



MINUTES

Tuesday, May 3, 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 2022-48, 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 May 31, 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)

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. Public Employment Appointment (Govt. Code Section 54957(b)(1):
Position: City Attorney

6:30 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION**4. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)****5. SPECIAL PRESENTATIONS:**

- a Francisco Tapia, 2021 Police Officer of the Year
- b Richard Janicki, 2021 Professional Support Person of the Year
- c Marina Earth Day Presentation

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 affordable childcare quality measure. Commented on the Marina Tree Committee's formation and the supportive relationship it had with city staff. Commented on upcoming May 10th study session and Shea Homes and the group trying to save the trees are working on a solution.
- Shawn Adams – Spoke about the 20-30 acres of undeveloped land along Reservation Road across from his home left uncared for, and the homeless population that has moved into this space. It's not a sanitary space to walk or ride your bike through. Commented on the cleanup efforts Mayor Delgado is doing with the volunteers. Spoke about the potential for a Disc Golf Course in that area.
- Nick Kite – Echoed previous speaker. Announced that the Junior Jellies held their 2nd annual Disc Golf Days at Los Arboles over the weekend and thanked CSUMB's Disc Golf team for their help. Spoke about Marina youth Arts Utility Box Project. Announced Habitat for Humanity Monterey Bay has a 2-bedroom, one bath of house coming up available here in the city of Marina for a lucky low-income family.
- Tommy Bolea – Commented on the Habitat for Humanity organization, great place to purchase used items and to donate to. Commented on the homeless camps in the section along Reservation Road and if properly cleaned up would make a nice park. Asked council who owns Marina Beach? Commented on Marina's water supply.
- Greg Furey – Kudos to the Marina Garden Club and their tour on Sunday. Echoed the comments by Shawn on the condition of property along Salians Street and Reservation Road. Commented on the CSUMB formal dinner at Spanish Bay for outgoing President Eduardo Ochoa and the attendance from Council Members.
- Council Member Medina Dirksen – Announced on May 21, 2022, from 11:30am-2:00pm will be the Celebration of Life for Terry Siegrist at Vince DiMaggio Park. Also announced that Dad's Read is happening this weekend at the Marina Library. Shout out to Marina Youth Arts for production of Moana. Commented on attending the CSUMB Innovator Gala Awards Dinner. Commented on Covid and the need to continue to be safe while your out and about.
- Mayor Pro Tem Biala – Announced May as Asian American, Pacific Islander (AAIP) month and on Friday, May 30th from 6:00pm-7:30pm at Tacoa Hall, in Pacific Grove, author, Sandy Liner

who wrote “They came across the Sundown Sea” honoring the Chinese pioneers and their legacy will be in attendance. On next day, Saturday, May 14th is the Walk of Remembrance commemorating the Chinese immigrants that begins at the Pacific Grove Museum, and you walk to the Hopkins Marine Station. Commented on attending the CSUMB Innovator Gala Awards Dinner.

- Mayor Delgado – Kudos to the Garden Club and Marina Tree and Garden Club for putting out a great every 2 years Garden club after Covid. Mentioned on May 7th at 7:00pm we have the first ever home game of a professional soccer team called the Monterey Bay Football Club playing at the CSUMB Freeman Stadium against Las Vegas. Commented on attending the CSUMB Innovator Gala Awards Dinner. Announced on Sunday, May eighth from 10 am-Noon we have our next volunteer litter, cleanup community cleanup on Lapis Road.

7. CONSENT AGENDA FOR THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Background information has been provided to the Successor Agency of the former Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda for Successor Agency to the former Marina Redevelopment Agency and placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

8. CONSENT AGENDA: *Background information has been provided to the City Council, Airport Commission, Marina Abrams B Non-Profit Corporation, and Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda and placed at the end of Other Action Items.*

a. ACCOUNTS PAYABLE:

- (1) Accounts Payable Check Numbers 99772-99873, totaling \$609,293.99
Accounts Payable for Successor Agency Check Numbers 84, totaling \$334.20

b. MINUTES:

- (1) April 19, 2022, Regular City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS: None

g. APPROVAL OF AGREEMENTS: None

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) City Council receiving Investment Reports for the City of Marina and City of Marina as Successor Agency to the Marina Redevelopment Agency for the quarter ended March 31, 2022.

- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING):
- m. APPROVE APPOINTMENTS:

DELGADO/BIALA: TO APPROVE THE CONSENT AGENDA. 5-0-0-0 Motion Passes by Roll Call Vote

9. PUBLIC HEARINGS:

- a. City Council consider Planning Commission recommendation to open a public hearing, take testimony from the public and consider adopting **Resolution No. 2022-52**, approving tentative subdivision map amendment within Phase 1B of The Dunes on Monterey Bay (formally University Villages) Specific Plan CEQA Determination: environmental impacts analyzed in prior EIR.

Council Questions: Can copies of the planning commission's minutes be provide to council in our packets when items like this come before us? Was the planning commission meeting well attended for this item? For parcel 4 what exactly was added for private streets, open space areas to exist with amended commercial associations, what type of amendments were there and what was adjusted and Does it also speak to those parcels needed parking? For parcel 7, was the right of way. allowing entry way into the town square, were they narrowed where they widen, and is it able to accommodate our public safety vehicles, such as our fire trucks? We talk about the entry is going to be realigned and narrow to promote more friendly pedestrian access, can you show us where the narrowing is? What goes into the linear parks, is it landscaping with trees or something? Will there be benches? The linear park is 50.5 down from 70 feet and it's got live work to the West, and has we work in a retail to the East so the reason for in that stretch, which is north of the South access road. is the reason for that to give more retail and residential space and last park space? On the South access road The park linear part goes up to 60.5 feet so it's down about 9 and a half feet from 70 But there's only residential on both sides so my question there is. Did we decrease the linear park width so that we could increase the residential square footage? Why are we giving up park space? What does the city Get out of it so it's a win, win situation? For the retail, post covid, have you all done any kind of markets study, or anything to determine what type of retail you'll actually have in there? What are the relevant scheduled performance milestones regarding the promenade? Are we on track, or the 2022 milestones? What is the consequence if a milestone is not met? Is the self-service draft beer on tap. Is that moving ahead? Is there any drawback to approving this tonight? Are the lots predetermined to have a bank or medical office or restaurant or is this just whoever comes and they look at the availability of the lots?

Mayor opened the public hearing for public comments:

- Les Martin – Thanked staff and council for having this meeting and showing the plans for this phase, overwhelmed that the shocked, how dense this area is. Asked when this whole development would be completed? Excited to see all the construction taking place. Looking forward to living at the Dunes.
- Denise Turley – Asked if there were going to be any Safe Routes to Schools in Phase 1B, concerned about the safety of the children walking to the school bus stops and to schools. Asked about the narrowing of roadway on Second Avenue and the cement blocks near the apartment complex.
- Liesbeth Visscher – Looking forward to seeing this next phase built. Commented on the narrowing of the linear park and linear parking. Commented on the garbage truck change of schedule change to accommodate a later pick up time for the Dunes residents.

- Brian McCarthy – Glad to see the discussion on the linear park and the history associated with it. confused on what the exact true history is of the linear Park concept is. Commented on seeing other linear parks in the US and Europe cities. Appreciates Council Member Burnett’s comments on wanting to hear the concerns from the Planning Commission.
- Tommy Bolea – Commented that this meeting sounds like a Planning Commission meeting and asked what’s the difference between this meeting and the planning commission? Spoke about a Trader Joe’s coming to the Dunes. Suggested someone contact the owner of Phil’s Fish Market and get them over in this area since they are being kicked out of their current location. Commented on the outside beer pub with Marina’s weather.
- Fred Watson – Commented that it's good to see the 12-foot trail down the middle of the linear park. likes to check anything that comes up against the specific plan that has a bike circulation and this checks out.

BIALA/BERKLEY: TO ADOPT RESOLUTION NO. 2022-52, APPROVING TENTATIVE SUBDIVISION MAP AMENDMENT WITHIN PHASE 1B OF THE DUNES ON MONTEREY BAY (FORMALLY UNIVERSITY VILLAGES) SPECIFIC PLAN CEQA DETERMINATION: ENVIRONMENTAL IMPACTS ANALYZED IN PRIOR EIR. 5-0-0-0 Motion Passes by Roll Call Vote

10. **OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY:** *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*
11. **OTHER ACTION ITEMS:** *Action listed for each Agenda item is that which is requested by staff. The City Council may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*

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

- a. City Council consider adopting **Resolution No. 2022-53**, approving the mid-cycle budget adjustments as outlined in the staff report, and authorizing the Finance Director to make all necessary accounting and budgetary entries.

Council Questions: The mutual aid for the firefighters of the \$517,000, that that goes back into the budget and allocations for fires, is that correct? There was talk about a 1% surplus cushion, what is the normal surplus both from a conservative and less conservative perspective? You're calling it a measure X bond is that because it's been deemed to be called measure x, or is just x a sort of anonymous, or it hasn't been given a name yet? When you're talking about the hotel projections just to clarify, have included the hotels that are planning to come online, meaning the Hampton Inn? Cannabis. You have some figures there for cannabis, but, as we know, the industry has stalled a bit and projections have fallen short at the county level, tell me how you came about at those figures, and if you have any updates? Are your numbers conservative and how they play into the trend? The TOT that we are showing, do you have a breakdown as to what is traditional hotels and what is Airbnb's, and fees that we've collected from home rentals? Do we have an accurate number of units (Airbnb's) in the city? Planning Department Document Scanning, is that equipment purchases or scanning service? Is this a one-time digitization of the current city files? Do you envision that there's going be a local scanner? Are those public documents are they going to be available for public perusal? TOT, is Marina recovering faster than other areas post-covid? Are other places on the same pattern? Cannabis Revenues, is it correct that we generated \$100,000 during the last fiscal year? Are our cannabis stores not generating the kind of revenues we expected? Deficit, slide was showing \$500,000 for this year,

what does 2022 look like? You say that there's a unallocated fund balance of \$3.7 million, what was the expected unallocated fund balance prior? In order to protect services, you're saying we went into a on paper deficit budget but in reality, turned out to be a surplus budget? Did Staff check the priority list before making the list of suggested new expenses today? Are suggested mid-cycle budget adjustments on our priority list? Did staff check our priority list before making this list? Now to mandatory urgent, Was the 15 K Cannabis fees, schedule update, and the \$15,000 general fee schedule update are those 2 mandatory urgent budget items in order to increase our revenue? So how do we, as a council, know whether those 2 mandatory, urgent reschedule updates are less important or more important than giving \$22,000 to Casa de Noche Buena or buying 2 mowers, etc.? In the priority list there are some general fund projects that are not mandatory, urgent and they include things like \$30,000 for high speed. Internet \$30,000 for website improvements Aren't those 2 items things we've been talking about for a long time, and they rated very high in our priority list? Might we have an opportunity at some point for new directors to get the lay of the land and figure out some things that will streamline their jobs? Can you directors learn what's already on the priority list in their department think about what else they need and then propose putting those on the priority list, so that we keep the priority list comprehensive?

Public Comments:

- Tommy Bolea – Commented on Cannabis tax, water bills, phone bills and the bills associated with all the litigation.
- Denise Turley – Asked about the new community development director Guido Persicone and finance director, asked if they were ever introduced to the public.

MEDINA DIRKSEN/DELGADO: WE ADOPT RESOLUTION NO. 2022- WITH THE MID-CYCLE ADJUSTMENTS BROUGHT BACK FOR DISCUSSION WITH THE ADDITIONAL ASKS; WE AUTHORIZE, GIVE HIM DIRECTION TO MOVE AHEAD MINUS THE 4 ASKS AS WE COME BACK AND TALK ABOUT PROCESSES FOR THE PRIORITIZATION LIST, AND THE NEW ASKS. 4-0-1(Burnett)-0

- b. City Council consider adopting Resolution No. 2022-, receiving a report on the Hilltop Park recommendations from the ad-hoc committee and City Council appointed liaisons and providing direction for the final design of the Hilltop Park at The Dunes. *Continued to May 17, 2022*

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 10:50 pm

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor