO. 2022-10, AWARDING A CONSTRUCTION CONTRACT FOR THE CITY OF MARINA ANNUAL STREET RESURFACING 2021 PHASE 2 PROJECT TO PRECISION GRADE INC. OF SAN JUAN BAUTISTA IN THE AMOUNT OF \$1,742,295; AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXPEND UP TO AN ADDITIONAL 10% OF THE CONTRACT AMOUNT FOR POTENTIAL CONSTRUCTION CONTINGENCIES AND TO EXECUTE CONTRACT DOCUMENTS, SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY AND CONSTRUCTION CHANGE ORDERS ON BEHALF OF THE CITY; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES. 5-0-0-0 Motion Passes by Roll Call Vote

Public Comments:

- Tommy Bolea – Commented that Andrew Circle wasn't on the list presented tonight. Asked that staff tell the street sweeper not to come down the street because he's lifting the asphalt off the off the street. Thought you go to city council and bring your problem or issue to the city, are emails a better form to send to the city council for a priority on street repairs or is there some other method?

- b. City Council consider adopting **Resolution No. 2022-11**, awarding a construction contract for the Glorja Jean-Tate Park Site Improvements and Pump Track Project to Monterey Peninsula Engineering of Marina in the amount of \$982,700; and authorize the City Manager, or his designee, to expend up to an additional 10% of the contract amount for potential construction contingencies and to execute contract documents, subject to final review and approval by the City Attorney and construction change orders on behalf of the City; and authorize the Finance Director to make necessary accounting and budgetary entries. ***Pulled by Mayor Delgado, was agenda item 8d(2)***

Council Questions: Is the \$98,000 contingency for this \$987,000 project up to your standards? Can you explain the difference between the \$1.5 million figure, and the \$980,000 parts of that is for the pump track? Staff report suggest doing items one, two and three, but not alternatives three and four, which involve landscaping, how much wood doing alternatives four and five costs? So we may actually save money by not doing four and five which are landscape costs and wait until later when there's more landscaping in the overall area of Gloria Jean's not just particular to the pump tracks north and the other side? When do you think the pump track will begin and end construction? The price differential between the three different bids that we received is \$400,000. That seems to be a pretty significant gap between the different bids and wondering is (a) is this a normal bid differential and (b) Is there a reason for it other than just market prices were there different approaches? Is the playground dependent on the next financing piece and it that going to be talked about at the CIP meeting next week?

BIALA/BERKLEY: TO ADOPT RESOLUTION NO. 2022-11, AWARDING A CONSTRUCTION CONTRACT FOR THE GLORIA JEAN-TATE PARK SITE IMPROVEMENTS AND PUMP TRACK PROJECT TO MONTEREY PENINSULA ENGINEERING OF MARINA IN THE AMOUNT OF \$982,700; AND AUTHORIZE THE CITY MANAGER, OR HIS DESIGNEE, TO EXPEND UP TO AN ADDITIONAL 10% OF THE CONTRACT AMOUNT FOR POTENTIAL CONSTRUCTION CONTINGENCIES AND TO EXECUTE CONTRACT DOCUMENTS, SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY AND CONSTRUCTION CHANGE ORDERS ON BEHALF OF THE CITY; AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES. 5-0-0-0 Motion Passes by Roll Call Vote

Public Comments: None received

- c. City Council consider adopting Resolution No. 2022-, approving a Conditional Airport Use Permit for Joby Aero, Inc. for use of ramp space in the aircraft operations area of the Marina Municipal Airport for aircraft flight testing activities and authorizing the City 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. ***Pulled by Mayor Delgado, was agenda item 8g(6)***

Council Questions: So the aircraft involved, these are not experimental they've been certified? , this is a full power test. Do you know. Has this been authorized for full power test? is the vehicle, going to be towed to the designated area, or is it going to under its own power Go to the area, and then returned back to its station? What maximum height Are they authorized to achieve during this test? And as it relates to the control tower is it necessary to have any special radio interference certifications defined

or applied here? Can you summarize, any public safety concerns or other public concerns that have been shared with you? Can you anticipate a landing interference or landing conflict, this might cause for Skydive Monterey Bay or other Skydive Monterey Bay problems? So do you think jumpers landing in that open field at the drop zone would be enough for Joby to hold off until they cleared and if someone had a sprained ankle or worse, you know, tweaked knee or broken leg would, would the access to the people needing assistance be interrupted by potentially the testing we're talking about? Are Skydive Monterey Bay and Joby the top two users of this area? How much revenue money do you guess might be coming to the city from this two-year conditional use permit we're considering tonight? How many tests will be conducted throughout this permit and how frequently? Will airport tenants and neighbors be notified of the testing? Can someone walk us through the complete process of the testing and passing FAA certifications? If unmanned, where is the pilot controlling the aircraft? This will be the first time that that the aircraft is being tested, correct? Are you coordinating with our First Responders, so they know what's going on? What is the worst-case scenario if something should go wrong? What is the City's on-going connection in all of this?

Public Comments:

- Barry Perkins – Hangars personal aircraft at the Marina Airport and has a strong interest in its continued access enjoyment and safety. Requested that Council table this conditional use permit until which time the local pilot community and greater pilot community as a whole can be engaged and informed, so we can provide feedback and help you understand any concerns. There has been no formal outreach to us. Commented on construction on a tether stand that has already taken place prior to this approval as well as other concerns. Asked multiple questions relating to the testing.
- Tim Kramer – Concerned that this complicated operational plan does not include provisions for notifying the general public, people that are not based at the airport that will not be at these coordination meetings. Commented people coming in and find that the major crossroads at the middle of the airport, are closed by one of the tenants for their operational needs. Thinks it would be better I think if the Joby operations were to suspend their, their operations when foreign aircraft or not once, not base there are moving through that area.
- Bill Sabo – I'm an aviator with an aircraft that frequently uses the facility in Marina and we're very fortunate to have it. Pleased that we have Joby in residence here doing their, their construction of aircraft, and even testing and we as aviators know from long experience that we have to share the facilities with everybody else. Concerned that it is a little premature and we are ahead of the discussions with the pilot community, which are occurring this Thursday and Saturday. Encourage the council to acting as kind of like the airport commission in this regard to defer their decision on this until additional information is received by Joby and from the users the airport.
- Jake Speidel – Concerned that the issue is being put to the Marina City Council for vote before any outreach has been made to the daily users of the airport. Can't think of a worse place on Marina that this test can take place. Pointed out the radios are not required at the Marina airport. There are many other locations on the field that would be much safer for these tests to occur. this vote needs to be postponed until more suitable solution is found.
- Kim Cohan – my aircraft preceded me to the airport I've been based my airplane has been based, Marina since 1998. Indicated that he had no notice of this meeting until yesterday, so no outreach was done. All in favor of Joby and proud that they're here at our airport but this location for testing couldn't be in a worse location. There are other areas at the airport, this could be done, that would be much more appropriate. Noted Joby's control trailer is a trailer on wheels, it can be towed anywhere Joby has a sophisticated computer network that spans the entire airport and could test

this aircraft on the south ramp near their tent. Feels this resolution is being rushed. propose that the airport community of pilots be given a chance to have a dialogue with Joby and city staff. Urge council to postpone action on this so that we could work out all these details address our safety concerns.

- Tommy Bolea – Asked since it's going to be through a remote control is their algorithms in place that if they lost communication? Assume it as some type of guidance system and it has an algorithm that if communications lost it goes back to where it started. Will first flight be under load? Is there thought of a parachute system? Need safety protocols in place.
- Riley Speidel – Student pilot and frequently taxi to the exact testing spot to get to the fuel farm and sometimes there's line for the fuel pump right into the testing area. Thinks there's other spots in the field that are better and should be considered instead of directly next to the fuel source on the airport.

BURNETT/BIALA: THAT WE TABLE THE ITEM UNTIL JOBY CAN MEET WITH AIRPORT TENANTS ON THURSDAY AND SATURDAY TO HEAR THEIR CONCERNS AND COME BACK NEXT TUESDAY WITH IDENTIFIABLE ALTERNATIVE SITES. 5-0-0-0 Motion Passes by Roll Call Vote

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 10:17 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor