



AGENDA

Tuesday November 1, 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 2022-123, 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/>

PARTICIPATION

You may participate in the City Council meeting in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City’s home page at <https://cityofmarina.org/>. Attendees can make oral comments during the meeting by using the “Raise Your Hand” feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only. If you are unable to participate in real-time, you may email to marina@cityofmarina.org with the subject line “Public Comment Item#___” (insert the item number relevant to your comment) or “Public Comment – Non Agenda Item.” Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina’s website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Marina website www.cityofmarina.org subject to City staff’s ability to post the documents before the meeting

VISION STATEMENT

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

MISSION STATEMENT

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

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. Conference with Legal Counsel, Potential litigation, exposure to litigation
per: "Conference with Legal Counsel – anticipated litigation, significant exposure to litigation pursuant to paragraph (2)(d) of CA Govt. Code sec. 54956.9 – One potential case

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. Native American Heritage Month Proclamation

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.*

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 101009-101105, totaling \$545,052.53
 - b. MINUTES:
 - (1) October 6, 2022, Regular City Council Meeting
 - (2) October 18, 2022, Regular City Council Meeting
 - (3) October 25, 2022, Special 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:
 - (1) City Council consider adopting Resolution No. 2022-, approving a mitigation services agreement with the Big Sur Land Trust (BSLT) in order for the BSLT to serve as the conservation easement holder for the Imjin Parkway Widening Project, and; authorize the City Manager to execute the agreement on behalf of the City Council subject to final review and approval by the City Attorney.
 - h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
 - i. MAPS: None
 - j. REPORTS: (RECEIVE AND FILE): None
 - k. FUNDING & BUDGET MATTERS: None
 - l. APPROVE ORDINANCES (WAIVE SECOND READING): None
 - m. APPROVE APPOINTMENTS:
 - (1) City Council consider appointing to Public Works Commission: Cynthia Tanabe, Jim Felton for a term expiring February 2024; and Michael Owen, Steve Hunt and Stephen Rouland for a term expiring February 2025.

9. PUBLIC HEARINGS:

- a. City Council consider approving introduction by title only and approving first reading of Ordinance No. 2022-, adopting and amending Title 15 of the Marina Municipal Code to adopt 2022 Editions of California Building Standards Codes, specifically 2022 California Building Code, 2022 California Residential Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Energy Code, 2022 California Green Building Standards Code, 2022 California Existing Building Code, 2022 California Historical Building Code and 2022 California Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions; and set Tuesday, November 15, 2022, for public hearing, approving second reading by title only, and final adoption of the Ordinance to be in effect as of January 1, 2023.

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-, authorizing staff to work with Bird, Inc. to implement the deployment and authorize the City Manager to execute a Shared Mobility Agreement, an encroachment permit with a fee agreement, and amendments necessary to implement a Shared Mobility Device Services program in Marina.
- b. City Council consider adopting Resolution No. 2022-, amending Resolution No. 80-71, as amended, Establishing the Rules and Procedures for the Conduct of Meetings; amending Paragraph 8 regarding Order of Business and Consideration and Sequence of Agenda Items; amending Paragraph 9 regarding Preparation of the Minutes; amending Paragraph 13 regarding Debate; amending Paragraph 27 regarding Manner of Addressing Council; and approving a new Agenda format in substantially the same form.

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:

CERTIFICATION

I, Anita Sharp, Deputy City Clerk, of the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at City Hall and Council Chambers Bulletin Board at 211 Hillcrest Avenue, Monterey County Library Marina Branch at 190 Seaside Circle, City Bulletin Board at the corner of Reservation Road and Del Monte Boulevard on or before 6:30 p.m., Friday, October 28, 2022.

ANITA SHARP, DEPUTY CITY CLERK

City Council, Airport Commission and Redevelopment Agency meetings are recorded on tape and available for public review and listening at the Office of the City Clerk and kept for a period of 90 days after the formal approval of MINUTES.

City Council meetings may be viewed live on the meeting night and at 12:30 p.m. and 3:00 p.m. on Cable Channel 25 on the Sunday following the Regular City Council meeting date. In addition, Council meetings can be viewed at 6:30 p.m. every Monday, Tuesday and Wednesday. For more information about viewing the Council Meetings on Channel 25, you may contact Access Monterey Peninsula directly at 831-333-1267.

Agenda items and staff reports are public record and are available for public review on the City's website (www.cityofmarina.org), at the Monterey County Marina Library Branch at 190 Seaside Circle and at the Office of the City Clerk at 211 Hillcrest Avenue, Marina between the hours of 10:00 a.m. 5:00 p.m., on the Monday preceding the meeting.

Supplemental materials received after the close of the final agenda and through noon on the day of the scheduled meeting will be available for public review at the City Clerk's Office during regular office hours and in a 'Supplemental Binder' at the meeting.

Members of the public may receive the City Council, Airport Commission and Successor Agency of the Former Redevelopment Agency Agenda at a cost of \$55 per year or by providing a self-addressed, stamped envelope to the City Clerk. The Agenda is also available at no cost via email by notifying the City Clerk at marina@cityofmarina.org

*ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. meetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. to request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@cityofmarina.org. requests must be made at least **48 hours** in advance of the meeting.*

Upcoming 2022 Meetings of the City Council, Airport
Commission, Marina Abrams B Non-Profit Corporation, Preston
Park Sustainable Community Nonprofit Corporation, Successor
Agency of the Former Redevelopment Agency and Marina
Groundwater Sustainability Agency
Regular Meetings: 5:00 p.m. Closed Session;
6:30 p.m. Regular Open Sessions

Tuesday, November 15, 2022

Tuesday, December 6, 2022

Tuesday, December 20, 2022

NOTE: Regular Meeting dates may be rescheduled by City Council only.

CITY HALL 2022 HOLIDAYS
(City Hall Closed)

Veterans Day -----Friday, November 11, 2022
Thanksgiving Day ----- Thursday, November 24, 2022
Thanksgiving Break -----Friday, November 25, 2022
Winter Break -----Friday, December 23, 2022-Friday, December 30, 2022

2022 COMMISSION DATES

Upcoming 2022 Meetings of Planning Commission 2nd and 4th Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.
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November 10, 2022

December 18, 2022



Proclamation

DECLARING NOVEMBER AS NATIVE AMERICAN HERITAGE MONTH IN MARINA WHICH IS
LOCATED WITHIN ESSELEN AND OHLONE/COSTANOAN TRADITIONAL TERRITORIES

WHEREAS, the City of Marina recognizes that it was founded and is built upon the traditional homelands and villages first inhabited by the Indigenous Peoples of this region – the Esselen and Ohlone/Costanoan, their ancestors and allies – and honors these members of the community, both past and present; and

WHEREAS, the Esselen people have been indigenous to the Greater Monterey County area for more than 12,000 years, and from their known ancestral tribal villages from the coast and inland, the Esselen people hunted, traded, and lived peacefully together, and are known today as the Ohlone/Costanoan-Esselen Nation; and

WHEREAS, since the arrival of Europeans, California Indians have suffered and been subject to discrimination, violence, and forceable extraction from their lands; and

WHEREAS, the City of Marina is dedicated to treating all people equally and fairly irrespective of race and ethnicity including Indigenous People; and

WHEREAS, the City of Marina values the progress our society has accomplished through Indigenous Peoples' knowledge, technology, thought, science, philosophy, and artistic contributions. The City of Marina also recognizes the deep historic, cultural, and contemporary significance of the Indigenous Peoples of the lands; and

WHEREAS, the City of Marina understands that government entities, organizations and other public institutions should embrace policies and practices to reflect the experiences of Indigenous people and uplift our country's Indigenous roots, history, and contributions; and

WHEREAS, the idea of Indigenous Peoples' Day was first proposed in 1977 by a delegation of Native nations to the United Nations-sponsored International Conference on Discrimination Against Indigenous Populations in the Americas; and

WHEREAS, President Biden, on October 8, 2021, signed a presidential proclamation declaring the second Monday in October as a federal holiday to be known henceforth as Indigenous Peoples' Day; and

WHEREAS, California Governor, Gavin Newsom, in 2021, proclaimed that the month of November will henceforth be "Native American Heritage Month" wherein the rich diversity and perseverance of California Native Peoples are celebrated and honored.

NOW THEREFORE, I, Bruce Delgado, Mayor of the City of Marina, do hereby declare every November henceforth as Native American Heritage Month to celebrate the thriving culture and value that Esselen, Ohlone/Costanoan and other Indigenous Peoples add to our City.

Dated this 1st day of November 2022



Bruce Carlos Delgado, Mayor



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 120 - City Mgr/HR/Risk										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.305 - Prof Svc HR - Citywide Recruit/Background										
10872 - Pinnacle Healthcare	391550	Pinnacle Healthcare - Pre Emp Px	Paid by Check # 101050		09/29/2022	10/10/2022	10/10/2022		10/21/2022	20.00
10872 - Pinnacle Healthcare	390630	Pinnacle Healthcare - Pre Emp Px	Paid by Check # 101050		09/27/2022	10/10/2022	10/10/2022		10/21/2022	202.00
Account 6300.305 - Prof Svc HR - Citywide Recruit/Background Totals									Invoice Transactions 2	\$222.00
Account 6300.465 - Prof Svc Legal - Special Counsel										
11123 - Lon W. House Water & Energy Consulting	CalAm0822	Professional Services - MPWSP - August 2022	Paid by Check # 101038		09/01/2022	10/11/2022	10/11/2022		10/21/2022	1,440.00
11033 - Sara Steck Myers	09-01-22	Professional Services - MPWSP - August 2022	Paid by Check # 101054		09/01/2022	10/11/2022	10/11/2022		10/21/2022	3,780.00
11033 - Sara Steck Myers	10-01-200	Professional Services - MPWSP - September 2022	Paid by Check # 101054		10/01/2022	10/11/2022	10/11/2022		10/21/2022	4,860.00
Account 6300.465 - Prof Svc Legal - Special Counsel Totals									Invoice Transactions 3	\$10,080.00
Account 6300.770 - Prof Svc Temp Staffing Agency										
10508 - Regional Government Services	14076	Professional Services - HR Department - September 2022	Paid by Check # 101051		09/30/2022	10/18/2022	10/18/2022		10/21/2022	11,206.60
Account 6300.770 - Prof Svc Temp Staffing Agency Totals									Invoice Transactions 1	\$11,206.60
Account 6380.120 - Utilities Comm Mobile & Pager										
10603 - Verizon Wireless	991781483	October - 308174766	Paid by Check # 101058		10/10/2022	10/17/2022	10/17/2022		10/21/2022	174.06
Account 6380.120 - Utilities Comm Mobile & Pager Totals									Invoice Transactions 1	\$174.06
Sub-Division 00 - Non-Subdiv Totals									Invoice Transactions 7	\$21,682.66
Division 000 - Non-Div Totals									Invoice Transactions 7	\$21,682.66
Department 120 - City Mgr/HR/Risk Totals									Invoice Transactions 7	\$21,682.66
Department 125 - I. T.										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6360.076 - Maint & Repairs Copier										
10406 - Monterey Bay Systems	433496	City Hall Copier Maintenance Contract	Paid by Check # 101042		10/07/2022	10/11/2022	10/11/2022	10/12/2022	10/21/2022	552.23
Account 6360.076 - Maint & Repairs Copier Totals									Invoice Transactions 1	\$552.23
Sub-Division 00 - Non-Subdiv Totals									Invoice Transactions 1	\$552.23
Division 000 - Non-Div Totals									Invoice Transactions 1	\$552.23
Department 125 - I. T. Totals									Invoice Transactions 1	\$552.23



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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 130 - Finance										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6380.120 - Utilities Comm Mobile & Pager										
10603 - Verizon Wireless	991781483	October - 308174766	Paid by Check # 101058		10/10/2022	10/17/2022	10/17/2022		10/21/2022	88.59
Account 6380.120 - Utilities Comm Mobile & Pager Totals							Invoice Transactions	1		\$88.59
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	1		\$88.59
Division 000 - Non-Div Totals							Invoice Transactions	1		\$88.59
Department 130 - Finance Totals							Invoice Transactions	1		\$88.59
Department 150 - City Attorney										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.450 - Prof Svc Legal - City Attorney Other Svc										
11753 - Fenton & Keller PC	128139	Professional Services - Bid Protest - July 2022	Paid by Check # 101027		08/22/2022	10/17/2022	10/17/2022		10/21/2022	11,111.62
11753 - Fenton & Keller PC	128773	Professional Services - Bid Protest	Paid by Check # 101027		10/10/2022	10/11/2022	10/11/2022		10/21/2022	1,354.50
10257 - Goldfarb & Lipman	457413	General File - August 2022	Paid by Check # 101031		09/30/2022	10/11/2022	10/11/2022		10/21/2022	608.00
10257 - Goldfarb & Lipman	457414	The Dunes - August 2022	Paid by Check # 101031		09/30/2022	10/11/2022	10/11/2022		10/21/2022	1,408.00
Account 6300.450 - Prof Svc Legal - City Attorney Other Svc Totals							Invoice Transactions	4		\$14,482.12
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	4		\$14,482.12
Division 000 - Non-Div Totals							Invoice Transactions	4		\$14,482.12
Department 150 - City Attorney Totals							Invoice Transactions	4		\$14,482.12
Department 190 - Citywide Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6380.150 - Utilities Comm Phone System										
10758 - AT & T CALNET3	000018920581	Sep to Oct 436	Paid by Check # 101013		10/17/2022	10/17/2022	10/17/2022		10/21/2022	70.54
Account 6380.150 - Utilities Comm Phone System Totals							Invoice Transactions	1		\$70.54
Account 6380.300 - Utilities Gas & Electric										
10463 - Pacific Gas & Electric	Sept - Oct 562-0	PG&E - 4758891562-0	Paid by Check # 101049		10/11/2022	10/17/2022	10/17/2022		10/21/2022	862.36
Account 6380.300 - Utilities Gas & Electric Totals							Invoice Transactions	1		\$862.36
Account 6380.500 - Utilities Water & Sewer										
10432 - Monterey One Water - former MRWPCA	12-000009 093022	208 Palm Ave	Paid by Check # 101043		09/30/2022	10/13/2022	10/13/2022		10/21/2022	191.60



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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 190 - Citywide Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6380.500 - Utilities Water & Sewer										
10349 - Marina Coast Water District	000056041 092922	Water Bill - Usage at Station 2 - 3260 Imjin Road	Paid by Check # 101039		09/29/2022	10/13/2022	10/13/2022		10/21/2022	305.22
Account 6380.500 - Utilities Water & Sewer Totals								Invoice Transactions 2		\$496.82
Account 6600.452 - Other Charges Leased Copier										
11451 - Monterey Bay Office Products - US Bank	484029582	City Hall Copier Lease Payment - September 2022	Paid by Check # 101041		10/04/2022	10/11/2022	10/11/2022	10/11/2022	10/21/2022	380.20
Account 6600.452 - Other Charges Leased Copier Totals								Invoice Transactions 1		\$380.20
Account 6600.600 - Other Charges Other										
10072 - BMI General Licensing	44763701	Citywide Music Licensing - 2022-2023	Paid by Check # 101016		10/02/2022	10/11/2022	10/11/2022		10/21/2022	391.00
Account 6600.600 - Other Charges Other Totals								Invoice Transactions 1		\$391.00
Sub-Division 00 - Non-Subdiv Totals								Invoice Transactions 6		\$2,200.92
Division 000 - Non-Div Totals								Invoice Transactions 6		\$2,200.92
Department 190 - Citywide Non-Dept Totals								Invoice Transactions 6		\$2,200.92
Department 250 - Fire										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.570 - Prof Svc Other										
10841 - Carmel Fire Protection Associates - Art Black	2022-T	Apartment Inspections (44 apts())	Paid by Check # 101020		10/08/2022	10/13/2022	10/13/2022		10/21/2022	3,300.00
Account 6300.570 - Prof Svc Other Totals								Invoice Transactions 1		\$3,300.00
Account 6360.850 - Maint & Repairs Vehicle										
10780 - Allstar Fire Equipment Inc.	243061	Thermal Camera NFPA Kit w/charger, action coupling	Paid by Check # 101011		10/03/2022	10/13/2022	10/13/2022		10/21/2022	7,437.47
10780 - Allstar Fire Equipment Inc.	243134	Halligan Tool - 2 pack	Paid by Check # 101011		10/07/2022	10/13/2022	10/13/2022		10/21/2022	376.91
Account 6360.850 - Maint & Repairs Vehicle Totals								Invoice Transactions 2		\$7,814.38
Account 6400.737 - Material & Suppl Tools & Equip										
10927 - Ace Hardware - Fire Dept.	083256	Long nose pliers & curve jaw pliers	Paid by Check # 101009		10/10/2022	10/13/2022	10/13/2022		10/21/2022	43.68
Account 6400.737 - Material & Suppl Tools & Equip Totals								Invoice Transactions 1		\$43.68
Account 6400.740 - Material & Suppl Special Dept Suppl										
10927 - Ace Hardware - Fire Dept.	083192	Ace RSTP Spray, Dowel, Hinge and other misc items	Paid by Check # 101009		10/04/2022	10/13/2022	10/13/2022		10/21/2022	34.92



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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 250 - Fire										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6400.740 - Material & Suppl Special Dept Suppl										
10927 - Ace Hardware - Fire Dept.	083207	Gauge Inflator, Station	Paid by Check		10/05/2022	10/13/2022	10/13/2022		10/21/2022	45.87
		2 Air Chuck	# 101009							
10927 - Ace Hardware - Fire Dept.	083209	Tote Utility Black	Paid by Check		10/05/2022	10/13/2022	10/13/2022		10/21/2022	19.65
			# 101009							
10927 - Ace Hardware - Fire Dept.	083231	Key Krafter - Brass Key	Paid by Check		10/06/2022	10/13/2022	10/13/2022		10/21/2022	2.17
			# 101009							
10927 - Ace Hardware - Fire Dept.	083228	Keys (40), Paper Tags	Paid by Check		10/06/2022	10/13/2022	10/13/2022		10/21/2022	163.35
		& Axe	# 101009							
11393 - Carmel Roasters, Inc.	65094	FD Coffee - 4 boxes	Paid by Check		10/05/2022	10/13/2022	10/13/2022		10/21/2022	349.60
			# 101021							
Account 6400.740 - Material & Suppl Special Dept Suppl Totals							Invoice Transactions	6		\$615.56
Account 6400.796 - Material & Suppl Turnout Equip-Wildland Fires										
10323 - L.N. Curtis & Sons	INV636708	Large yellow brush coat	Paid by Check		09/30/2022	10/13/2022	10/13/2022		10/21/2022	310.70
			# 101037							
Account 6400.796 - Material & Suppl Turnout Equip-Wildland Fires Totals							Invoice Transactions	1		\$310.70
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	11		\$12,084.32
Division 000 - Non-Div Totals							Invoice Transactions	11		\$12,084.32
Department 250 - Fire Totals							Invoice Transactions	11		\$12,084.32
Department 310 - Public Works										
Division 311 - Buildings & Grounds										
Sub-Division 00 - Non-Subdiv										
Account 6360.065 - Maint & Repairs Bdg NonFlagship										
10728 - Ace Hardware-Public Works	083262	Sign on Carmel	Paid by Check		10/11/2022	10/13/2022	10/13/2022		10/21/2022	6.54
			# 101010							
10728 - Ace Hardware-Public Works	083338	Door Security	Paid by Check		10/19/2022	10/18/2022	10/18/2022		10/21/2022	8.73
			# 101010							
10250 - Gavilan Pest Control	0149064	211 Hillcrest Ave	Paid by Check		10/06/2022	10/13/2022	10/13/2022		10/21/2022	82.00
			# 101030							
10618 - IDN-Wilco	9929905-01	Master Padlocks	Paid by Check		10/10/2022	10/13/2022	10/13/2022		10/21/2022	157.83
			# 101033							
10427 - Monterey Regional Waste	3696345	Dog Kennel Trees	Paid by Check		10/17/2022	10/14/2022	10/14/2022		10/21/2022	22.95
Management District			# 101044							
10560 - Suburban Propane	1602-127316	Corp Yard	Paid by Check		09/30/2022	10/12/2022	10/12/2022		10/21/2022	549.06
			# 101057							
Account 6360.065 - Maint & Repairs Bdg NonFlagship Totals							Invoice Transactions	6		\$827.11
Account 6360.070 - Maint & Repairs Bdg Public Safety										
10728 - Ace Hardware-Public Works	083285	PD Wall Outlet	Paid by Check		10/12/2022	10/13/2022	10/13/2022		10/21/2022	10.90
			# 101010							
Account 6360.070 - Maint & Repairs Bdg Public Safety Totals							Invoice Transactions	1		\$10.90



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 310 - Public Works										
Division 311 - Buildings & Grounds										
Sub-Division 00 - Non-Subdiv										
Account 6360.440 - Maint & Repairs Landscape General										
10250 - Gavilan Pest Control	0149065	120 Seaside Circle Rodents	Paid by Check # 101030		10/06/2022	10/13/2022	10/13/2022		10/21/2022	80.00
Account 6360.440 - Maint & Repairs Landscape General Totals										Invoice Transactions 1
										\$80.00
Account 6360.445 - Maint & Repairs Maint - Perc Ponds										
10728 - Ace Hardware-Public Works	083310	Perc Ponds	Paid by Check # 101010		10/17/2022	10/14/2022	10/14/2022		10/21/2022	17.81
10090 - California Department of Forestry and Fire Pr.	0000001474843	Percolation Pond	Paid by Check # 101018		10/12/2011	10/14/2022	10/14/2022		10/21/2022	453.88
Account 6360.445 - Maint & Repairs Maint - Perc Ponds Totals										Invoice Transactions 2
										\$471.69
Account 6380.500 - Utilities Water & Sewer										
10349 - Marina Coast Water District	000056100 092922	9th Street (Irrigation) Parcels L&M	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	1,063.70
10349 - Marina Coast Water District	000056099 092922	9th Street West of 2nd Avenue	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	194.62
10349 - Marina Coast Water District	000056011 100722	3254 Abdy Way (Tate- Park Irrigation)	Paid by Check # 101039		10/07/2022	10/18/2022	10/18/2022		10/21/2022	89.02
10349 - Marina Coast Water District	000056034 100722	3240 De Forest Road	Paid by Check # 101039		10/07/2022	10/18/2022	10/18/2022		10/21/2022	420.08
Account 6380.500 - Utilities Water & Sewer Totals										Invoice Transactions 4
										\$1,767.42
Account 6400.225 - Material & Suppl Flags										
10113 - Carrot-Top Industries	INV111638	Fire	Paid by Check # 101022		10/13/2022	10/14/2022	10/14/2022		10/21/2022	272.95
Account 6400.225 - Material & Suppl Flags Totals										Invoice Transactions 1
										\$272.95
Account 6400.565 - Material & Suppl Office Supplies										
10524 - Ryan Ranch Printers, LP	23236	Business cards	Paid by Check # 101053		09/25/2022	10/14/2022	10/14/2022		10/21/2022	125.64
Account 6400.565 - Material & Suppl Office Supplies Totals										Invoice Transactions 1
										\$125.64
Account 6400.740 - Material & Suppl Special Dept Suppl										
10233 - Fastenal Company	CASAL155477	Shop	Paid by Check # 101026		09/28/2022	10/12/2022	10/12/2022		10/21/2022	180.13
Account 6400.740 - Material & Suppl Special Dept Suppl Totals										Invoice Transactions 1
										\$180.13
Sub-Division 00 - Non-Subdiv Totals										Invoice Transactions 17
Division 311 - Buildings & Grounds Totals										\$3,735.84
										\$3,735.84



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 310 - Public Works										
Division 313 - Vehicle Maint										
Sub-Division 00 - Non-Subdiv										
Account 6360.850 - Maint & Repairs Vehicle										
10065 - Ben's Motorcycle Works	7638	PD	Paid by Check # 101015		07/12/2022	10/12/2022	10/12/2022		10/21/2022	2,828.86
10085 - Burton's Fire, Inc.	S 57246	Fire	Paid by Check # 101017		10/14/2022	10/14/2022	10/14/2022		10/21/2022	537.87
10437 - My Chevrolet	CVCS253070	PD	Paid by Check # 101045		10/14/2022	10/14/2022	10/14/2022		10/21/2022	1,652.14
11676 - MyFleetCenter - Wisconsin Quick Lube	36758200	PD	Paid by Check # 101046		10/17/2022	10/14/2022	10/14/2022		10/21/2022	18.84
11676 - MyFleetCenter - Wisconsin Quick Lube	36758291	PD	Paid by Check # 101046		10/18/2022	10/18/2022	10/18/2022		10/21/2022	136.08
10448 - Newton Bros. Tire & Auto	436445	PD	Paid by Check # 101047		10/13/2022	10/14/2022	10/14/2022		10/21/2022	120.00
10448 - Newton Bros. Tire & Auto	436399	PD Brakes for 850	Paid by Check # 101047		10/18/2022	10/18/2022	10/18/2022		10/21/2022	1,191.69
Account 6360.850 - Maint & Repairs Vehicle Totals							Invoice Transactions	7		\$6,485.48
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	7		\$6,485.48
Division 313 - Vehicle Maint Totals							Invoice Transactions	7		\$6,485.48
Department 310 - Public Works Totals							Invoice Transactions	24		\$10,221.32
Department 410 - Planning										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.610 - Prof Svc Planning - Consultant										
10268 - Harris & Associates	54799	Harris & Associates August 8-October 1, 2022	Paid by Check # 101032		10/18/2022	10/18/2022	10/18/2022		10/21/2022	9,262.50
10515 - Rincon Consultants, Inc.	43132	Marina Housing Element Update 9/1-9/30/22	Paid by Check # 101052		10/18/2022	10/18/2022	10/18/2022		10/21/2022	5,228.50
Account 6300.610 - Prof Svc Planning - Consultant Totals							Invoice Transactions	2		\$14,491.00
Account 6380.120 - Utilities Comm Mobile & Pager										
10603 - Verizon Wireless	991781483	October - 308174766	Paid by Check # 101058		10/10/2022	10/17/2022	10/17/2022		10/21/2022	40.58
Account 6380.120 - Utilities Comm Mobile & Pager Totals							Invoice Transactions	1		\$40.58
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	3		\$14,531.58
Division 000 - Non-Div Totals							Invoice Transactions	3		\$14,531.58
Department 410 - Planning Totals							Invoice Transactions	3		\$14,531.58



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 420 - Engineering										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection										
10171 - CSG Consultants	46627	Permits/Development	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	28,824.00
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection Totals								Invoice Transactions	1	\$28,824.00
Account 6300.185 - Prof Svc Engineering Svs-Staff Augment										
10171 - CSG Consultants	46628	Staff Augmentation	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	4,438.00
Account 6300.185 - Prof Svc Engineering Svs-Staff Augment Totals								Invoice Transactions	1	\$4,438.00
Account 6300.190 - Prof Svc Engineering Svc Interagency										
10171 - CSG Consultants	46629	RWQCB	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	1,014.00
10171 - CSG Consultants	46630	FORA	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	1,542.00
Account 6300.190 - Prof Svc Engineering Svc Interagency Totals								Invoice Transactions	2	\$2,556.00
Account 6330.200 - Fee Agr Costs - Engineering										
10171 - CSG Consultants	46631	Marina Heights Inspection	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	169.00
10171 - CSG Consultants	46646	Via Del Mar	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	929.50
Account 6330.200 - Fee Agr Costs - Engineering Totals								Invoice Transactions	2	\$1,098.50
Account 6370.540 - Shared Svc NPDES Contribution										
10533 - Save The Whales	3A/Year 9	Storm Water Program NPDES (7/1/22-9/30- 22)	Paid by Check # 101055		10/12/2022	10/13/2022	10/13/2022		10/21/2022	57,921.75
Account 6370.540 - Shared Svc NPDES Contribution Totals								Invoice Transactions	1	\$57,921.75
Sub-Division 00 - Non-Subdiv Totals								Invoice Transactions	7	\$94,838.25
Division 000 - Non-Div Totals								Invoice Transactions	7	\$94,838.25
Department 420 - Engineering Totals								Invoice Transactions	7	\$94,838.25
Department 430 - Building Inspection										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.070 - Prof Svc Building Plan Check & Inspection										
10171 - CSG Consultants	46791	CSG Marina Building Services FY 17-23	Paid by Check # 101024		10/19/2022	10/19/2022	10/19/2022		10/21/2022	34,415.00



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 430 - Building Inspection										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.070 - Prof Svc Building Plan Check & Inspection										
10171 - CSG Consultants	B221764	CSG Building Plan Review Services 9/1/22 -9/30/22	Paid by Check # 101024		10/03/2022	10/13/2022	10/13/2022		10/21/2022	866.25
Account 6300.070 - Prof Svc Building Plan Check & Inspection Totals								Invoice Transactions	2	\$35,281.25
Account 6400.565 - Material & Suppl Office Supplies										
10734 - Office Depot-Public Works Dept.	268638176001	Annex Supplies	Paid by Check # 101048		09/30/2022	10/12/2022	10/12/2022		10/21/2022	157.29
Account 6400.565 - Material & Suppl Office Supplies Totals								Invoice Transactions	1	\$157.29
Sub-Division 00 - Non-Subdiv Totals								Invoice Transactions	3	\$35,438.54
Division 000 - Non-Div Totals								Invoice Transactions	3	\$35,438.54
Department 430 - Building Inspection Totals								Invoice Transactions	3	\$35,438.54
Department 440 - Economic Dev										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6600.630 - Other Charges Promotional Activities										
11620 - Certified Folder Display Service, Inc.	597796	Distribution of Restaurant Guides - November 2022	Paid by Check # 101023		10/01/2022	10/11/2022	10/11/2022		10/21/2022	298.58
Account 6600.630 - Other Charges Promotional Activities Totals								Invoice Transactions	1	\$298.58
Sub-Division 00 - Non-Subdiv Totals								Invoice Transactions	1	\$298.58
Division 000 - Non-Div Totals								Invoice Transactions	1	\$298.58
Department 440 - Economic Dev Totals								Invoice Transactions	1	\$298.58
Department 510 - Recreation & Culture										
Division 512 - Teen										
Sub-Division 00 - Non-Subdiv										
Account 6400.652 - Material & Suppl Recr Special Progr / Events										
11758 - Rodrigo Bravo - Fiesta Fun Jumps	10-31-22	Halloween Event Rental	Paid by Check # 101063		10/19/2022	10/19/2022	10/19/2022		10/21/2022	3,020.00
Account 6400.652 - Material & Suppl Recr Special Progr / Events Totals								Invoice Transactions	1	\$3,020.00
Sub-Division 00 - Non-Subdiv Totals								Invoice Transactions	1	\$3,020.00
Division 512 - Teen Totals								Invoice Transactions	1	\$3,020.00



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 510 - Recreation & Culture										
Division 513 - Senior										
Sub-Division 00 - Non-Subdiv										
Account 6400.653 - Material & Suppl Recr Senior Prog										
11759 - Karen Cunningham Gonzalez - Machine Medics	2022090101	sewing machine service	Paid by Check # 101035		09/01/2022	10/19/2022	10/19/2022		10/21/2022	225.00
Account 6400.653 - Material & Suppl Recr Senior Prog Totals							Invoice Transactions 1			<u>\$225.00</u>
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions 1			<u>\$225.00</u>
Division 513 - Senior Totals							Invoice Transactions 1			<u>\$225.00</u>
Department 510 - Recreation & Culture Totals							Invoice Transactions 2			<u>\$3,245.00</u>
Fund 100 - General Fund Totals							Invoice Transactions 70			<u>\$209,664.11</u>



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 220 - Gas Tax										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6360.780 - Maint & Repairs Traffic Signals										
11248 - Bear Electrical Solutions, Inc.	16943	Maintenance	Paid by Check # 101014		09/28/2022	10/18/2022	10/18/2022		10/21/2022	250.00
Account 6360.780 - Maint & Repairs Traffic Signals Totals										Invoice Transactions 1
										\$250.00
Account 6380.300 - Utilities Gas & Electric										
10463 - Pacific Gas & Electric	Sept - Oct 720-0	PG&E - 0167505720-0	Paid by Check # 101049		10/11/2022	10/17/2022	10/17/2022		10/21/2022	883.43
10463 - Pacific Gas & Electric	Sept - Oct 085-2	PG&E - 5434906085-2	Paid by Check # 101049		10/11/2022	10/17/2022	10/17/2022		10/21/2022	98.85
10463 - Pacific Gas & Electric	Sept - Oct 148-6	PG&E - 5593414148-6	Paid by Check # 101049		10/11/2022	10/17/2022	10/17/2022		10/21/2022	174.81
10463 - Pacific Gas & Electric	Sept - Oct 943-2	PG&E - 6150212943-2	Paid by Check # 101049		10/11/2022	10/17/2022	10/17/2022		10/21/2022	4.59
10463 - Pacific Gas & Electric	Sept - Oct 202-3	PG&E - 6594070202-3	Paid by Check # 101049		10/11/2022	10/17/2022	10/17/2022		10/21/2022	106.68
10463 - Pacific Gas & Electric	Sept - Oct 582-7	PG&E - 8161432582-7	Paid by Check # 101049		10/10/2022	10/17/2022	10/17/2022		10/21/2022	72.66
10463 - Pacific Gas & Electric	Sep - Oct 827-8	PG&E - 0423929827-8	Paid by Check # 101049		10/13/2022	10/17/2022	10/17/2022		10/21/2022	107.90
10463 - Pacific Gas & Electric	Sep - Oct 210-0	PG&E - 3242976210-0	Paid by Check # 101049		10/12/2022	10/17/2022	10/17/2022		10/21/2022	152.98
10463 - Pacific Gas & Electric	Sep - Oct 535-3	PG&E - 6161832535-3	Paid by Check # 101049		10/13/2022	10/17/2022	10/17/2022		10/21/2022	216.86
10463 - Pacific Gas & Electric	Sep - Oct 851-0	PG&E - 3440977851-0	Paid by Check # 101049		10/14/2022	10/17/2022	10/17/2022		10/21/2022	167.14
Account 6380.300 - Utilities Gas & Electric Totals										Invoice Transactions 10
										\$1,985.90
Account 6380.500 - Utilities Water & Sewer										
10349 - Marina Coast Water District	000056049 092922	Imjin Rd (Irrigation/Backflow Accts)	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	199.34
10349 - Marina Coast Water District	000056036 092922	2nd Ave/Divarty & Intergarrison	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	171.02
10349 - Marina Coast Water District	000056037 092922	2nd Ave	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	171.02
10349 - Marina Coast Water District	000056095 092922	2nd Ave	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	356.07
10349 - Marina Coast Water District	000056008 100722	Reservation & Del Monte	Paid by Check # 101039		10/18/2022	10/18/2022	10/18/2022		10/21/2022	27.26
10349 - Marina Coast Water District	000056032 100722	Crescent Ave/Costa Del Mar East Side	Paid by Check # 101039		10/07/2022	10/18/2022	10/18/2022		10/21/2022	60.52
Account 6380.500 - Utilities Water & Sewer Totals										Invoice Transactions 6
										\$985.23



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 220 - Gas Tax										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6400.155 - Material & Suppl Dump Fees										
10427 - Monterey Regional Waste Management District	3694842	Vernal Ponds Beach Rd	Paid by Check # 101044		10/11/2022	10/13/2022	10/13/2022		10/21/2022	34.20
10427 - Monterey Regional Waste Management District	3694502	Beach Rd Inlet	Paid by Check # 101044		10/11/2022	10/13/2022	10/13/2022		10/21/2022	25.65
10427 - Monterey Regional Waste Management District	3699770	Transient Camp	Paid by Check # 101044		10/19/2022	10/18/2022	10/18/2022		10/21/2022	30.80
Account 6400.155 - Material & Suppl Dump Fees Totals							Invoice Transactions 3			\$90.65
Account 6400.733 - Material & Suppl Signs										
10728 - Ace Hardware-Public Works	083274	Signs Carmel Ave	Paid by Check # 101010		10/11/2022	10/13/2022	10/13/2022		10/21/2022	15.73
10108 - Capitol Barricade, Inc.	148445	Custom Sign "DIP"	Paid by Check # 101019		10/10/2022	10/12/2022	10/12/2022		10/21/2022	257.68
Account 6400.733 - Material & Suppl Signs Totals							Invoice Transactions 2			\$273.41
Account 6400.740 - Material & Suppl Special Dept Suppl										
10540 - Sierra Springs & Alhambra	14225799 101322	209 Cypress Ave	Paid by Check # 101056		10/13/2022	10/14/2022	10/14/2022		10/21/2022	94.35
Account 6400.740 - Material & Suppl Special Dept Suppl Totals							Invoice Transactions 1			\$94.35
Account 6400.780 - Material & Suppl Traffic Signal										
11248 - Bear Electrical Solutions, Inc.	16942	Repairs	Paid by Check # 101014		09/28/2022	10/18/2022	10/18/2022		10/21/2022	850.00
10765 - Western Systems	0000053599	Replacement	Paid by Check # 101060		10/13/2022	10/14/2022	10/14/2022		10/21/2022	9,423.80
Account 6400.780 - Material & Suppl Traffic Signal Totals							Invoice Transactions 2			\$10,273.80
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions 25			\$13,953.34
Division 000 - Non-Div Totals							Invoice Transactions 25			\$13,953.34
Department 000 - Non-Dept Totals							Invoice Transactions 25			\$13,953.34
Fund 220 - Gas Tax Totals							Invoice Transactions 25			\$13,953.34



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 233 - Monterey Bay Estates AD										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection										
10171 - CSG Consultants	46618	Monterey Bay Estates	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	301.00
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection Totals							Invoice Transactions	1		\$301.00
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	1		\$301.00
Division 000 - Non-Div Totals							Invoice Transactions	1		\$301.00
Department 000 - Non-Dept Totals							Invoice Transactions	1		\$301.00
Fund 233 - Monterey Bay Estates AD Totals							Invoice Transactions	1		\$301.00



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 235 - Cypress Cove II AD										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection										
10171 - CSG Consultants	46619	Cypress Cove II	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	338.00
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection Totals									Invoice Transactions 1	\$338.00
Account 6380.500 - Utilities Water & Sewer										
10349 - Marina Coast Water District	000056015 100722	Corner of Cardoza & Dolphin Circle	Paid by Check # 101039		10/07/2022	10/18/2022	10/18/2022		10/21/2022	60.52
Account 6380.500 - Utilities Water & Sewer Totals									Invoice Transactions 1	\$60.52
Sub-Division 00 - Non-Subdiv Totals									Invoice Transactions 2	\$398.52
Division 000 - Non-Div Totals									Invoice Transactions 2	\$398.52
Department 000 - Non-Dept Totals									Invoice Transactions 2	\$398.52
Fund 235 - Cypress Cove II AD Totals									Invoice Transactions 2	\$398.52



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 252 - CFD - Dunes No. 2015-1										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection										
10171 - CSG Consultants	46617	Locke Paddon CFD	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	169.00
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection Totals							Invoice Transactions	1		<u>\$169.00</u>
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	1		<u>\$169.00</u>
Division 000 - Non-Div Totals							Invoice Transactions	1		<u>\$169.00</u>
Department 000 - Non-Dept Totals							Invoice Transactions	1		<u>\$169.00</u>
Fund 252 - CFD - Dunes No. 2015-1 Totals							Invoice Transactions	1		<u>\$169.00</u>



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 422 - Capital Projects - Measure X										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.570 - Prof Svc Other										
11489 - Wallace Group, Inc.	57502	Program Management	Paid by Check # 101059		10/07/2022	10/11/2022	10/11/2022		10/21/2022	12,114.02
10171 - CSG Consultants	46620	Annual St Resurfacing	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	6,901.00
Account 6300.570 - Prof Svc Other Totals							Invoice Transactions	2		\$19,015.02
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	2		\$19,015.02
Division 000 - Non-Div Totals							Invoice Transactions	2		\$19,015.02
Department 000 - Non-Dept Totals							Invoice Transactions	2		\$19,015.02
Fund 422 - Capital Projects - Measure X Totals							Invoice Transactions	2		\$19,015.02



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 462 - City Capital Projects										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection										
10171 - CSG Consultants	46638	Dunes Phase 3 West	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	1,521.00
Account 6300.180 - Prof Svc Eng Svc- Rev Funded Inspection Totals									Invoice Transactions 1	\$1,521.00
Account 6300.185 - Prof Svc Engineering Svs-Staff Augment										
10171 - CSG Consultants	46622	2nd Ave Extension	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	169.00
10316 - Kimley-Horn & Associates	097789008-0922	Imjin Parkway PS&E	Paid by Check # 101036		09/30/2022	10/18/2022	10/18/2022		10/21/2022	3,057.00
Account 6300.185 - Prof Svc Engineering Svs-Staff Augment Totals									Invoice Transactions 2	\$3,226.00
Account 6300.570 - Prof Svc Other										
11364 - Jeff Katz Architectural Corp. - JKA Architecture	21322	Marina Aquatic and Sports Center Design Phase	Paid by Check # 101034		09/30/2022	10/18/2022	10/18/2022		10/21/2022	63,710.75
11489 - Wallace Group, Inc.	57536	Blight Removal 2022	Paid by Check # 101059		10/10/2022	10/11/2022	10/11/2022		10/21/2022	13,637.80
11489 - Wallace Group, Inc.	57502	Program Management	Paid by Check # 101059		10/07/2022	10/11/2022	10/11/2022		10/21/2022	31,368.97
10171 - CSG Consultants	46621	Imjin Widening	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	4,225.00
10171 - CSG Consultants	46623	Local Roadway Safety Plan	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	845.00
10171 - CSG Consultants	46624	Duplex Housing Renovation	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	169.00
10171 - CSG Consultants	46625	PFIF Update	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	1,014.00
10171 - CSG Consultants	46626	Martin Luther King Jr Statue	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	169.00
10171 - CSG Consultants	46632	Sea Haven Phase 3 Map/Plan Review	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	3,295.50
10171 - CSG Consultants	46633	Sea Haven Phase 3A Inspection	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	2,054.00
10171 - CSG Consultants	46634	Marina Station	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	7,376.00
10171 - CSG Consultants	46635	Dunes Phase 2 East	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	2,392.00
10171 - CSG Consultants	46636	Dunes Phase 2 West	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	5,891.00
10171 - CSG Consultants	46637	Dunes Op Site 1A	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	4,555.00
10171 - CSG Consultants	46639	Hampton Inn (120 Reservation Road)	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	8,580.00



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 462 - City Capital Projects										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.570 - Prof Svc Other										
10171 - CSG Consultants	46640	Sea Haven Inspection Phase 3B	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	528.00
10171 - CSG Consultants	46641	Sea Haven Phase 4 Map/Plan Review	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	6,553.00
10171 - CSG Consultants	46642	Dunes Phase 1B Promenade	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	3,048.00
10171 - CSG Consultants	46643	Via Del Mar Subdivision (3220 Abdy Way)	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	1,827.50
10171 - CSG Consultants	46644	Sea Haven Phase 4 Rough Grading	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	6,732.00
10171 - CSG Consultants	46645	Home2Suites by Hilton	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	1,056.00
10171 - CSG Consultants	46647	Quick Quack Carwash	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	6,072.00
10171 - CSG Consultants	46648	USA Properties BMR Site 1	Paid by Check # 101024		10/14/2022	10/18/2022	10/18/2022		10/21/2022	169.00
10189 - Denise Duffy & Associates	8243	Imjin 2020-13	Paid by Check # 101025		10/11/2022	10/18/2022	10/18/2022		10/21/2022	7,083.00
Account 6300.570 - Prof Svc Other Totals							Invoice Transactions	24		<u>\$182,351.52</u>
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	27		<u>\$187,098.52</u>
Division 000 - Non-Div Totals							Invoice Transactions	27		<u>\$187,098.52</u>
Department 000 - Non-Dept Totals							Invoice Transactions	27		<u>\$187,098.52</u>
Fund 462 - City Capital Projects Totals							Invoice Transactions	27		<u>\$187,098.52</u>



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 555 - Marina Airport										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6360.050 - Maint & Repairs Building										
10728 - Ace Hardware-Public Works	083318	Airport	Paid by Check # 101010		10/17/2022	10/18/2022	10/18/2022		10/21/2022	54.61
10728 - Ace Hardware-Public Works	083204	Airport	Paid by Check # 101010		10/05/2022	10/18/2022	10/18/2022		10/21/2022	5.45
10728 - Ace Hardware-Public Works	083217	Airport	Paid by Check # 101010		10/06/2022	10/18/2022	10/18/2022		10/21/2022	4.36
10237 - Ferguson Enterprise , Inc. # 1423	0209306	Airport	Paid by Check # 101028		10/04/2022	10/12/2022	10/12/2022		10/21/2022	5.07
10237 - Ferguson Enterprise , Inc. # 1423	0206414	Airport	Paid by Check # 101028		10/03/2022	10/12/2022	10/12/2022		10/21/2022	16.16
Account 6360.050 - Maint & Repairs Building Totals							Invoice Transactions 5			<u>\$85.65</u>
Account 6360.360 - Maint & Repairs Janitorial										
10034 - American Supply Co.	2981549	Airport Supplies	Paid by Check # 101012		10/13/2022	10/18/2022	10/18/2022		10/21/2022	883.61
10239 - First Alarm	712837	Fire alarm Hangar Building 510 3240 Imjin Rd	Paid by Check # 101029		10/15/2022	10/18/2022	10/18/2022		10/21/2022	460.77
Account 6360.360 - Maint & Repairs Janitorial Totals							Invoice Transactions 2			<u>\$1,344.38</u>
Account 6360.566 - Maint & Repairs Other Equipment										
10356 - Marina Plumbing	52071	Sink Stopage 3261 Imjin	Paid by Check # 101040		10/18/2022	10/18/2022	10/18/2022		10/21/2022	233.55
Account 6360.566 - Maint & Repairs Other Equipment Totals							Invoice Transactions 1			<u>\$233.55</u>
Account 6380.120 - Utilities Comm Mobile & Pager										
10603 - Verizon Wireless	991781483	October - 308174766	Paid by Check # 101058		10/10/2022	10/17/2022	10/17/2022		10/21/2022	.00
Account 6380.120 - Utilities Comm Mobile & Pager Totals							Invoice Transactions 1			<u>\$0.00</u>
Account 6380.300 - Utilities Gas & Electric										
10463 - Pacific Gas & Electric	451-7Oct22	8600650451-7 3271 Imjin Rd	Paid by Check # 101049		10/10/2022	10/14/2022	10/14/2022		10/21/2022	213.19
10463 - Pacific Gas & Electric	103-6Oct22	8030427103-6 3200 Imjin Rd	Paid by Check # 101049		10/10/2022	10/14/2022	10/14/2022		10/21/2022	3,945.96
10463 - Pacific Gas & Electric	347-0Oct22	6258961347-0 3263 Imjin Rd Bldg 519	Paid by Check # 101049		10/10/2022	10/14/2022	10/14/2022		10/21/2022	618.68
10463 - Pacific Gas & Electric	608-2.Oct22	3260 Imjin Rd Bldg 514 7383993608-2	Paid by Check # 101049		10/11/2022	10/18/2022	10/18/2022		10/21/2022	880.76
10463 - Pacific Gas & Electric	098-7.Oct22	761 Neeson Rd Bldg 524 (6800558098-7)	Paid by Check # 101049		10/11/2022	10/18/2022	10/18/2022		10/21/2022	7,435.96
10463 - Pacific Gas & Electric	694-1.Oct22	721 Neeson Rd Bldg 533 (7269284694-1)	Paid by Check # 101049		10/11/2022	10/18/2022	10/18/2022		10/21/2022	1,459.89



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 555 - Marina Airport										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6380.300 - Utilities Gas & Electric										
10463 - Pacific Gas & Electric	767-2.Oct22	751 Neeson Rd Bldg 526 (2652040767-2)	Paid by Check # 101049		10/11/2022	10/18/2022	10/18/2022		10/21/2022	16.65
Account 6380.300 - Utilities Gas & Electric Totals Invoice Transactions 7										<u>\$14,571.09</u>
Account 6380.500 - Utilities Water & Sewer										
10349 - Marina Coast Water District	000056051 092922	721 Neeson Road/Airport	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	271.54
10349 - Marina Coast Water District	000056043 092922	761 Neeson Road/Airport	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	193.30
10349 - Marina Coast Water District	000056044 092922	781 Neeson Road/Airport	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	155.54
10349 - Marina Coast Water District	000056092 092922	741 Neeson Road/Airport	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	1,202.65
10349 - Marina Coast Water District	000056096 092922	3271 Imjin Road/Airport	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	107.88
10349 - Marina Coast Water District	000056097 092922	3200 Imjin Road/Airport	Paid by Check # 101039		09/29/2022	10/12/2022	10/12/2022		10/21/2022	494.82
Account 6380.500 - Utilities Water & Sewer Totals Invoice Transactions 6										<u>\$2,425.73</u>
Sub-Division 00 - Non-Subdiv Totals Invoice Transactions 22										<u>\$18,660.40</u>
Division 000 - Non-Div Totals Invoice Transactions 22										<u>\$18,660.40</u>
Department 000 - Non-Dept Totals Invoice Transactions 22										<u>\$18,660.40</u>
Fund 555 - Marina Airport Totals Invoice Transactions 22										<u>\$18,660.40</u>



Accounts Payable by G/L Distribution Report

Payment Date Range 10/20/22 - 10/21/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 758 - Successor Agency Oblig Retirement										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6650.010 - ROPS #10-Financial, RE Advisory Svc										
10315 - Keyser Marston Associates	0037248	Sea Haven Workforce Pricing - September 2022	Paid by Check # 99		10/11/2022	10/11/2022	10/11/2022		10/21/2022	1,196.60
Account 6650.010 - ROPS #10-Financial, RE Advisory Svc Totals							Invoice Transactions	1		<u>\$1,196.60</u>
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	1		<u>\$1,196.60</u>
Division 000 - Non-Div Totals							Invoice Transactions	1		<u>\$1,196.60</u>
Department 000 - Non-Dept Totals							Invoice Transactions	1		<u>\$1,196.60</u>
Fund 758 - Successor Agency Oblig Retirement Totals							Invoice Transactions	1		<u>\$1,196.60</u>
Grand Totals							Invoice Transactions	151		<u>\$450,456.51</u>



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 130 - Finance										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.216 - Prof Svc Fin - Accounting Services										
10511 - Richard B. Standridge	22-21	Service 10/10-20/2022	Paid by EFT # 2641		10/21/2022	10/20/2022	10/20/2022		10/28/2022	3,942.50
Account 6300.216 - Prof Svc Fin - Accounting Services Totals							Invoice Transactions	1		\$3,942.50
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	1		\$3,942.50
Division 000 - Non-Div Totals							Invoice Transactions	1		\$3,942.50
Department 130 - Finance Totals							Invoice Transactions	1		\$3,942.50
Department 190 - Citywide Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.570 - Prof Svc Other										
11425 - Formation Environmental, LLC	7249	Groundwater Sustainability Plan	Paid by Check # 101076		09/25/2022	10/19/2022	10/19/2022		10/28/2022	4,398.75
11710 - HdL Coren & Cone	SIN022289	Property Tax October - December 2022	Paid by EFT # 2640		10/24/2022	10/25/2022	10/25/2022		10/28/2022	2,050.00
Account 6300.570 - Prof Svc Other Totals							Invoice Transactions	2		\$6,448.75
Account 6380.150 - Utilities Comm Phone System										
10758 - AT & T CALNET3	Sep - Oct 454 4	CALNET3-9391023454 (384-4226)	Paid by Check # 101069		10/14/2022	10/24/2022	10/24/2022		10/28/2022	1,546.57
10758 - AT & T CALNET3	000018930079	CALNET3-9391023482 (884-0985)	Paid by Check # 101069		10/15/2022	10/24/2022	10/24/2022		10/28/2022	24.29
10758 - AT & T CALNET3	000018930081	CALNET3-9391023485 (884-2573)	Paid by Check # 101069		10/15/2022	10/24/2022	10/24/2022		10/28/2022	25.22
10758 - AT & T CALNET3	000018930086	CALNET3-9391023490 (884-9568)	Paid by Check # 101069		10/15/2022	10/24/2022	10/24/2022		10/28/2022	45.22
10758 - AT & T CALNET3	000018930087	CALNET3-9391023491 (884-9654)	Paid by Check # 101069		10/15/2022	10/24/2022	10/24/2022		10/28/2022	85.29
Account 6380.150 - Utilities Comm Phone System Totals							Invoice Transactions	5		\$1,726.59
Account 6380.300 - Utilities Gas & Electric										
10463 - Pacific Gas & Electric	Sep - Oct 683-2	PG&E 6217294683-2	Paid by Check # 101090		10/18/2022	10/24/2022	10/24/2022		10/28/2022	295.66
10463 - Pacific Gas & Electric	Sep - Oct 172-2	PG&E - 5618207172-2	Paid by Check # 101090		10/19/2022	10/26/2022	10/26/2022		10/28/2022	639.30
Account 6380.300 - Utilities Gas & Electric Totals							Invoice Transactions	2		\$934.96
Account 6400.635 - Material & Suppl Postage Shipping										
10509 - Reserve Account - Pitney Bowes	10-20-22	Postage Meter Refill	Paid by Check # 101091		10/20/2022	10/21/2022	10/21/2022		10/28/2022	1,500.00
Account 6400.635 - Material & Suppl Postage Shipping Totals							Invoice Transactions	1		\$1,500.00



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 190 - Citywide Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6600.010 - Other Charges Alarm										
10239 - First Alarm	710340	Alarm Monitoring - City Hall - Nov 2022-Jan 2023	Paid by Check # 101075		10/15/2022	10/21/2022	10/21/2022		10/28/2022	118.02
10239 - First Alarm	711500	Alarm Monitoring - 327 Reindollar Ave - Nov 2022-Jan 2023	Paid by Check # 101075		10/15/2022	10/21/2022	10/21/2022		10/28/2022	146.16
Account 6600.010 - Other Charges Alarm Totals							Invoice Transactions	2		\$264.18
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	12		\$10,874.48
Division 000 - Non-Div Totals							Invoice Transactions	12		\$10,874.48
Department 190 - Citywide Non-Dept Totals							Invoice Transactions	12		\$10,874.48
Department 210 - Police										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.570 - Prof Svc Other										
10342 - Monterey County Peace Officers Association-MCPOA	2022063R	Acct Marina 2022	Paid by Check # 101085		10/07/2022	10/18/2022	10/18/2022		10/28/2022	945.00
10420 - Monterey County Weekly	09-29--22	Marina Police Dept - Sale of Property Notice	Paid by Check # 101086		09/29/2022	10/18/2022	10/18/2022		10/28/2022	49.00
Account 6300.570 - Prof Svc Other Totals							Invoice Transactions	2		\$994.00
Account 6360.360 - Maint & Repairs Janitorial										
10080 - Branch's Janitorial	228490	Janitorial Service - Police/Fire/Airport October 2022	Paid by Check # 101071		10/24/2022	10/21/2022	10/21/2022		10/28/2022	1,308.34
Account 6360.360 - Maint & Repairs Janitorial Totals							Invoice Transactions	1		\$1,308.34
Account 6360.570 - Maint & Repairs Other Svc Agr										
11351 - Legal Notification Services, Inc.	1405	Marina Police Department	Paid by Check # 101082		10/11/2022	10/18/2022	10/18/2022		10/28/2022	1,811.94
10334 - Lexis Nexis Risk Solutions	1308841-20220930	Billing ID #1308841	Paid by Check # 101083		09/30/2022	10/18/2022	10/18/2022		10/28/2022	150.00
10981 - Sentry Alarm Systems of America, Inc.	2201157	City of Marina Police Department	Paid by Check # 101095		10/15/2022	10/18/2022	10/18/2022		10/28/2022	540.90
10981 - Sentry Alarm Systems of America, Inc.	2201158	City of Marina Police Department	Paid by Check # 101095		10/15/2022	10/18/2022	10/18/2022		10/28/2022	150.00
Account 6360.570 - Maint & Repairs Other Svc Agr Totals							Invoice Transactions	4		\$2,652.84
Account 6360.680 - Maint & Repairs Radio Equip										
11422 - The Radar Shop Inc.	14528	Marina Police Department	Paid by Check # 101098		10/01/2022	10/18/2022	10/18/2022		10/28/2022	1,060.00
Account 6360.680 - Maint & Repairs Radio Equip Totals							Invoice Transactions	1		\$1,060.00



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 210 - Police										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6380.120 - Utilities Comm Mobile & Pager										
10603 - Verizon Wireless	9916083045	Acct # 272493672-00001	Paid by Check # 101099		09/18/2022	09/21/2022	09/21/2022		10/28/2022	1,583.23
Account 6380.120 - Utilities Comm Mobile & Pager Totals										Invoice Transactions 1
										\$1,583.23
Account 6380.150 - Utilities Comm Phone System										
10758 - AT & T CALNET3	000018930110	CALNET3-9391023435 (237-267-6922)	Paid by Check # 101069		10/24/2022	10/24/2022	10/24/2022		10/28/2022	184.16
10053 - AT & T	10-01-22	Acct #248 134-7275 428 0	Paid by Check # 101068		10/01/2022	10/18/2022	10/18/2022		10/28/2022	5.87
10758 - AT & T CALNET3	000018920618	BAN #9391023434	Paid by Check # 101069		10/13/2022	10/18/2022	10/18/2022		10/28/2022	355.53
10057 - Avaya, Inc.	2221565449	Cust. #2578885	Paid by Check # 101070		09/28/2022	10/10/2022	10/10/2022		10/28/2022	10.30
10057 - Avaya, Inc.	2221576695	Cust #2578885	Paid by Check # 101070		10/03/2022	10/10/2022	10/10/2022		10/28/2022	2.19
Account 6380.150 - Utilities Comm Phone System Totals										Invoice Transactions 5
										\$558.05
Account 6380.500 - Utilities Water & Sewer										
10349 - Marina Coast Water District	09-29-22	Acct #014874000	Paid by Check # 101084		09/29/2022	10/18/2022	10/18/2022		10/28/2022	130.85
Account 6380.500 - Utilities Water & Sewer Totals										Invoice Transactions 1
										\$130.85
Account 6400.720 - Material & Suppl Safety Equip										
10309 - Salinas Valley Pro Squad	321313	Marina Police Department	Paid by Check # 101093		06/29/2022	10/18/2022	10/18/2022		10/28/2022	1,202.83
Account 6400.720 - Material & Suppl Safety Equip Totals										Invoice Transactions 1
										\$1,202.83
Account 6500.620 - Training & Travel POST										
11752 - Francisco Tapia	10-04-22	DO NOT MAIL - Per Diem for Ofc. Tapia	Paid by Check # 101103		10/03/2022	10/03/2022	10/03/2022		10/28/2022	506.00
11751 - Ryan Rodrigues	10-04-22	DO NOT MAIL - Per Diem for Ofc. Rodrigues	Paid by Check # 101105		10/04/2022	10/03/2022	10/03/2022		10/28/2022	506.00
Account 6500.620 - Training & Travel POST Totals										Invoice Transactions 2
										\$1,012.00
Account 6500.700 - Training & Travel Training & Travel										
11715 - Savage Training Group LLC	1799	Supervisors Seminar - C. Johnson	Paid by Check # 101094		10/12/2022	10/18/2022	10/18/2022		10/28/2022	404.00
11715 - Savage Training Group LLC	1800	Use of Force for Field Supervisors - C. Johnson	Paid by Check # 101094		10/12/2022	10/18/2022	10/18/2022		10/28/2022	283.00
Account 6500.700 - Training & Travel Training & Travel Totals										Invoice Transactions 2
										\$687.00



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 210 - Police										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6500.800 - Training & Travel Tuition Reimbursement										
11760 - Rachel Shimabukuro	09-28-22	Tuition Reimbursement - R. Shimabukuro	Paid by Check # 101104		09/28/2022	10/19/2022	10/19/2022		10/28/2022	2,000.00
Account 6500.800 - Training & Travel Tuition Reimbursement Totals							Invoice Transactions	1		\$2,000.00
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	21		\$13,189.14
Division 000 - Non-Div Totals							Invoice Transactions	21		\$13,189.14
Department 210 - Police Totals							Invoice Transactions	21		\$13,189.14
Department 250 - Fire										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.570 - Prof Svc Other										
10841 - Carmel Fire Protection Associates - Art Black	122410	Plan review & inspection at 225 10th St, Swimming pool & spa	Paid by Check # 101072		10/15/2022	10/21/2022	10/21/2022		10/28/2022	200.00
Account 6300.570 - Prof Svc Other Totals							Invoice Transactions	1		\$200.00
Account 6360.360 - Maint & Repairs Janitorial										
10080 - Branch's Janitorial	228490	Janitorial Service - Police/Fire/Airport October 2022	Paid by Check # 101071		10/24/2022	10/21/2022	10/21/2022		10/28/2022	516.66
Account 6360.360 - Maint & Repairs Janitorial Totals							Invoice Transactions	1		\$516.66
Account 6360.570 - Maint & Repairs Other Svc Agr										
10627 - Zoom Imaging Solutions	IN3015559	Maintenance Contract - 07/17/22 to 10/16/22	Paid by Check # 101101		10/17/2022	10/21/2022	10/21/2022		10/28/2022	61.06
Account 6360.570 - Maint & Repairs Other Svc Agr Totals							Invoice Transactions	1		\$61.06
Account 6360.850 - Maint & Repairs Vehicle										
10780 - Allstar Fire Equipment Inc.	243215	Red Head S-146 Double Storz Holder, for new engine	Paid by Check # 101066		10/11/2022	10/21/2022	10/21/2022		10/28/2022	503.39
10323 - L.N. Curtis & Sons	INV639420	Action couplings for new engine	Paid by Check # 101081		10/07/2022	10/21/2022	10/21/2022		10/28/2022	45.11
Account 6360.850 - Maint & Repairs Vehicle Totals							Invoice Transactions	2		\$548.50
Account 6400.800 - Material & Suppl Uniform										
10018 - Advantage Gear	57851-1	Uniform shirt for RFF Flores	Paid by Check # 101065		10/12/2022	10/21/2022	10/21/2022		10/28/2022	154.16
Account 6400.800 - Material & Suppl Uniform Totals							Invoice Transactions	1		\$154.16
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	6		\$1,480.38
Division 000 - Non-Div Totals							Invoice Transactions	6		\$1,480.38
Department 250 - Fire Totals							Invoice Transactions	6		\$1,480.38



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 310 - Public Works										
Division 311 - Buildings & Grounds										
Sub-Division 00 - Non-Subdiv										
Account 6360.065 - Maint & Repairs Bdg NonFlagship										
10728 - Ace Hardware-Public Works	083353	Shop Supplies	Paid by Check # 101064		10/20/2022	10/19/2022	10/19/2022		10/28/2022	5.45
10728 - Ace Hardware-Public Works	083392	PW Keys	Paid by Check # 101064		10/24/2022	10/21/2022	10/21/2022		10/28/2022	13.71
10034 - American Supply Co.	0172486	Shop Supplies	Paid by Check # 101067		10/18/2022	10/21/2022	10/21/2022		10/28/2022	2,006.27
10080 - Branch's Janitorial	228492	Custodial Service for October	Paid by Check # 101071		10/24/2022	10/21/2022	10/21/2022		10/28/2022	2,886.35
10181 - Dave's Repair Service	34288	Replaced Nozle and Filter on Diesel	Paid by Check # 101073		10/11/2022	10/21/2022	10/21/2022		10/28/2022	102.32
10275 - Home Depot Credit Service	10-13-22	PW 6035322503959813	Paid by Check # 101079		10/13/2022	10/21/2022	10/21/2022		10/28/2022	571.20
10313 - Kelly-Moore Paint Co.,Inc	802- 00000841852	Rags	Paid by Check # 101080		10/20/2022	10/19/2022	10/19/2022		10/28/2022	80.80
Account 6360.065 - Maint & Repairs Bdg NonFlagship Totals									Invoice Transactions 7	\$5,666.10
Account 6360.440 - Maint & Repairs Landscape General										
10250 - Gavilan Pest Control	0149066	3126 Shoemaker/at Pond	Paid by Check # 101078		10/14/2022	10/21/2022	10/21/2022		10/28/2022	80.00
10250 - Gavilan Pest Control	0149135	Preston Park Squirrels	Paid by Check # 101078		10/14/2022	10/21/2022	10/21/2022		10/28/2022	180.00
Account 6360.440 - Maint & Repairs Landscape General Totals									Invoice Transactions 2	\$260.00
Account 6380.500 - Utilities Water & Sewer										
10349 - Marina Coast Water District	000056098	3254 Abdy Way (Tate Park-Building)	Paid by Check # 101084		10/07/2022	10/19/2022	10/19/2022		10/28/2022	50.60
10349 - Marina Coast Water District	000056014 100722	3200 Del Monte Blvd	Paid by Check # 101084		10/07/2022	10/19/2022	10/19/2022		10/28/2022	1,785.96
Account 6380.500 - Utilities Water & Sewer Totals									Invoice Transactions 2	\$1,836.56
Sub-Division 00 - Non-Subdiv Totals									Invoice Transactions 11	\$7,762.66
Division 311 - Buildings & Grounds Totals									Invoice Transactions 11	\$7,762.66
Division 313 - Vehicle Maint										
Sub-Division 00 - Non-Subdiv										
Account 6360.690 - Maint & Repairs Supplies										
10403 - NAPA Auto Parts - former Monterey Auto Supply	941437	Oil Change	Paid by Check # 101088		10/21/2022	10/21/2022	10/21/2022		10/28/2022	30.09
10403 - NAPA Auto Parts - former Monterey Auto Supply	941331	Oil Change	Paid by Check # 101088		10/21/2022	10/21/2022	10/21/2022		10/28/2022	228.35
Account 6360.690 - Maint & Repairs Supplies Totals									Invoice Transactions 2	\$258.44
Account 6360.850 - Maint & Repairs Vehicle										
10428 - Monterey Tire Service	1-108841	New Tire PW	Paid by Check # 101087		10/20/2022	10/19/2022	10/19/2022		10/28/2022	217.16



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 310 - Public Works										
Division 313 - Vehicle Maint										
Sub-Division 00 - Non-Subdiv										
Account 6360.850 - Maint & Repairs Vehicle										
11681 - South Coast Emergency Vehicle Service	509895	Fire Department	Paid by Check # 101097		10/18/2022	10/21/2022	10/21/2022		10/28/2022	7,611.37
Account 6360.850 - Maint & Repairs Vehicle Totals							Invoice Transactions	2		\$7,828.53
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	4		\$8,086.97
Division 313 - Vehicle Maint Totals							Invoice Transactions	4		\$8,086.97
Department 310 - Public Works Totals							Invoice Transactions	15		\$15,849.63
Department 410 - Planning										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.610 - Prof Svc Planning - Consultant										
10245 - Frank Ono	1644	Consulting Services	Paid by Check # 101077		10/18/2022	10/20/2022	10/20/2022		10/28/2022	6,350.00
Account 6300.610 - Prof Svc Planning - Consultant Totals							Invoice Transactions	1		\$6,350.00
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	1		\$6,350.00
Division 000 - Non-Div Totals							Invoice Transactions	1		\$6,350.00
Department 410 - Planning Totals							Invoice Transactions	1		\$6,350.00
Department 430 - Building Inspection										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.100 - Prof Svc Code Enforcement										
11477 - Cheryl Kent - DBA Fastrac	2022-120	Code Enforcement Investigations	Paid by Check # 101102		10/21/2022	10/24/2022	10/24/2022		10/28/2022	1,120.00
Account 6300.100 - Prof Svc Code Enforcement Totals							Invoice Transactions	1		\$1,120.00
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	1		\$1,120.00
Division 000 - Non-Div Totals							Invoice Transactions	1		\$1,120.00
Department 430 - Building Inspection Totals							Invoice Transactions	1		\$1,120.00



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 100 - General Fund										
Department 510 - Recreation & Culture										
Division 100 - Admin										
Sub-Division 00 - Non-Subdiv										
Account 6380.150 - Utilities Comm Phone System										
10053 - AT & T	2023-00000397	AT&T 831-582-9957 520 5	Paid by Check # 101068		10/13/2022	10/24/2022	10/24/2022		10/28/2022	242.44
Account 6380.150 - Utilities Comm Phone System Totals							Invoice Transactions		1	\$242.44
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions		1	\$242.44
Division 100 - Admin Totals							Invoice Transactions		1	\$242.44
Department 510 - Recreation & Culture Totals							Invoice Transactions		1	\$242.44
Fund 100 - General Fund Totals							Invoice Transactions		58	\$53,048.57



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 220 - Gas Tax										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6380.300 - Utilities Gas & Electric										
10463 - Pacific Gas & Electric	Sep - Oct 683-2	PG&E 6217294683-2	Paid by Check # 101090		10/18/2022	10/24/2022	10/24/2022		10/28/2022	424.35
10463 - Pacific Gas & Electric	Sep - Oct 483-6	PG&E - 3982644483-6	Paid by Check # 101090		10/14/2022	10/24/2022	10/24/2022		10/28/2022	12,836.14
10463 - Pacific Gas & Electric	Sep - Oct 533-8	PG&E - 2253666533-8	Paid by Check # 101090		10/18/2022	10/26/2022	10/26/2022		10/28/2022	108.68
10463 - Pacific Gas & Electric	Sep - Oct 362-9	PG&E - 5996678362-9	Paid by Check # 101090		10/19/2022	10/26/2022	10/26/2022		10/28/2022	106.00
Account 6380.300 - Utilities Gas & Electric Totals									Invoice Transactions 4	\$13,475.17
Account 6380.500 - Utilities Water & Sewer										
10349 - Marina Coast Water District	000056086 100722	Crescent Ave/Sirena Del Mar Irrigation	Paid by Check # 101084		10/07/2022	10/19/2022	10/19/2022		10/28/2022	27.26
10349 - Marina Coast Water District	000056084 100722	Crescent/Shuler/Irrigati on	Paid by Check # 101084		10/07/2022	10/19/2022	10/19/2022		10/28/2022	27.26
10349 - Marina Coast Water District	000056085 100722	Crescent/Whitney Irrigation	Paid by Check # 101084		10/07/2022	10/19/2022	10/19/2022		10/28/2022	27.26
10349 - Marina Coast Water District	000056030 100722	Crescent Ave/Reser Rd/Ramada Inn	Paid by Check # 101084		10/07/2022	10/19/2022	10/19/2022		10/28/2022	36.77
10349 - Marina Coast Water District	000056087 100722	Crescent Ave/Costa Del Mar Irrigation	Paid by Check # 101084		10/07/2022	10/19/2022	10/19/2022		10/28/2022	27.26
Account 6380.500 - Utilities Water & Sewer Totals									Invoice Transactions 5	\$145.81
Account 6400.740 - Material & Suppl Special Dept Suppl										
10540 - Sierra Springs & Alhambra	9696351 102222	Corp Yard	Paid by Check # 101096		10/22/2022	10/21/2022	10/21/2022		10/28/2022	41.42
Account 6400.740 - Material & Suppl Special Dept Suppl Totals									Invoice Transactions 1	\$41.42
Account 6400.750 - Material & Suppl Street Material (non-capitalize)										
10313 - Kelly-Moore Paint Co.,Inc	802- 00000842068	Street Paint Supplies	Paid by Check # 101080		10/21/2022	10/21/2022	10/21/2022		10/28/2022	30.57
Account 6400.750 - Material & Suppl Street Material (non-capitalize) Totals									Invoice Transactions 1	\$30.57
Sub-Division 00 - Non-Subdiv Totals									Invoice Transactions 11	\$13,692.97
Division 000 - Non-Div Totals									Invoice Transactions 11	\$13,692.97
Department 000 - Non-Dept Totals									Invoice Transactions 11	\$13,692.97
Fund 220 - Gas Tax Totals									Invoice Transactions 11	\$13,692.97



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 223 - FORA Dissolution										
Department 223 - Habitat Management										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6375.015 - JCFA Habitat Mgt Planning & Design										
10189 - Denise Duffy & Associates	8141	Fort Ord Habitat Management Plan - Task #3.3	Paid by Check # 101074		10/17/2022	10/20/2022	10/20/2022		10/28/2022	11,003.00
10189 - Denise Duffy & Associates	8140	Incidental Take Permit - Task # 3	Paid by Check # 101074		10/17/2022	10/20/2022	10/20/2022		10/28/2022	3,994.00
Account 6375.015 - JCFA Habitat Mgt Planning & Design Totals							Invoice Transactions	2		<u>\$14,997.00</u>
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	2		<u>\$14,997.00</u>
Division 000 - Non-Div Totals							Invoice Transactions	2		<u>\$14,997.00</u>
Department 223 - Habitat Management Totals							Invoice Transactions	2		<u>\$14,997.00</u>
Fund 223 - FORA Dissolution Totals							Invoice Transactions	2		<u>\$14,997.00</u>



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 462 - City Capital Projects										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6300.570 - Prof Svc Other										
10462 - Pacific Crest Engineering	11342	Glorya Jean Tate Park Improvements & Pump Track	Paid by Check # 101089		09/30/2022	10/19/2022	10/19/2022		10/28/2022	753.00
10515 - Rincon Consultants, Inc.	43265	DVSP	Paid by Check # 101092		10/20/2022	10/20/2022	10/20/2022		10/28/2022	9,919.44
Account 6300.570 - Prof Svc Other Totals							Invoice Transactions	2		\$10,672.44
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions	2		\$10,672.44
Division 000 - Non-Div Totals							Invoice Transactions	2		\$10,672.44
Department 000 - Non-Dept Totals							Invoice Transactions	2		\$10,672.44
Fund 462 - City Capital Projects Totals							Invoice Transactions	2		\$10,672.44



Accounts Payable by G/L Distribution Report

Payment Date Range 10/28/22 - 10/28/22

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund 555 - Marina Airport										
Department 000 - Non-Dept										
Division 000 - Non-Div										
Sub-Division 00 - Non-Subdiv										
Account 6360.050 - Maint & Repairs Building										
11456 - William A. Thayer Construction, Inc	2021-09-RET	Airport Building 533 Improvements	Paid by Check # 101100		08/31/2022	10/21/2022	10/21/2022		10/28/2022	1,760.54
Account 6360.050 - Maint & Repairs Building Totals							Invoice Transactions		1	\$1,760.54
Account 6360.360 - Maint & Repairs Janitorial										
10080 - Branch's Janitorial	228490	Janitorial Service - Police/Fire/Airport October 2022	Paid by Check # 101071		10/24/2022	10/21/2022	10/21/2022		10/28/2022	410.00
Account 6360.360 - Maint & Repairs Janitorial Totals							Invoice Transactions		1	\$410.00
Account 6380.300 - Utilities Gas & Electric										
10463 - Pacific Gas & Electric	Sep - Oct 683-2	PG&E 6217294683-2	Paid by Check # 101090		10/18/2022	10/24/2022	10/24/2022		10/28/2022	14.50
Account 6380.300 - Utilities Gas & Electric Totals							Invoice Transactions		1	\$14.50
Sub-Division 00 - Non-Subdiv Totals							Invoice Transactions		3	\$2,185.04
Division 000 - Non-Div Totals							Invoice Transactions		3	\$2,185.04
Department 000 - Non-Dept Totals							Invoice Transactions		3	\$2,185.04
Fund 555 - Marina Airport Totals							Invoice Transactions		3	\$2,185.04
Grand Totals							Invoice Transactions		76	\$94,596.02



DRAFT

Agenda Item: **8b(1)**
City Council Meeting of
November 1, 2022

MINUTES

THURSDAY OCTOBER 6, 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 2022-110, 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. Conference with Legal Counsel, Anticipated Litigation, Significant exposure to litigation pursuant to § 54956.9(b): 1 case
- b. Conference with Legal Counsel – Existing Litigation pursuant to paragraph (10 of Subdivision (d) of Govt. Code Section 54956.9: Marina Aviation, LLC Phil Lewis V. FAA et al. Petition for Review, United States Court of Appeals for the 9th Circuit, Case No. 22-70173
- c. Conference with Labor Negotiators §54957.6
 - i. Marina Employee Association

City Negotiators: Layne P. Long, City Manager and Employee Relations Officer

- c. Real Property Negotiation
 - i. Property: Commercial property at southeast corner of Del Monte Blvd. and Palm Avenue (APN 032-303-038) and residential property at Hayes Circle and 3rd Avenue (APN 032-303-039, a portion)
Negotiating Party: George Powell
Negotiator(s): City Manager
Terms: Price and Terms
 - ii. Property: City of Marina Corporation Yard, 2660 5th Avenue, Marina, CA
Negotiating Party: California State University Monterey Bay
Negotiator(s): City Manager
Terms: Price and Terms
 - iii. Property: 761 Neeson Road, Building 524, APN: 031-111-0206-000
Negotiating Dish Wireless, LLC
Negotiator(s): City Manager
Terms: Price and Terms

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

Heidi Quinn, Interim City Attorney reported out Closed Session: Council met in Closed Session with regard to the six items listed. In each case, the Council received information, direction was provided and no reportable action was taken.

4. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)
5. **SPECIAL PRESENTATIONS:**
 - a. **Monterey-Salinas Transit Van Pool Presentation**
 - b. **Red Ribbon Week Proclamation**
 - c. **Breast Cancer Awareness Month Proclamation**
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.*

- Tanja Roos – Representing Blue Zones Project Monterey County. Share with Council and public the recent activities Blue Zone is doing in collaboration with organizations in the city to improve health and well-being for your residents. Thanked Public Works for the work that was done the intersection of Carmel in California with the bulb out project that they're installing there to improve safety for kids walking to and from school.
- Nancy Amadeo – Announced that Marina in Motion held their candidate forum for the MCWD candidate, Fourth District, MPUSD, and the City Council candidates last Saturday and can be watched on Comcast Channel 25 on Mondays, Wednesdays, and Fridays at 9:00am and 4:00pm. The forums are also on AMPmedia.org and on Marina in Motion Facebook page. Thanked Public Works for putting up the parking barricades on Cardoza so traffic does not drive parking lanes.
- Evan Jacobs, California American Water – Spoke about the California Coastal Commission hearing in November for the coastal development permit on the Ocean Take Wells. Spoke about the community workshops and public outreach on the project. Announced that in October, two additional community workshops will be held in Marina. The first will be at the Library on October 17th and the second will be at Springhill Suites on October 24th.
- Denise Turley – Commented about the last meeting on the Marina Equestrian Center and the length of that meeting and that the public speaking did not give their names.
- Liesbeth Visscher – Informed the public of two dates on CalAm's proposed Desal Project. The first date is Thursday, October 27th at the Marina Library the City will host a public forum from 6:00pm-8:00pm to get the facts on CalAm's proposed Desal project. On Thursday, November 17th will be the California Coastal Commission hearing in Salinas for the CalAm proposed Desal Plant and need speakers.
- Fire Chief McCoun – Announced on Tuesday, October 11, 2022, from 4:00pm-7:00pm we will be hosting our open house at the Marina Fire Station at 209 Palm Avenue. Lots of information for the public and plenty of activities for the kids. Noted that October is Fire Prevention Month
- Assistant City Manager Mogensen – Introduced to the Council and public the City's new Airport Services Manager, Matt Nelson.
- Airport Services Manager, Matt Nelson – Introduced himself and provided some background information on his experiences.
- Council Member Medina Dirksen – Attended the Monterey Peninsula Chamber of Commerce Luncheon where the topics were on water and housing. Met with the new CSUMB President Bonnie. Attended the Monterey Bay Veterans Derby Spaghetti Feed at the American Legion. Attended the ribbon cutting ceremony for the 142-unit Terracina Apartment at the Dunes. Hats off to Citizens for Just Water for being at the Marina Famers Market on Sundays. Thanked Marina In Motion also for the candidate forum. Announced Marina Library Dad Reads a Halloween costume swap and free clothing. swap this weekend.
- Mayor Pro Tem Biala – Announced on October 27th from 6:00-8:00pm Marina is hosting Water Forum on the CalAm Proposed Desal Project to learn the facts about this project. Speakers will be from MCWD, Monterey One Water and Monterey Regional Water Management District.
- Mayor Delgado – Spoke about the water issues with CalAm and what's been going on since 2019 to the present. Thanked everyone who was coming out every Saturday at the Oak Woodland Restoration project at the library from 9:00am-1:00pm. Commented on Marina in Motion candidate forums and thanked them for hosting this event. Also thanked Ruth Krotzer for organizing the candidate forum at the library for the United States Congressman position.
- Council Member Berkley – Commented on the CalAm Desal Project. Thanked the city for postponing this week's meeting in honor of Yom Kippur.

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 100827-100915, totaling \$823,409.67
Accounts Payable for the Successor Agency Check Numbers 92-93, totaling \$4,505.00
 - b. MINUTES:
 - (1) September 7, 2022, Regular City Council Meeting
 - (2) September 20, 2022, Regular City Council Meeting
 - c. CLAIMS AGAINST THE CITY: None
 - d. AWARD OF BID: None
 - e. CALL FOR BIDS:
 - (1) City Council consider adopting **Resolution No. 2022-117**, approving advertising and call for bids for the City of Marina Municipal Improvements On-Call Contract 2022.
 - f. ADOPTION OF RESOLUTIONS: None
 - g. APPROVAL OF AGREEMENTS:
 - (1) City Council consider adopting **Resolution No. 2022-118**, awarding a construction contract for the California Avenue Pedestrian Crossing Installation Project to Monterey Peninsula Engineering of Marina, CA for the total bid in the amount of \$404,148.00; and allocating and appropriating additional funding in the amount of \$120,000 from the Public Facilities Impact Fee Intersection Fund to project HSR2005 for a total project funding of \$565,000; and authorizing the City Manager to execute contract documents, subject to final review and approval by the City Attorney; and authorizing the City Manager or his designee to expend up to an additional 10% of the contract amount for potential construction contingencies and to execute all construction change orders on behalf of the City; and authorizing the Finance Director to make necessary accounting and budgetary entries.
 - h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
 - i. MAPS: None
 - j. REPORTS: (RECEIVE AND FILE): None

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

Council Member Medina Dirksen had questions for agenda item 8a, asked why PG&E payments were so high; has the city considered solar and asked about the AP's being itemized by department.

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

9. PUBLIC HEARINGS:

- a. City Council Open a public hearing, take public testimony, and consider adopting **Resolution No. 2022-119**, determining that the proposed Tentative Map amendment is consistent with the certified EIR (SCH No. 2004091167) and adopted University Villages Specific Plan (now the Dunes on Monterey Bay), approving an amendment to the Tentative Subdivision Map originally approved in 2005 (Resolution 2005-131) as amended (Resolution No. 2008-209), and approving Tree Removal Permits for Phase 2 West and Phase 3 Residential of the Specific Plan, as unanimously recommended by the Planning Commission of the City of Marina.

Council Questions on staff presentation: There was mention of about there were 7 trees inadvertently removed. Were those by accident, or was that on purpose? Staff report indicates no fiscal impact, and in my reading of this the number of residential lots was reduced by 20 units does that not impact the tax that the city would ultimately receive? So, the specific plan does, does indicate the total number of units and the anchorage devoted to housing, correct? So this revision to the map continues that call out by the specific plan, with no major change or reduction or expansion of those initially and agreed upon designs?

Council Questions on Proponents presentation: The \$45 million of impact fees and post FORA fees, is that related to phase 3 or the whole Dunes project? How much of it is phase 3 that we're talking about tonight? The \$20,000 for parks is that the entire project and it's 4.6 million for phase 3 right? Would you consider these payments part of your expenses overall? Phase 3 - of the 19 trees that are going to be kept out of the 202 that exist today are they in the linear part or are they in the areas where they're shown as homes going in? Of the 175 trees, why couldn't we have relocated some of the iconic trees to get them out of harm's way during construction of these phases, like we did in the past? Do you have any approximation of how many of the 202 trees that are going to be cut in the residential area are in good or fair condition, and able to be relocated if the desire was there? What will the parking look like if scaling down you plan? Is there adequate turnaround for fire truck? When talking about affordable housing, can you tell me how that plays into the Terracina Apartments? Is the Terracina Apartments project prevailing wage? Will this project have any view sheds and water saving features, such as rainwater capture? On the linear park, is the purpose to have a real park or is it more aesthetic landscaping? What happens on the linear parks? For Phase 2 and Phase 3, where are the timelines? What are the timelines for when the fees are going to be done or available to the city? Are the seeds being planted coming from C4SM volunteer?

Mayor Delgado opened the public hearing for public comments:

- Les Martin – Thinks the whole plan looks nice. Concerned to have one of those big trees next to someone's home. Happy to see the progress on tearing down the old barracks. Asked if there would be more barracks that need to come down when the Dunes development is complete.

- Mike Owen – Happy to support the Planning Commission's approval of the tree removal permits. Spoke about previous tree removals in the development areas and the reactions from the public, staff and from the developer. Spoke about the transplanting of the new trees (saplings) and how they will survive better than the older trees.
- Nancy Amadeo – Noted this item is about approving an amendment to the tentative map for phase 2 and phase 3 not about trees. Pleased to see that some things actually went back to the original tentative map.
- Liesbeth Visscher – Spoke about the width of the streets and that they can accommodate a firetruck but not the semi-trucks that seem to want to turn down the roads and destroy the landscaping. Commented on the tree removal throughout the project and the expense of transplanting large trees.
- Denise Turley – Spoke about faulty water heaters that were installed and asked what was the final outcome of that issue? Commented on the extreme water bills and what was being done with that issue.
- Paula Pelot – Spoke about the length of the meeting. Shares concerns about the trees. Believes council members should meet with the City Manager to ask questions about the history of a project so as not to waste time.

Mayor Delgado closed the Public Hearing

BERKLEY/BURNETT: THAT WE OPENED A PUBLIC HEARING, TOOK TESTIMONY FROM THE PUBLIC, AND ADOPT RESOLUTION NO. 2022-119, DETERMINING THAT THE PROPOSED AMENDMENT TO THE UNIVERSITY VILLAGES (NOW THE DUNES ON MONTEREY BAY) TENTATIVE SUBDIVISION MAP (RESOLUTION NO. 2008-209) IS CONSISTENT WITH CERTIFIED EIR (SCH NO. 2004091167) AND ADOPTED UNIVERSITY VILLAGES SPECIFIC PLAN, APPROVING AN AMENDMENT TO THE TENTATIVE SUBDIVISION MAP APPROVED IN 2005 (RESOLUTION NO. 2005-131), SUBJECT TO FINDINGS AND CONDITIONS OF APPROVAL. 5-0-0-0 Motion Passes by Roll Call Vote

9:35 P.M.

DELGADO/MEDINA DIRKSEN: TO CONTINUE THE MEETING TO 11:00 P.M. 4-1(Burnett)-0-0 Motion Passes by Roll Call Vote

- City Council open a public hearing, take testimony from the public and read by title only and approve first reading of Ordinance No. 2022-, amending Marina Municipal Code, Title 5 to modify Section 5.32.090 to allow the assignment of a second cardroom permit in the Marina Municipal Code. *Continued from September 7, 2022. This item to be continued to October 18, 2022*

- 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.
- 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. 2022-120**, receiving update presentation for the Sports Center, Aquatic Center, Connector Building and outdoor Sports Pavilion (City of Marina Sports Complex) and associated site work; approving expanded architectural and professional services for the Aquatic Center, and Connector building; advancing architectural building and site design to 100% level, preparing bidding documents and architectural support services during construction; approving COAR's proposal of \$858,500 for the expanded architectural and professional services.

Council Questions: The pool and the sports complex itself are older buildings do you have kind of an off-the-cuff idea of if we had started with blank land or undeveloped land, how much of a savings is the existing Pool infrastructure and sports center base, what would the project cost us without the existing facilities? The pavilion that was to accommodate the roller hockey, do you think roller hockey will use it? Will the smaller rooms be properly ventilated to help eliminate respiratory issues such as Covid? Specialized staffing costs? Walking/Jogging track, why is our not elevate? How can we take the existing pool and cut it in two and call both Olympic sizes? Has our school district been able to weigh in on this at all, do they know what plans might be? Will there be some nexus? With the pavilion and concerns for not having an analogous situation with our weather and our climate, might there be some other spillover options for some other type of outdoor activities? Was there a room for staff? Was there an office, or some adequate room for them to take their breaks or alternate meeting sites? Is there a way to use the natural gas that is that is generated over at the at the dump? Is there some renewable source that you've explored at all for the potential whether it's the gas over at the at the dump? Can that be configured into any of this energy usage? Membership pricing structure, are there some opportunities to, for example, off for lower rates for people in a different income category or nonprofits? Is there a mechanism to do some fundraising on this? Outdoor Pavilion, given that this pavilion in every way improves the finances in project, how much would it cost to keep the pavilion design on a par equal to the design of the other 3 buildings? Have you outreach to the hockey leagues or hockey experts in trying to ensure weather safety during the use of the Outdoor Review? Has there been much deliberation on your team for sharing parking to reduce the conflict of parking need with the pavilion shared parking, that is, with the park to the immediate South? If we approve of this motion tonight, and we add on aquatic center, connector building and pavilion building, so that it's cemented in there then if you design the Pavilion Building right now, but we later decide to locate it across the street and the other park would that entail more money to design it in that way?

Biala/Berkley: to adopt Resolution No. 2022-120, receiving the update presentation in the Sports Center, approving expanded architectural and professional services for The Aquatic Center, Connector Building; and how did they say this? and making the construction only for the pavilion building (the construction only as opposed to the site plan); approving COAR Design Groups proposal in the amount of like \$858,500 for the expanded services

10:57 PM

Delgado/Medina Dirksen: to continue to 11:30 PM 4-0-1(Burnett)-0 Motion Passes by Roll Call Vote

11:20PM

Delgado/Medina Dirksen: to continue to 11:45 PM 3-1(Berkley)-1(Burnett)-0 Motion Passes by Roll Call Vote

Public Comments:

- Tommy Bolea – Likes the idea of having indoor activities for Marina’s cool climate. Spoke about the costs of construction and the costs associated with running the facility (gas and water/carbon footprint). Commented on the walking track and potential dangers for the active sports. Commented on the Aquatic Center design and motorized windows to help control the indoor temperature.
- Liesbeth Visscher – Thanked the design team for listening to the public. Spoke about the connector building and the entrances. Suggested putting offices in the area designated to be a storage area. Would like to see more seating space outside at the back entrance, and more bicycle and scooter parking spaces.
- Grace Silva-Santella – Thanked the design team. Agrees with previous speaker that move bike parking needs to be installed.
- Denise Turley – Asked who far the facility is from the high school?

Mayor Closed Public Comments

Mayor Pro Tem Biala amended her motion to include: recommendations to further consider with staff ventilation in smaller rooms; financial assistance to disadvantage communities; bike parking, safety around the jogging track; back entry issues

Mayor Delgado asked if the amendments could also include: maximize natural lighting

Mayor Pro Tem Biala accepted Mayor Delgado’s additional amendment

Final Motion

BIALA/BERKLEY: TO ADOPT RESOLUTION NO. 2022-120, RECEIVING THE UPDATE PRESENTATION IN THE SPORTS CENTER, APPROVING EXPANDED ARCHITECTURAL AND PROFESSIONAL SERVICES FOR THE AQUATIC CENTER, CONNECTOR BUILDING; AND HOW DID THEY SAY THIS? AND MAKING THE CONSTRUCTION ONLY FOR THE PAVILION BUILDING (THE CONSTRUCTION ONLY AS OPPOSED TO THE SITE PLAN); APPROVING COAR DESIGN GROUPS PROPOSAL IN THE AMOUNT OF LIKE \$858,500 FOR THE EXPANDED SERVICES; AND RECOMMENDATIONS TO FURTHER CONSIDER WITH STAFF VENTILATION IN SMALLER ROOMS; FINANCIAL ASSISTANCE TO DISADVANTAGE COMMUNITIES; BIKE PARKING, SAFETY AROUND THE JOGGING TRACK; BACK ENTRY ISSUES AND MAXIMIZE NATURAL LIGHTING. 4-0-1(Burnett)-0 Motion Passes by Roll Call Vote

11:43 P.M.

Delgado/Medina Dirksen: to continue to Midnight to try and finish 11b and 11c. 3-1(Berkley)-1(Burnett)-0 Motion Passes by Roll Call Vote

- b. City Council consider adopting **Resolution No. 2022-121**, approving Amendment No. 2 to the On-Call Architectural Services agreement between the City of Marina and Jeff Katz Architecture (JKA) changing the name of the firm from Jeff Katz Architecture (JKA) to COAR Design Group and increasing the annual contract limit amount to \$2,000,000 for fiscal year 2022-2023; and authorizing the City Manager to execute the amendment on behalf of the City subject to final review and approval by the City Attorney.

Council Questions: None

BIALA/MEDINA DIRKSEN: TO ADOPT RESOLUTION NO. 2022-121, APPROVING AMENDMENT NO. 2 TO THE ON-CALL ARCHITECTURAL SERVICES AGREEMENT BETWEEN THE CITY OF MARINA AND JEFF KATZ ARCHITECTURE (JKA) CHANGING THE NAME OF THE FIRM FROM JEFF KATZ ARCHITECTURE (JKA) TO COAR DESIGN GROUP AND INCREASING THE ANNUAL CONTRACT LIMIT AMOUNT TO \$2,000,000 FOR FISCAL YEAR 2022-2023; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY. 4-0-1(Burnett)-0 Motion Passes by Roll Call Vote

Public Comments: None

- c. City Council consider adopting **Resolution No. 2022-122**, receiving a presentation on the Sea Haven Park playground; and approve the allocation and appropriation of \$650,000 from the Park Impact Fee Fund for enhanced playground features which are beyond the developers funding commitment for the park and previously allocated Park Impact Fee funds; and Authorize the City Manager or his designee to execute a purchase and sales agreement for the playground equipment and installation; and authorize the Finance Director to make necessary accounting and budgetary entries.

Council Questions: Are there two rocking dolphins? Are there climbing walls for the smaller children? Safety netting? What material is the slide made of? Is it metal or plastic?

DELGADO/BIALA: TO ADOPT RESOLUTION NO. 2022-122, RECEIVING A PRESENTATION ON THE SEA HAVEN PARK PLAYGROUND; AND APPROVE THE ALLOCATION AND APPROPRIATION OF \$650,000 FROM THE PARK IMPACT FEE FUND FOR ENHANCED PLAYGROUND FEATURES WHICH ARE BEYOND THE DEVELOPERS FUNDING COMMITMENT FOR THE PARK AND PREVIOUSLY ALLOCATED PARK IMPACT FEE FUNDS; AND AUTHORIZE THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AND SALES AGREEMENT FOR THE PLAYGROUND EQUIPMENT AND INSTALLATION; AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES. 4-0-1(Burnett)-0 Motion Passes by Roll Call Vote

Public Comments:

- Les Martin – Commented on the price of the playground equipment and city should have used some of this money to upgrade existing parks in the city.
- Liesbeth Visscher – Exciting to have one big park for the entire city of Marina. Asked if the 18-months was the approximate timeline or would it be completed sooner? Who will maintain the equipment?
- Tommy Bolea – Asked what material the equipment would be made with due to Marina's weather and being next to the ocean air?

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 to 12:03 A.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor



DRAFT

Agenda Item: **8b(2)**
City Council Meeting of
November 1, 2022

MINUTES

Tuesday October 18, 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 2022-110, 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)

MEMBERS PRESENT: Cristina Medina Dirksen, David Burnett, Mayor Pro-Tem/Vice Chair Kathy Biala

MEMBERS LATE: Lisa Berkley (7:07PM); Mayor/Chair Bruce C. Delgado (8:03pm)

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 Labor Negotiators (§54957.6)
 - i. Marina Employee Association
 - ii. Marina Professional Fire Fighters Association
 - iii. Marina Public Safety Managers Association
 - iv. Marina Middle Manager Association
 - v. Directors
 - i. Community Development Director
 - ii. Finance Director
 - iii. Fire Chief
 - iv. Police Chief
 - v. Public Works Director
 - vi. Recreation & Cultural Services Director
 - vii. Assistant City Manager

City Negotiators: Layne P. Long, City Manager and Employee Relations Officer

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

Heidi Quinn, Interim City Attorney reported out Closed Session: Council met in Closed Session with regard to the one item listed under Conference with Labor Negotiator. Council received information, gave direction and no reportable action was taken.

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

5. **SPECIAL PRESENTATIONS:**

a. **Save Our Whales Activities 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.*

- Mr. & Mrs. Dillon – Asked about why the streetsweeper has not been sweeping their street in over 6-months. getting pretty dangerous, quite a bit of sand buildup and trash everywhere. Issues with road repair on Carmel specifically from Crescent to Del Monte the road markers are like non-existent down there and dangerous while driving in wet conditions and at night.
- Brian McCarthy – Talked about in 1995 the California Legislature enacted a moratorium on certain expansion of card rooms and required any action to go directly before the voters. Concerned about the City's proposal to reduce the buffer zone to 150 feet, so that the proposed Casino cardroom can be located adjacent to Marina High School. Council should listen to the people of Marina speaking against the expansion, take it to the voters.
- Nancy Amadeo – Commented on two possible Brown Act violations the mayor was involved in. Suggested that Council should attend Brown Act training ensure that Brown Act is not violated.

- Liesbeth Visscher – Spoke about the threat to Marina drinking water and encourage everyone to learn more at the Community Forum be hosting in the Marina Library on Thursday, October 27th from 6:00pm-7:00pm. Calam’s proposed Desal project threatens to contaminate and diminish Marina’s water supply if approved by the California Coastal Commission. Asked residents to voice their concerns that the Coastal Commission hearing taking place on November 17th in Salians or in the Marina Council Chambers.
- Denise Turley – Enjoyed talking with the ladies with Citizens for Just Water at the farmer’s market. Asked if someone can explain what the “Yes” on W button that Mayor Pro Tem Biala was wearing means.
- Council Member Medina Dirksen – Noted a citizen could not access the meeting and sent her a question: “Regarding the Pump Track, appeared that work had come to a standstill and He's very interested in being part of the next steps Grand opening in touch with him. It has been paved. However, there's not been a whole lot of activity since. So what's the hold up and is there a timeline”?
- Council Member Burnett – Thank Brian McCarthy for bringing to the attention of this Council the current state of affairs, the history on our cardrooms. Encourage members of the public to continue to write to this council their opinions and ideas about whether or not it's a good idea.

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 100916-101008, totaling \$887,906.59
Successor Agency Accounts Payable Check 95-98, totaling \$54,456.24

b. MINUTES: None

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: Alison Bautista for a claim received on October 10, 2022.

d. AWARD OF BID: None

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS:

- (1) City Council consider adopting **Resolution No. 2022-123**, regarding the Ralph M. Brown Act (California Government Code §§54950-54963, 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 October 21, 2022, through November 20, 2022.
- (2) City Council consider adopting **Resolution No. 2022-124**, approving the salary range adjustment for Senior Building Inspector and authorize Finance Director to make appropriate budgetary amendments.

g. APPROVAL OF AGREEMENTS:

- (1) ~~City Council consider adopting Resolution No. 2022, authorizing staff to work with Bird, Inc. to implement the deployment and authorize the City Manager to execute a Shared Mobility Agreement, an encroachment permit with a fee agreement, and amendments necessary to implement a Shared Mobility Device Services program in Marina.~~ ***Pulled by member of the public, becomes agenda item 11d***
- (2) City Council consider adopting **Resolution No. 2022-125**, approving an amendment to the agreement between The City of Marina and Formation Environmental, LLC. to provide engineering services for the groundwater sustainability planning; and allocating and appropriating \$38,000.00 from the General Fund; and authorizing the City Manager to execute the agreement on behalf of the City subject to final review and approval by the City Attorney; and authorizing the Finance Director to make the necessary accounting and budgetary entries.
- (3) City Council consider adopting **Resolution No. 2022-126**, approving Amendment No. 6 to the agreement between the City of Marina and Save the Whales of Seaside, California, to provide professional services for the City of Marina's Storm Water Permit Program; and authorizing the Finance Director to make necessary accounting and budgetary entries, and; authorizing the City Manager to execute the agreement on behalf of the City subject to final review and approval by the City Attorney.
- (4) City Council consider adopting **Resolution No. 2022-127**, approving a credit of surplus solid waste collection fees back to rate payers that paid for service in rate period 5 and rate period 6.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: Nonei. MAPS: Nonej. REPORTS: (RECEIVE AND FILE): Nonek. FUNDING & BUDGET MATTERS: Nonel. APPROVE ORDINANCES (WAIVE SECOND READING): Nonem. APPROVE APPOINTMENTS: None

Brian McCarthy, encouraged council to pull agenda item 8g(1) for discussion and had comment for agenda item 8g(3) but supports both agenda items.

Council Member Medina Dirksen had a question, 8f(1) has to do with the teleconferencing and public meetings, and since the governor has plans to end the state of emergency, my question is to our city

manager does that change anything of how we're doing business not right now? On 8g(4), we have a credit coming on solid waste collection fees. I'd like to know what when we can see that on their bills? Asked about the Accounts Payables and the fees for the attorneys. Asked for an explanation of the PG&E loan payback program.

BURNETT/BERKLEY: TO APPROVE THE CONSENT AGENDA MINUS 8g(1). 4-0-1(Delgado)-0 Motion Passes by Roll Call Vote

9. PUBLIC HEARINGS:

- a. City Council open a public hearing, take testimony from the public and read by title only and approve first reading of Ordinance No. 2022-, amending Marina Municipal Code, Title 5 to modify Section 5.32.090 to allow the assignment of a second cardroom permit in the Marina Municipal Code. ***Continued from September 7, 2022, and October 6, 2022. CONTINUED TO DECEMBER 6, 2022***

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. 2022-128**, approving a Professional Services Agreement with Raimi+Associates (R+A) for the preparation of a comprehensive General Plan Update, EIR, and Zoning Code Update in compliance with State law; authorize the Finance Director to make necessary accounting and budgetary entries; and authorize the City Manager to execute the Agreement on behalf of City with Raimi+Associates subject to final review by the City Attorney.

Council Questions: Does the City envision the project itself would mostly the public interface to it would be through the planning commission or do you expect that there would be council-led planning meetings to take public input and to conduct the regular meetings? Does the \$1.7 million includes an update to the city's GIS capabilities? Do you envision the planning commission heavily involved with the outreach? We have already done a lot of work on updating the general plan, is all that being scrapped and are we starting from scratch or all the work that's already been done going to be capitalized? Will the Cypress Knolls specific plan be in parallel with the updated general plan? Do we have a concept of how they're going to be working in Parallel?

BERKLEY/BURNETT: TO APPROVE RESOLUTION NO. 2022-128, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH RAIMI+ASSOCIATES (R+A) FOR THE PREPARATION OF A COMPREHENSIVE GENERAL PLAN UPDATE, EIR, AND ZONING CODE UPDATE IN COMPLIANCE WITH STATE LAW; AUTHORIZE THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF CITY WITH RAIMI+ASSOCIATES SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY. 4-0-1(Delgado)-0 Motion Passes by Roll Call Vote

Public Comments:

- Mr. Dillon – Asked if the updating has already begun? Where can the documentation be found? Are they updating the Marina general plan in terms of on the website? Who is actually doing that, and is that available to the public as it currently stands?
- Brian McCarthy – express my support for the motion and support for the planning department who has a lot of work ahead of them. Agrees with having an aggressive timeline. Hops the community will get engaged in this project.
- Jeff Markham – Asked if the name of the volunteer could be identified?
- Nancy Amadeo – It was asked how does the two documents (general plan and Cypress Knolls specific plan) rate side by side but Cypress Knolls is in the Base Reuse Plan area, will this be coordinated with the base reuse plan even if FORA no longer exists?

- b. City Council consider adopting **Resolution No. 2022-129**, receiving a presentation on the location, landscape features, and amenities for the placement of the Martin Luther King sculpture donated to the City by the Paige family; and approving the advertising and call for bids for the execution of the Martin Luther King Sculpture project.

Council Questions: With the lighting, Did you say that some of them that's going to be led and solar was not a possibility? What would be the hue of the lighting? Will it be warm will there be at night dialed down? Will there be more green features? Will recycled water be used? Is it possible to have sheltered benches? Is Ginkgo a local tree? How will you bring this project to life? Were you able to consult with the Marina folks about the landscape palette? What will the landscape look like directly surrounding the memorial area? Why was the original timeline delayed? Has there been any comparative analysis done to compare the use of resources such as watering and fertilizing for 15 years to keep it green and looking nice even though It's going to undergo quite a bit of a foot traffic compared to the environmental cost of replacing a natural turf every 15 years? Has there been a comparative financial contrast made for the 2 options of natural turf versus unnatural turf? Would it be possible, before we make a final decision on natural turf versus artificial turf, if we could have some kind of analysis of environmental impact? How would we keep artificial turf clean? Did your team look through the design guidelines for native species that might be appropriate for this location? Have you seen the Toyon growing down by the amphitheater? How large would the Ginkgo be when installed? How much of a tree fill is there already with those large cypress so close? Do you think that the large trees are existing would afford us in this case the chance to be patient with slower growing natives? If we wanted to grow something quickly, would it be possible to have some slow growing species concurrently with fast growing species, such as the natural willow?

BIALA/MEDINA DIRKSEN: TO APPROVE RESOLUTION NO. 2022-129, RECEIVING A PRESENTATION ON THE LOCATION, LANDSCAPE FEATURES, AND AMENITIES FOR THE PLACEMENT OF THE DR. MARTIN LUTHER KING JR. SCULPTURE DONATED TO THE CITY BY THE PAIGE FAMILY; AND APPROVING THE ADVERTISING AND CALL FOR BIDS FOR THE EXECUTION OF THE DR. MARTIN LUTHER KING JR. SCULPTURE PROJECT; STAFF RECOMMENDATIONS OF A FINANCIAL COMPARISON OF ARTIFICIAL VERSUS NATIONAL TURF; AND STAFF TO RETURN WITH A PLAN FOR NATIVE LANDSCAPING; AND STAFF TO ENSURE THAT BARRINGTON MCCLEAN THE ORIGINAL ARTIST AND THE RESTORATIVE ARTIST GET UPDATES ON GROUNDBREAKING AND RIBBON CUTTING CEREMONY.4-0-1-0
Motion Passes by Roll Call Vote

Public Comments:

- Grace Silva-Santella – Strongly discourage the use of ginkgo because it needs a denser clay soil that we cannot provide and will not get enough water; and strongly urge council to consider Catalina Ironwood. Commented on the proposed garbage enclosures. Concerned about the natural turf and appreciates there will be a cost analysis on it. Hopes Bianca’s company takes a close look at Windy Hill and Vince DiMaggio and see that the struggles that Public Works Department have to deal with in managing and maintaining turf. Assumes a separate water meter will be put in for this project so the library is not covering the cost of watering. Need to give serious consideration to synthetic turf and not natural turf.
- Mrs. Dillon – Spoke about the lighting in the rendering and concerned about the light pollution close to the marshland and the impacts on the nesting birds and other animals, would like better clarification on the lighting. Likes the Ginkgo tree, it’s a pretty tree. Opposes covered seating.
- Nancy Amadeo – Commented on the landscaping and liking the layering of plants. Concerned about the maintenance of whatever plants will be placed in this area and concerned about the turf. Council might consider growing ground cover type of plants that can be walked on.
- Brian McCarthy – Commented on the lighting and the plants. Agrees Council should look at the Catalina Ironwood. Spoke about the Monterey Cypress truly being a native to this area. Advocate of dark sky compliant lighting and the premises of dark sky lighting is that you use only the light you need where you need it and the brightness. Noticed that there is some “up lighting and asked what is the purpose of that lighting this is on park land?
- Jeff Markham – Wanted to congratulate Miss Konic, on a job well done, beautiful design.

- c. City Council consider adopting **Resolution No. 2022-130**, approve draft revisions to the concessionaire agreement with Chaparral Country Corporation, Inc. of Woodside CA to provide recreational facilities and programs to the public at the Marina Equestrian Center Park; and authorizing the City Manager to execute the revised agreement on behalf of the City subject to final review and approval by the City Attorney.

Council Questions: What will be done to minimize the parking of trailers in terms of living arrangements from occurring? How often will the animal waste be removed from the site? How many fire extinguishers are required per building? Can we require more insurance from the concessionaire due to the asbestos? Is there a risk of transferring asbestos from horse to rider? What kind of requirements are in place if injury occurs? Would the city be made of aware of any catastrophic injuries? What are the procedures? Can we put language in the agreement that states they must report to us within a certain number of hours an accident or injury? Has the city received any funds, a good faith deposit to move this along? Would it seem reasonable if waste removal frequency was at least the same frequency that we currently have there? Will horses be stabled in the concrete buildings on the western boundary of the facility? what benefits they that they'll have for perspective volunteers to comply with the section 2(k) of the concessionaire’s agreement? What is different about this lease That Staff thinks is reasonable for for-profit lessee to be able to afford to pay for the cost to maintain the facility? Is there a language in this agreement that's different than the other concessionaire agreements where we could expect this tenant to be able to afford responsibilities They're given when it comes to repairs and upgrades? There's a 365-day unilateral notice that either city or concessionaire can give before terminating or vacating the site, is there a penalty if the concessioner pulls out due to capital reserves being drained?

10:00pm

Delgado/Berkley: to continue to 10:30 pm. 5-0-0-0 Motion Passes by Roll Call Vote

Council Questions Continued: Do you know how much chaparral concession here has in capital reserve? The language in the concession agreement in terms of the provisions for default and non-compliance are equal to or exceed what the prior concession agreement had, correct? The insurance that the city maintains to ensure against losses from unanticipated events related to a concession agreement that we have in place will covered the city in the event that something would happen that we hadn't planned, correct? Since this agreement really pretends a lot of additional development and an increase in the value of what's on the property, I didn't see any sections related to the security of the facility and is that something that might be needed? Is there any language in the agreement addressing discounts for Marina residents, veterans or other groups that we might deemed important? There's language about inspections, notice or non-notices inspections, what exactly are we inspecting? Do we have any quality parameters or a checklist of what we're inspecting, or what we should be inspecting? Could the city create a general inspection checklist? RPF, did you know that there was a security deposit required? Where did the \$850,000 in CIP funds come from and how long has it been sitting there? And is it, or is it not from the National Park Service as was mentioned by another Council member? Can the NPS funds be used to offset for you know, rides and things like that?

Questions to Chaparral: Can you confirm if you plan on stabling horses in those concrete buildings that some people have told us are not, you know, appropriate for horses around the Western edge of the property? If the concession here wishes to stable horses and those concrete block buildings or stalls, Can we first get a letter from a animal care, facility, if they are safe and humane to keep horses in those concrete block building? What benefits does the Chaparral plan to offer perspective volunteers to comply with that section that has been newly added to our agreement that you shall provide reasonable outreach to try to attract volunteers? Do you plan on providing any free tours or free lessons? What's going to happen with the Star Riders? Do they stay and continue where they are, what's their future? Could you provide access to your premises for voluntary community events when it's not conflictual with your normal operations and with your management approval?

BERKLEY/BURNETT: TO APPROVE RESOLUTION NO. 2022-130, APPROVE DRAFT REVISIONS TO THE CONCESSIONAIRE AGREEMENT WITH CHAPARRAL COUNTRY CORPORATION, INC. OF WOODSIDE CA TO PROVIDE RECREATIONAL FACILITIES AND PROGRAMS TO THE PUBLIC AT THE MARINA EQUESTRIAN CENTER PARK; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE REVISED AGREEMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY; AND TO ENSURE THE FOLLOWING LIST IS INCLUDED IN THE AGREEMENT: (MANURE PLAN; FIRE SAFETY PLAN; SECURITY; INSPECTION CHECK LIST; PREFERENTIAL FEE FOR MARINA RESIDENTS; AUDIT REQUIREMENT (ALREADY IN THE AGREEMENT); LETTER FROM VETERINARIAN OR QUALIFIED PERSON ABOUT WHETHER OR NOT THAT'S APPROPRIATE FOR HORSES TO BE IN THE CONCRETE STRUCTURE; PROOF OF CHANGING OVER UTILITIES (ALREADY INCLUDED IN THE AGREEMENT); NO CAMPING; ANY KIND OF HABITABLE STRUCTURES NEED TO BE TO CODE). 3-2(Medina Dirksen, Delgado)-0-0 Motion Passes by Roll Call Vote

10:23pm

Delgado/Berkley: to continue to 11:00pm to finish this item. 5-0-0-0 Motion Passes by Roll Call Vote

Public Comments:

- Denise Turley – Commented on volunteers and long-term boarding. Also commented on the poor reception Brian McMinn is having

- Krystal Giacomelli – Spoke about being the treasurer for the Marina Equestrian Association and provided financial information on what it really costs to run the Marina Equestrian Center, which includes weekly dumpster dumping, monthly utility bills and the monthly rent. Spoke about the dedicated volunteers who provided lesson at a low cost. Asked to let the MEA stay until the new concessionaire comes on board in January.
- Barry Pasquarosa – Spoke about the Christina Marie Star Rider Scholarship program and what it has to offer to people with special needs and the differently abled and the help this program provide for the veterans with PTSD. Wanted Council to be aware that you know there is an organization out there and we do get grants and donations, we basically fulfill our way of helping the public. Please keep us in mind. Keep all the valuable work that's being done to keep going with it.
- Nichole Fisher – Why would volunteers want to volunteer for a for-profit corporation and what is that draw? Spoke about the MEA paying rent for 20-years and asked where those funds have gone to. Are they in the NPS fund? Are they being used on the facility that's going to Chaparral? What fees are going to be charged to members of the public who wish to use the facility in the future? Asked about the city's list of inventory that was due to the MEA by October 15th. Will the grounds still be available to the public once the MEA leaves and until the new concessionaire moves in? Who will maintain that property between now and then? Why is the city now wanting to conduct their own events at this facility, when they never have in the past?
- Jeff Markham – Marina has been given a gift in this Marina Equestrian Center and been fighting about it so much that we're losing fact that we could actually lose the facility if we don't work together. Would like to encourage us to just accept the situation and move on.

Council Member Berkley Called for the Question. 2-3(Medina Dirksen, Biala, Delgado)-0 Call to the Question Fails by Roll Call Vote

Substitute Motion

Medina Dirksen/Delgado: we rescind the eviction, and that it'd be timed with receipt of deposit and other proof of requirements for occupancy.

Mayor Delgado asked for an amendment to: replace the word “Rescind” with the word “Extend” Council Member Medina Dirksen accepted.

Amended Substitute Motion

Medina Dirksen/Delgado: that we Extend the eviction to be timed with receipt of deposit and other proof of requirements for occupancy. 2-3(Burnett, Berkley, Biala)-0-0 Substitute Motion Fails by Roll Call Vote

- d. ~~City Council consider adopting Resolution No. 2022, authorizing staff to work with Bird, Inc. to implement the deployment and authorize the City Manager to execute a Shared Mobility Agreement, an encroachment permit with a fee agreement, and amendments necessary to implement a Shared Mobility Device Services program in Marina. ***Pulled by member of the public, was agenda 8g(1). Continued to November 1, 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 11:13 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Kathy Y. Biala, Mayor Pro Tem



DRAFT

Agenda Item: **8b(3)**
City Council Meeting of
November 1, 2022

MINUTES

Tuesday, October 25, 2022

7:00 P.M. Closed Session

7:10 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 2022-123, 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 March 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)

MEMBERS PRESENT: Cristina Medina Dirksen, David Burnett, Lisa Berkley, Mayor Pro-Tem/Vice Chair Kathy Biala, Mayor/Chair Bruce C. Delgado

MEMBERS ABSENT: David Burnett (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, Potential litigation, exposure to litigation per: "Conference with Legal Counsel – anticipated litigation, significant exposure to litigation pursuant to paragraph (2)(d) of CA Govt. Code sec. 54956.9 – One potential case

8:30 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

Heidi Quinn, Interim City Attorney reported out Closed Session: The Council met in closed session on one item. that was a potential litigation, one case. There was a motion made by Mayor Delgado, with the second by Council Member Kathy Biala, to approve the general terms of a settlement agreement with Wathens Castanos. The vote was Mayor Delgado made the motion, Biala seconded and Council Member Medina Dirksen voted in favor, and Council Member Berkeley voted against and Council Member Burnett was absent from the meeting, so the motion carried a copy of the Settlement Agreement will be made available once it's approved by Wathens Costanos, and that concludes my report.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

4. 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. City Council consider adopting **Resolution No. 2022-131**, authorizing the City Manager to execute a Memorandum of Understanding between the City of Marina and the Marina Employees' Association (MEA) incorporating the September 29, 2022, Tentative Agreement; and authorizing adjustments to the City's Salary Schedule and Compensation Plan; and authorizing Finance Director to make appropriate accounting and budgetary entries.

DELGADO/BIALA: TO APPROVE THE CONSENT AGENDA ITEM. 4-0-1(Burnett)-0
Motion Passes by Roll Call Vote

5. ADJOURNMENT: The meeting adjourned at 8:40 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor

Honorable Mayor and Members
of the Marina City Council

City Council Meeting of
November 1, 2022

**RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2022-,
APPROVING A MITIGATION SERVICES AGREEMENT WITH THE BIG
SUR LAND TRUST TO SERVE AS THE CONSERVATION EASEMENT
HOLDER FOR THE IMJIN PKWY WIDENING PROJECT, AND
AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT
ON BEHALF OF THE CITY COUNCIL SUBJECT TO FINAL REVIEW AND
APPROVAL BY THE CITY ATTORNEY**

RECOMMENDATION:

It is requested that the City Council consider

1. Adopting Resolution No. 2022-, approving a mitigation services agreement (**Exhibit A**) with the Big Sur Land Trust (BSLT) in order for the BSLT to serve as the conservation easement holder for the Imjin Parkway Widening Project, and;
2. Authorize the City Manager to execute the agreement on behalf of the City Council subject to final review and approval by the City Attorney.

BACKGROUND:

At the regular meeting of February 5, 2019, the City Council adopted Resolution No. 2019-11, accepting the Initial Study/Mitigated Negative Declaration for the Imjin Parkway Widening Project completing the California Environmental Quality Act (CEQA) process.

On March 4, 2019, Caltrans determined that the project is a Categorical Exclusion under the National Environmental Protection Act (NEPA).

Within the approximately 29.6 acres of soil disturbance due to the project are areas of potential sand gilia habitat. Sand gilia is a protected species under California law and is subject to permitting to ensure that any take of sand gilia is mitigated. Project biologists surveyed the project area for the presence of sand gilia June 1-2 and August 29, 2017, April 19-20 and May 17-19, 2018, and April 26 through April 28 and on May 5, 2021. Any sand gilia observed during the gilia flowering seasons was documented and the information was included in permit applications. The City applied for an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) in February of 2019.

CDFW determined that the ITP application was complete on January 14, 2022. Staff and consultants for the project have been coordinating with CDFW for the issuance of the ITP which is expected within the next two weeks.

ANALYSIS:

The City has proposed that the area of mitigation for the taking of sand gilia on the project be within parcel E8a.1.2 near the intersection of Imjin Parkway and Abrams Drive as shown on **Exhibit B**. The ITP once issued will identify the full extent of mitigation area that the state will require. As part of the ITP to be issued by CDFW, the City will be required to identify the three entities to support Habitat Management Lands for the mitigation of the sand gilia take. CDFW will require, per Government Code §§ 65965-65968, a separate *Land Manager*, mitigation funding *Endowment Holder*, and *conservation Easement Grantee*. No take of sand gilia can occur on the project before the three roles are established.

Staff has proposed that the BSLT become the Easement Grantee. CDFW has previously vetted the BSLT on another permit application which will help streamline and expedite the start of construction of the Imjin Parkway Project. The City as landowner can serve as the Land Manager with a certified biologist to oversee management under contract. The National Fish and Wildlife Foundation serves as the Endowment Holder on many projects which will also help expedite the process.

Staff has submitted application to the BSLT to serve as the Easement Grantee. BSLT will consider serving as Easement Grantee at an upcoming board meeting.

FISCAL IMPACT:

The fiscal impact of applying for BSLT to be the Easement Holder is \$1,000 permit filling fee and a retainer in the range of \$10,000 to \$30,000 to cover BSLT costs associated with establishing the easement. All fees and the retainer associated with this action are available within the already approved budget for the Imjin Parkway Widening Project.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING
A MITIGATION SERVICES AGREEMENT WITH THE BIG SUR LAND TRUST TO
SERVE AS THE CONSERVATION EASEMENT HOLDER FOR THE IMJIN PKWY
WIDENING PROJECT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE
THE AGREEMENT ON BEHALF OF THE CITY COUNCIL SUBJECT TO FINAL
REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, at the regular meeting of February 5, 2019, the City Council adopted Resolution No. 2019-11, accepting the Initial Study/Mitigated Negative Declaration for the Imjin Parkway Widening Project completing the California Environmental Quality Act (CEQA) process; and

WHEREAS, on March 4, 2019, Caltrans determined that the project is a Categorical Exclusion under the National Environmental Protection Act (NEPA); and

WHEREAS, within the approximately 29.6 acres of soil disturbance due to the project are areas of potential sand gilia habitat. Sand gilia is a protected species under California law and is subject to permitting to ensure that any take of sand gilia is mitigated. The City applied for an Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) in February of 2019; and

WHEREAS, as part of the ITP to be issued by CDFW, the City will be required to identify the three entities to support Habitat Management Lands for the mitigation of the sand gilia take. CDFW will require, per Government Code §§ 65965-65968, a separate Land Manager, mitigation funding Endowment Holder, and conservation Easement Grantee; and

WHEREAS, Staff has submitted application to the BSLT to serve as the Easement Grantee. BSLT will consider serving as Easement Grantee at an upcoming board meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Adopting Resolution No. 2022-, approving a mitigation services agreement (**Exhibit A**) with the Big Sur Land Trust (BSLT) in order for the BSLT to serve as the conservation easement holder for the Imjin Parkway Widening Project, and;
2. Authorize the City Manager to execute the agreement on behalf of the City Council subject to final review and approval by the City Attorney.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Marina, duly held on the 1ST day of November 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk

**BIG SUR LAND TRUST
MITIGATION SERVICES AGREEMENT
IMJIN PARKWAY CONSERVATION SITE**

Preamble

This document is a template and contains draft language and an overview of processes for typical mitigation projects but will be edited and adjusted for each project, as needed.

Summary

The City of Marina (hereafter “Project Proponent”) is engaged in a transportation improvement project, including improvements to Imjin Parkway from Reservation Road west to Imjin Road. The establishment of the Imjin Parkway Conservation Site is intended to fulfill mitigation requirements of the California Department of Fish and Wildlife (hereafter “Regulatory Agency”) certification approval for the development of the Imjin Parkway Improvement Project. Terms of an Incidental Take Permit will require habitat mitigation in the form of a conservation easement and/or fee title land with specific management and monitoring requirements. This easement and/or fee title land will be known as the Imjin Parkway Conservation Site. The Project Proponent has asked Big Sur Land Trust (hereafter “BSLT”) to participate as a third-party easement and/or land holder and endowment holder, and in related capacities to assist the Project Proponent in fulfilling their habitat mitigation obligations for the Imjin Parkway Improvement Project. The parties desire to enter into this Agreement to set forth the parties respective duties and the financial arrangements.

Nature of Relationship

The Project Proponent is requesting that BSLT implement certain mitigation obligations required for the Imjin Parkway Improvement Project as required by the Regulatory Agency. The Project Proponent will provide a retainer fee from which BSLT will reimburse itself for all of BSLT’s fees, costs and expenses; however, some key differences exist between a client/consultant relationship than exists when the Project Proponent hires a private consultant and the relationship with BSLT for mitigation services created by this Agreement. BSLT will ultimately hold the conservation easement and/or fee title land and endowment and be responsible to the Regulatory Agency for the management and enforcement of the easement and/or fee title land requirements and the associated endowment. BSLT will remain an independent third party with specific obligations and subject to on-going requirements that may, at times, be in conflict with the Project Proponent’s interests and/or preferences. Entities that act as an easement holder and land manager have the legal obligation to monitor and, if necessary, enforce the easement terms against the landowner. Therefore, BSLT will be responsible for ensuring that the Project Proponent is complying with the terms of any easement agreement with the Regulatory Agency and, in the unlikely event that an easement violation occurs and is not remedied, BSLT will be required to bring suit against the Project Proponent to resolve the violation, recoup any funds expended by BSLT in mitigation, restoration or litigation activities and, potentially, seek damages as a result of the violation. At the outset of the relationship it is essential to establish and agree that BSLT is not acting as a consultant to the Project Proponent and is not subject to the Project Proponent’s direction or control.

Scope of Work

BSLT will analyze the applicable mitigation requirements, permits and biological opinion and assess the proposed mitigation site; complete due diligence on the site, including site visits, evaluating conditions of title & insurance, mineral report and hazardous waste assessment; develop and/or analyze management plans and endowment calculations; develop language for the conservation easement, mitigation agreement, escrow instructions, and other necessary agreements between the parties; and create the baseline documentation report for the mitigation site. Nothing herein shall give BSLT the right to request additional mitigation not required by the Regulatory Agency. In addition, all conservation easement and/or deed language shall be created and/or revised in conjunction with the Project Proponent and the Regulatory Agency.

There are essentially four phases to a mitigation project which include:

1. Initial Project Evaluation:

- a. Initial Inquiry: The Project Proponent will present the potential project to BSLT including the general project parameters. BSLT staff will determine if BSLT has interest in the project. BSLT staff will send the Mitigation Policy, Mitigation Services Agreement template and current mitigation rates to the Project Proponent, along with a Project Application and request for the required non-refundable application fee of \$1,000.
- b. Application Review and Screening Decision: Once the application and initial fee are received, BSLT staff will review the application and seek additional information as needed from the Project Proponent, permitting agency and make mapping inquiries. BSLT staff will evaluate capacity and alignment with conservation priorities as well as the project timeline and other current project timelines. If BSLT staff determines that the project fits within our capacity and interests, it will be presented to the Internal Operations Committee (IOC) of BSLT's Board of Trustees. BSLT's IOC will evaluate the project and determine whether or not to proceed with developing a Mitigation Services Agreement.

BSLT's Board of Trustees will consider the project at the next Board of Trustees meeting and will advise BSLT staff if a project is approved to move forward.

A letter will be sent to the Project Proponent informing them of BSLT's decision. If the project is accepted, then the letter will outline the next steps required to move the project forward into the Project Evaluation and Project Portfolio Development Phase.

2. Mitigation Services Agreement and Retainer Fee:

BSLT will work with the Project Proponent to develop a Mitigation Services Agreement. A retainer fee in an amount appropriate to the terms of the project, usually approximately \$10,000-\$30,000, is required at the time that the document is executed.

Note: The Agreement will require that the Project Proponent pay for all of BSLT's staff time and expenses, including the legal and staff expenses to draft the Mitigation Services Agreement. The Agreement does not commit either BSLT or the Project Proponent to accept the final mitigation project, but rather defines the terms of the relationship for project development. Occasionally

Mitigation Services Agreements will be developed prior to IOC review depending upon project timing and scope.

If there are funds remaining in the retainer fee account after a project and the scope have been defined and finalized, BSLT will return the balance within 30 days.

3. Project Evaluation and Project Portfolio Development:

Upon receipt of the signed Mitigation Services Agreement and the determined retainer fee, BSLT will begin working more closely with the Project Proponent and the agency to develop the project portfolio. During this phase BSLT will conduct site visits and will develop and/or review management and legal documents, including but not limited to a conservation easement, management plan and associated endowment, grazing plan, biological reports, biological opinion of the permitting agency and permits, and a final mitigation agreement document detailing roles and responsibilities of agency, the Project Proponent and BSLT. An escrow account will be opened to facilitate the final transaction.

This period requires significant due diligence as BSLT staff will be reviewing, developing and commenting on project documents and terms.

4. Project Acceptance and Closing:

- a. Final Decision by BSLT's Board of Trustees: Upon completion of the project development phase, the project will be presented to the Board of Trustees by the IOC for final approval including final project details and funding information. The Board may accept or reject the recommendation made by the IOC. The Project Proponent will be advised of the Board's decision.
- b. Mitigation Project Execution: Once the project has received final approval, BSLT staff will move forward with executing the mitigation requirements. This may or may not include the acceptance of a fee title property or conservation easement, or acceptance of land management responsibilities, or acceptance of in-lieu mitigation funds and/or acceptance of restoration or enhancement projects. The transaction will be completed through the escrow account and the conservation easement or fee title deed will be recorded in the county where the project is located.

It is understood that these phases and tasks can require considerable time and expense depending on the complexity of the project.

BSLT, and its legal counsel, will negotiate legal agreements and land management responsibilities that will be assumed by BSLT. The Project Proponent shall be involved in those negotiations to the extent that they involve the Project Proponent or require funding from the Project Proponent. If requested, BSLT and its legal counsel will participate with the Project Proponent in relevant discussions with the Regulatory Agency. During any such discussions, its legal counsel will be acting exclusively as BSLT's counsel. Please be advised that any attorney-client relationship is solely between BSLT's legal counsel and BSLT.

The acceptance of reimbursement for BSLT's expenses in connection with the Imjin Parkway Improvement Project does not establish an agency relationship between the Project Proponent and

BSLT. BSLT makes no representation as to the acceptance of the final mitigation project by other entities or government agencies, including, but not limited to, the Regulatory Agency.

While BSLT agrees to review the Imjin Parkway Improvement Project and all documents related to the required mitigation in good faith, BSLT reserves the right to choose, in its sole and absolute discretion, to accept or reject title to the conservation easement and/or fee title land as a result of its due diligence review, the terms of the negotiated documents, or otherwise. In addition, BSLT's participation in the Imjin Parkway Improvement Project does not obligate BSLT to accept or otherwise agree to any particular mitigation project task or outcome.

Either BSLT or the Project Proponent may terminate its working relationship with the other party at any time. However, if the working relationship is terminated, BSLT is entitled to receive reimbursement for all work done prior to the termination.

Reimbursement Schedule

The Project Proponent agrees to reimburse BSLT, under the retainer fee terms, for all reasonable fees and costs incurred in connection with the Imjin Parkway Improvement Project required to mitigate the Imjin Parkway Improvement Project including, but not limited to, staff time, legal fees and costs, outside consulting fees and materials. The Project Proponent acknowledges that since (insert date) BSLT has incurred fees and costs in the amount of \$X, plus legal fees in connection with the project and agrees to BSLT's reimbursement from the retainer fee for those fees and costs.

All work will be completed on a time and materials basis and all work done by BSLT in connection with development of the project is reimbursable. BSLT charges for staff time per the fee schedule attached hereto as **Attachment "1"**. BSLT's staff time is calculated by the quarter-hour. Incidental communication expenses, copying and postage, and certain other similar incidental expenses are incorporated into the labor rates on the fee schedule. Direct expense such as outside printing, special purchases, sub-consultant services, travel, air and hotel charges, conference calls, delivery fees, filing fees, extra insurance requirements, custom accounting or detailing of special business licenses or other permits to operate that are determined to be required, or any other extraneous costs for the purposes of this mitigation project are calculated as an "Expense" on the fee schedule. Travel time is calculated at 50% of the regular hourly rate. Preparation time and/or "wait" time is calculated at the full labor rate. These rates are subject to change with advance notice.

Legal services from BSLT's legal counsel will be charged at their normal hourly rates including, for example, time spent preparing documents, legal research, negotiations, conferences, telephone calls, travel time and any appearances before any government agency. Current hourly rates are \$X per hour. Legal counsel is assisted by (insert assistants name), whose rate is currently \$X per hour. These rates are subject to an increase effective January 1, 2020.

Additionally, any costs necessary for representation of BSLT in these matters advanced by BSLT's legal counsel will be additional charges to BSLT that will be passed on to the Project Proponent. Neither BSLT's legal counsel nor BSLT marks up the costs incurred by BSLT's legal counsel. Such costs include, but are not limited to, transportation costs, photocopying, faxing of documents, telephone calls and similar costs. BSLT's legal counsel telephone and postage costs are computed on a formula basis.

Any discussion or cursory estimate given by BSLT regarding fees and costs are only an estimate and the fees and costs may be greater than any certain amount mentioned. The number of hours expended, and

resulting fees and costs, varies greatly depending on how events unfold. This makes it impossible to estimate an ultimate fee and cost amount with any reasonable accuracy.

Retainer Fee

In order to proceed with work on this mitigation project, BSLT requires a **\$XX retainer fee**. The retainer fee will not earn interest. The retainer fee does not represent the total cost of fees that will be incurred by BSLT in connection with this project. The total cost which the Project Proponent may incur could be more or less than the amount deposited with BSLT. BSLT will deduct expenses incurred in association with the project from the retainer fee. When and if the account is drawn down to \$1,000, BSLT will review project status and discuss any requirement for additional funds with the Project Proponent. All amounts remaining in the retainer fee will be refunded when the Imjin Parkway Improvement Project is complete.

Billing

BSLT will send the Project Proponent copies of its billings, including a summary of billings from and any other outside consultant, usually on a monthly basis, indicating the current status of your account balance. Unless requested, account statements will not be itemized.

When BSLT's total billings, including billings from BSLT's legal counsel and any outside consultants, have drawn the account down to approximately \$1,000, BSLT shall contact the Project Proponent and coordinate a time to meet and discuss the status of the Imjin Parkway Improvement Project and the the Imjin Parkway Conservation Site easement and/or fee title land. BSLT shall not incur costs beyond the retainer fee until such meeting has been held, BSLT has permission to continue and an addition to the retainer fee is made by the Project Proponent.

Account statements will be sent to:

Layne Long
City Manager
211 Hillcrest Avenue
Marina, CA 93933
(831) 884-1278
llong@cityofmarina.org

No Warranty or Prediction of Results

Neither BSLT, nor BSLT's legal counsel, can warrant or predict results in these matters. Any expressions regarding such results are understood to be only opinion, intention or hope. BSLT will, however, attempt at all times to be diligent and provide accurate information to the best of its abilities.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the dates set forth next to their signatures below.

Big Sur Land Trust

Date: _____

By _____
Name/Title

Project Proponent

Date: _____

By _____
Name/Title

Date: _____

By _____
Name/Title

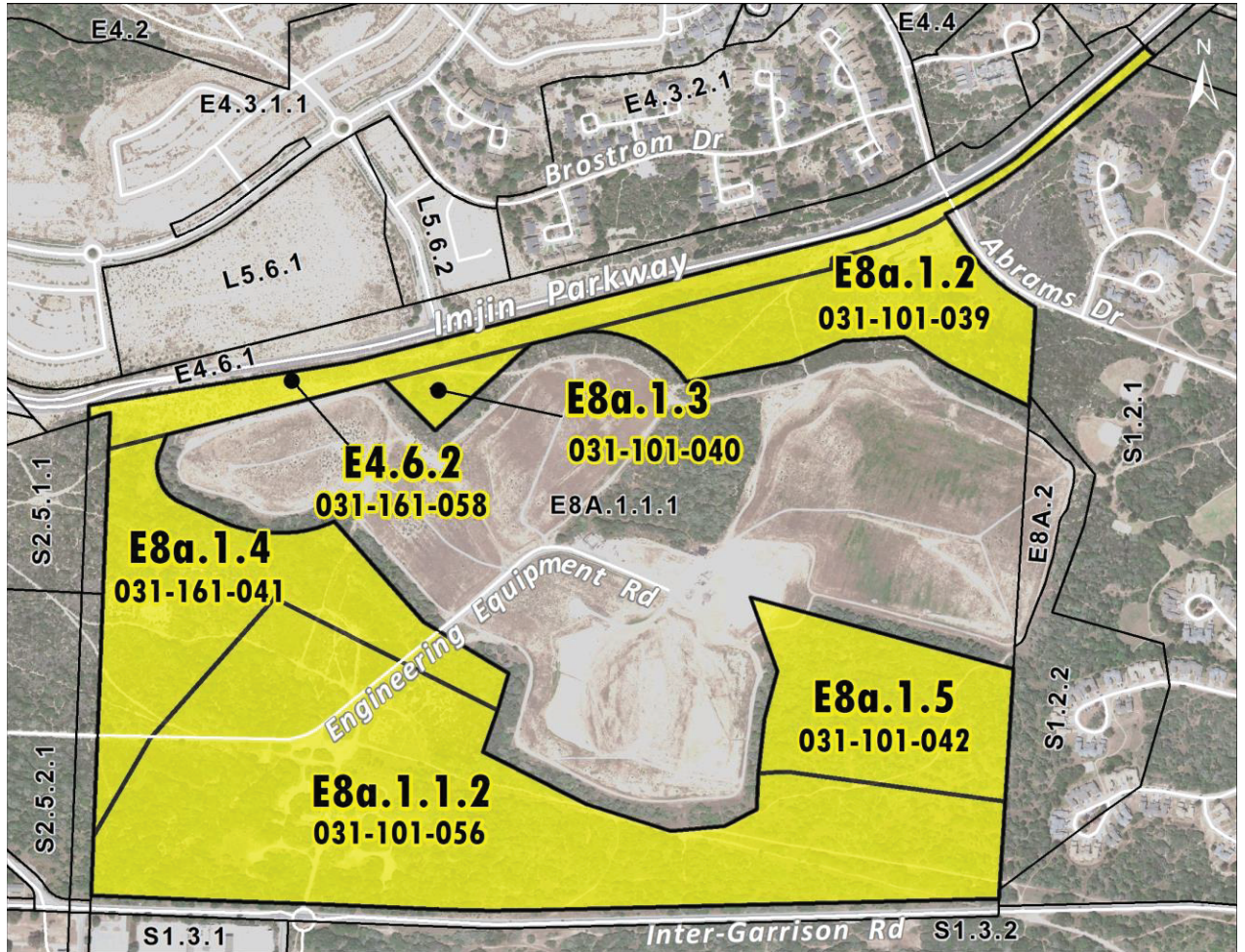
SAMPLE

ATTACHMENT 1

BIG SUR LAND TRUST
MITIGATION SERVICES FEE SCHEDULE
2019-2020

President/CEO	\$200
COO	\$150
Senior Staff	\$120
Field Staff	\$90
Accounting Staff	\$80
Support Services	\$60
Legal Counsel	min. \$300
Mileage	IRS rate + 15%
Expenses	Cost + 10%
Per Diem	\$55/day

Exhibit “B”
Map of Landfill Border Parcels Site



**CITY COUNCIL CONSIDER APPOINTING TO PUBLIC WORKS
COMMISSION: CYNTHIA TANABE, JIM FELTON FOR A TERM EXPIRING
FEBRUARY 2024; AND MICHAEL OWEN, STEVE HUNT AND STEPHEN
ROULAND FOR A TERM EXPIRING FEBRUARY 2025.**

NOTE: Official Recommendation Page, Rating Sheets and application will be made available on Monday, October 31, 2022.



DATE: OCTOBER 24, 2022
TO: MARINA CITY COUNCIL
FROM: PUBLIC WORKS COMMISSION INTERVIEW PANEL
SUBJECT: RECOMMENDATION FOR APPOINTMENT

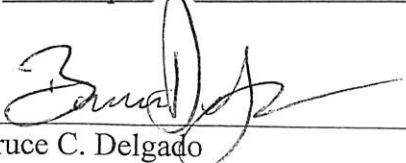
We, the undersigned members of the Public Works Commission Interview Panel, hereby make the following recommendation to the City Council for consideration to fill five (5) seats based on interviews conducted on: October 24, 2022.

TWO APPOINTMENTS, TERM EXPIRING FEBRUARY 2024

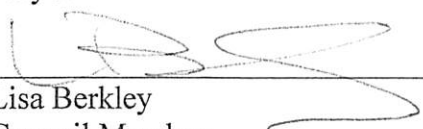
1. Cynthia Tanabe
2. Jim Felton

THREE APPOINTMENTS, TERM EXPIRING FEBRUARY 2025

1. Mike Owen
2. Steve Hunt
3. Stephen Rouland



Bruce C. Delgado
Mayor



Lisa Berkley
Council Member
Public Works Commission Liaison

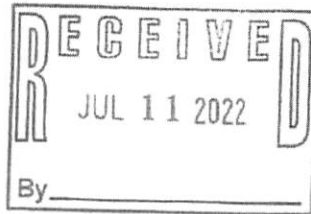
10/24/22

Date

10/24/2022

Date

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831-884-1278; FAX 831-384-9148
www.ci.marina.ca.us

CANDIDATE FOR PUBLIC SERVICE APPOINTMENT

Office Use Only

Received On: _____
Interview Date: 10/24/22
Registered Voter: yes
☐ Approved ☐ Denied
Application Valid Thru _____

Committee/Commission Applying for: Public Works Commission

Section A - General Information

Name (last, first, middle): Tanabe, Cynthia Lence
Home Address (address, city): _____ Marina, CA 93933
Home Phone: (831) _____ Business Phone: (831) _____ Fax Number: _____
E-Mail: _____
Employer: N/A Address: _____

Section B - Residency

Length of Residency in the City of Marina: 18 (yrs.) Length of Residency in Monterey County 18 (yrs.)
Are you a registered voter in Marina? X yes _____ no

Section C - Questionnaire

How many hours can you devote to the Commission / Committee per month? 4 (hrs.)

**Please include years or period of membership or service below.
If additional space needed, please feel free to attach additional pages to application.*

- 1) Educational Background: Middlebury Institute of International Studies, M.A. International Environmental Policy
- 2) Occupational Experience: Green Valley Landscape, Inc. (incl. Seaside Garden Center), 2010-2016
Accounting for 2 plant nurseries and 2 garden centers, studied extensively in order to provide quality customer service at the Seaside GC,
and was general jack-of-all-trades for various roles in the company including creating print and social media promotions
- 3) Professional or technical organization memberships: _____

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

4) Civic or Community experience, group memberships, or previous service appointments: _____
PW Commission
2017-20

5) Experience and or knowledge pertaining to the area of interest: _____ Knowledge in current sustainability trends and landscaping industry. Keen interest in developing public works projects with lasting positive impact without sacrificing fiscal responsibility. Am an active member the commission before the lockdown, and was the initial proposer (I think...) of including 'public art' on the Imjin Parkway expansion project. I want to continue on the board to see the project through to completion!

I hereby place my signature below which constitutes that the information on this form are true and correct.


Signature

7/11/2022
Date

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)



Verification of
Voter Registration

I, Cynthia Lence Tanabe, hereby declare that I am a registered voter in the City of Marina at the address indicated below and that the following information is true and correct:

(Please Print or type)

Name: Cynthia Lence Tanabe

Address: [REDACTED]

City: Marina, California 93933

Phone Number: (home) (831) [REDACTED] (work) (831) [REDACTED]

Fax Number (if any):

Email Address: [REDACTED]

Dated this 11 day of July, 20 22.

[REDACTED]
Signature

Monterey County Elections Department

X

Yes, registered voter of Marina

No, not a registered voter of Marina

[Signature]

Signature of MCED Verifying

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Cynthia Tanabe

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Application to field of City Operations (10 pts)	Understanding local municipal ordinances (10 pts)	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts)

SECTION B - QUESTIONS (10 points each)

1. Why did you apply for this commission?	<i>Women's voice needs to be heard. Goals don't align</i>
2. What do you see as the role of a Public Works Commission member?	<i>Extra layer transparency - need</i>
3. What is your perception of the City's future and how can you facilitate it?	<i>Sustainability, small town culture</i>
4. Do you have ideas for improvement to services offered or to enhance the over all appearance of Marina?	<i>Safe routes to schools</i>
5. Why are you the best choice for this position?	<i>Unusual ideas, diverse opinion</i>
Comments:	
Qualified: (X) yes () no	
Recommended for further consideration by City Council (X) yes () no	
Evaluated by: <i>B. Delgado</i>	

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<i>8</i>	<i>7</i>	<i>7</i>	<i>8</i>	<i>7</i>	<i>37</i>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<i>7</i>	<i>6</i>	<i>7</i>	<i>7</i>	<i>7</i>	<i>34</i>

Grand Total *71*

- 1) w/ votes. esp mothers, family women. Sexual safety transprotator.
2. Pats, new ideas / criticism -
3. maintain ~~small~~ special feel to Mother
- 4

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Cynthia Tanabe

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts) <u>9</u>	Participation in City commissions and/or civic organizations (10 pts) <u>10</u>	Application to field of City Operations (10 pts) <u>7</u>	Understanding local municipal ordinances (10 pts) <u>7</u>	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts) <u>8</u>

SECTION B - QUESTIONS (10 points each)

- Why did you apply for this commission? voice of women, sustainability, cultural expertise
- What do you see as the role of a Public Works Commission member? watchdog transparency & clean up of citizens
- What is your perception of the City's future and how can you facilitate it? sustainability - help keep Marina focus
- Do you have ideas for improvement to services offered or to enhance the over all appearance of Marina? voice of kids, crosswalks
- Why are you the best choice for this position? unique perspective how to protect the environment

Comments: lived in Japan & learned/experienced diff. perspective re: growth & development sustainability fundamental to perspective

Qualified: ☒ yes () no

Recommended for further consideration by City Council ☒ yes () no

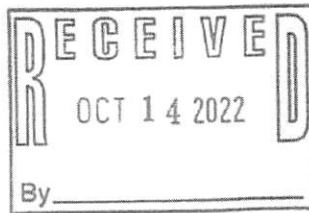
Evaluated by: Lisa Berkeley

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<u>9</u>	<u>10</u>	<u>7</u>	<u>7</u>	<u>8</u>	<u>41</u>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<u>8</u>	<u>7</u>	<u>9</u>	<u>9</u>	<u>9</u>	<u>42</u>

Grand Total 83

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.ci.marina.ca.us

Office Use Only

Received On: _____
Interview Date: 10/24/22
Registered Voter: Yes
☐ Approved ☐ Denied
Application Valid Thru _____

CANDIDATE FOR PUBLIC SERVICE APPOINTMENT

Committee/Commission Applying for: PUBLIC WORKS COMMISSION

Section A - General Information

Name (last, first, middle): FELTON JAMES LOUGHER
Home Address (address, city): [REDACTED]
Home Phone: 831- [REDACTED] Business Phone: 831- [REDACTED] Fax Number: _____
E-Mail: [REDACTED]
Employer: RETIRED Address: _____

Section B - Residency

Length of Residency in the City of Marina: 31 (yrs.) Length of Residency in Monterey County 33 (yrs.)
Are you a registered voter in Marina? X yes _____ no

Section C - Questionnaire

How many hours can you devote to the Commission / Committee per month? _____ (hrs.)

**Please include years or period of membership or service below.
If additional space needed, please feel free to attach additional pages to application.*

- 1) Educational Background: BACHELOR OF ARCHITECTURE
(A 5 YEAR / 160 HOUR PROFESSIONAL DEGREE PROGRAM)
- 2) Occupational Experience: 35 YEARS AS CITY PLANNER
RETIRED IN 2008 FROM POSITION AS PRINCIPLE
PLANNER WITH CITY OF MARINA
- 3) Professional or technical organization memberships: NONE

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

4) Civic or Community experience, group memberships, or previous service appointments: _____

MONTEREY COUNTY HOUSING ADVISORY COMMITTEE 2010-2014
MCWD WATER CONSERVATION COMMITTEE 2014-2017

5) Experience and or knowledge pertaining to the area of interest: MY WORK FOR LOCAL

GOVERNMENT AND PRIVATE BUSINESS HAS INCLUDED PLANNING
AND DESIGN OF PUBLIC INFRASTRUCTURE AND PUBLIC BUILDINGS
AND PRIVATE

I hereby place my signature below which constitutes that the information on this form are true and correct.

Signature

Date

10/14/2022

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.ci.marina.ca.us

Verification of
Voter Registration

I, JAMES (JIM) FELTON, hereby declare that I am a registered voter in the City of Marina at the address indicated below and that the following information is true and correct:

(Please Print or type)

Name: JAMES (JIM) FELTON

Address: [REDACTED]

City: Marina, California 93933

Phone Number: (home) 831 [REDACTED] (work) 831 [REDACTED] ^{CELL}

Fax Number (if any):

Email Address: [REDACTED]

Dated this 10th day of October, 2022.

[REDACTED]
Signature

Monterey County Elections Department

☒

Yes, registered voter of Marina

☐

No, not a registered voter of Marina

[Signature]

Signature of MCED Verifying

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Jim Felton

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Application to field of City Operations (10 pts)	Understanding local municipal ordinances (10 pts)	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts)

SECTION B – QUESTIONS (10 points each)

1. Why did you apply for this commission?	<i>Mike Owen - To better Marina. Built environment.</i>
2. What do you see as the role of a Public Works Commission member?	<i>Drive citizen input. New perspective.</i>
3. What is your perception of the City's future and how can you facilitate it?	<i>Bright future. University complex good.</i>
4. Do you have ideas for improvement to services offered or to enhance the over all appearance of Marina?	<i>More density.</i>
5. Why are you the best choice for this position?	<i>Long history and knowledge.</i>
<i>Knowledge about design + PWS improvements.</i>	
Comments: <i>Design</i>	
<i>Speed limits 3000 Hotel</i>	
<i>Drive City park</i>	
<i>Santa Cruz</i>	
<i>CK</i>	
<i>DMB extension</i>	

Qualified: ☒ yes () no

Recommended for further consideration by City Council ☒ yes () no

Evaluated by: *J Delgado*

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<i>10</i>	<i>7</i>	<i>8</i>	<i>9</i>	<i>6</i>	<i>50</i>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<i>7</i>	<i>7</i>	<i>7</i>	<i>8</i>	<i>10</i>	<i>39</i>

Grand Total *89*

2) work w/ staff

3) fantastic geographic location. participate in Marine transition
to dynamic community

4) bicycle + ped options. More vibrant w/ per activities

5)

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Jim Felton

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts) <u>10</u>	Participation in City commissions and/or civic organizations (10 pts) <u>7</u>	Application to field of City Operations (10 pts) <u>10</u>	Understanding local municipal ordinances (10 pts) <u>10</u>	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts) <u>8</u>

SECTION B - QUESTIONS (10 points each)

- Why did you apply for this commission? Interest in Marina & the physical built environment
- What do you see as the role of a Public Works Commission member? citizen input, other perspectives
- What is your perception of the City's future and how can you facilitate it? Build future CSUMB, multi-cultural community
- Do you have ideas for improvement to services offered or to enhance the overall appearance of Marina? more pedestrian, bicycle community
- Why are you the best choice for this position? long history w/ city, deep

Comments:

deep & broad knowledge of design, PW, landscapes, projects

Qualified: ☒ yes ☐ no

Recommended for further consideration by City Council ☒ yes ☐ no

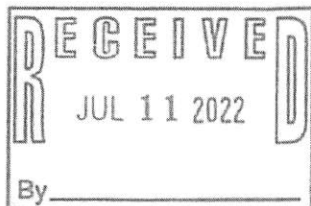
Evaluated by: Lisa Bentley

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<u>10</u>	<u>7</u>	<u>10</u>	<u>10</u>	<u>8</u>	<u>45</u>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<u>8</u>	<u>9</u>	<u>9</u>	<u>10</u>	<u>9</u>	<u>45</u>

Grand Total 90

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.ci.marina.ca.us

Office Use Only

Received On: _____

Interview Date: 7/24/22

Registered Voter: Yes

☐ Approved ☐ Denied

Application Valid Thru _____

CANDIDATE FOR PUBLIC SERVICE APPOINTMENT

Committee/Commission Applying for: PUBLIC WORKS

Section A - General Information

Name (last, first, middle): OWEN, MICHAEL MILES

Home Address (address, city): _____

Home Phone: _____ ^{CELL} Business Phone: _____ Fax Number: _____

E-Mail: _____

Employer: RETIRED Address: N/A

Section B - Residency

Length of Residency in the City of Marina: 34 (yrs.) Length of Residency in Monterey County 35 (yrs.)

Are you a registered voter in Marina? yes no

Section C - Questionnaire

How many hours can you devote to the Commission / Committee per month? 40 (hrs.)

**Please include years or period of membership or service below.
If additional space needed, please feel free to attach additional pages to application.*

1) Educational Background: MA PUBLIC ADMIN GEORGE WASHINGTON UNIV

2) Occupational Experience: RETIRED 2010 - EDUC + COUNSELING BEFORE

3) Professional or technical organization memberships: MARINA TREE COMMITTEE
MARINA TREE + GARDEN CLUB, FRIENDS OF MARINA LIBRARY,
MARINA IN MOTION

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

4) Civic or Community experience, group memberships, or previous service appointments: _____

SEE PREVIOUS PAGE ITEM 3) SERVED AS PUBLIC WORKS COMMISSIONER
SINCE 2012, TREE COMMITTEE MEMBER SINCE 1990, VARIOUS
LOCAL POLITICAL CAMPAIGN COMMITTEES SINCE 1990,

5) Experience and or knowledge pertaining to the area of interest: _____

SEE ABOVE EXPERIENCE
ADOPT A HIGHWAY CALTRANS -
ADOPT LAPIS RD - LITTER CLEANUP - MONTEREY COUNTY

I hereby place my signature below which constitutes that the information on this form are true and correct.



Signature

11 JUNE 2022

Date

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.ci.marina.ca.us

Verification of
Voter Registration

I, MICHAEL M. OWEN, hereby declare that I am a registered voter in the City of Marina at the address indicated below and that the following information is true and correct:

(Please Print or type)

Name: MICHAEL M. OWEN

Address: [REDACTED]

City: [REDACTED]

Marina, California 93933

Phone Number: (home) [REDACTED]

CELL
(work) [REDACTED]

Fax Number (if any): [REDACTED]

Email Address: [REDACTED]

Dated this 11 day of JULY, 2022.

[REDACTED]
Signature

Monterey County Elections Department

☒

Yes, registered voter of Marina

☐

No, not a registered voter of Marina

[Signature]

Signature of MCED Verifying

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Michael Owen

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Application to field of City Operations (10 pts)	Understanding local municipal ordinances (10 pts)	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts)

SECTION B - QUESTIONS (10 points each)

1. Why did you apply for this commission?	<i>Force of habit. Nothing better to do. Vacation after retirement</i>
2. What do you see as the role of a Public Works Commission member?	<i>Save Council on minutes - speed limits →</i>
3. What is your perception of the City's future and how can you facilitate it?	<i>Vision change. MO will help by helping →</i>
4. Do you have ideas for improvement to services offered or to enhance the over all appearance of Marina?	
5. Why are you the best choice for this position?	<i>Great relations w/ Tree Committee and PLW Charlie Johnson - Mike found people to apply for commissioner.</i>
Comments:	<i>Likes Brian's street program. Lot of investment. Thx to Brian, trees in parks are considered early.</i>
Qualified: (☒) yes () no	
Recommended for further consideration by City Council (☒) yes () no	
Evaluated by: <i>B. Delgado</i>	

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<i>10</i>	<i>10</i>	<i>9</i>	<i>8</i>	<i>10</i>	<i>47</i>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<i>7</i>	<i>6</i>	<i>7</i>	<i>7</i>	<i>9</i>	<i>36</i>

Grand Total *83*

2. potholes. ~~Make~~ Make Council jobs easier.
3. to preserve small town feel and has substance.
4. Enhance appearance with tree preservation.

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Michael Owen

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts) <u>10</u>	Participation in City commissions and/or civic organizations (10 pts) <u>10</u>	Application to field of City Operations (10 pts) <u>8</u>	Understanding local municipal ordinances (10 pts) <u>9</u>	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts) <u>10</u>

SECTION B – QUESTIONS (10 points each)

- Why did you apply for this commission? hobby, retirement, doing since 1990, cares abt environment + growth
- What do you see as the role of a Public Works Commission member? help Council not be in minority of decisions
- What is your perception of the City's future and how can you facilitate it? City Vision + Code - balance the two
- Do you have ideas for improvement to services offered or to enhance the over all appearance of Marina?
- Why are you the best choice for this position? history, commitment to the city, awareness of preservation of trees

Comments:

Qualified: ☒ yes () no

Recommended for further consideration by City Council ☒ yes () no

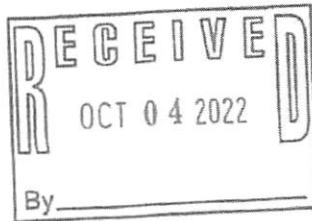
Evaluated by: LGA BERVLEY

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<u>10</u>	<u>10</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>47</u>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<u>10</u>	<u>10</u>	<u>9</u>	<u>8</u>	<u>10</u>	<u>47</u>

Grand Total 94

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831-884-1278; FAX 831-384-9148
www.cityofmarina.org

CANDIDATE FOR PUBLIC SERVICE APPOINTMENT

Committee/Commission Applying for: Public Works

Office Use Only	
Received On:	
Interview Date:	<u>10/24/22</u>
Registered Voter:	<u>YES</u>
☐ Approved	☐ Denied
Application Valid Thru	

Section A - General Information

Name (last, first, middle): Hunt, Steven G
Home Address (address, city): [REDACTED] Marina 93933
Home Phone: (831) [REDACTED] Business Phone: [REDACTED] Fax Number: [REDACTED]
E-Mail: [REDACTED]
Employer: Softeby's Int'l Realty Address: 5775 Mc Nee Ave #100

Section B - Residency

Length of Residency in the City of Marina: 29 (yrs.) Length of Residency in Monterey County 29 (yrs.)
Are you a registered voter in Marina? ☒ yes ☐ no

Section C - Questionnaire

How many hours can you devote to the Commission / Committee per month? 12 (hrs.)

**Please include years or period of membership or service below.
If additional space needed, please feel free to attach additional pages to application.*

- 1) Educational Background: B.S. Oregon St. Univ. 1988
- 2) Occupational Experience: 30+ years sales experience
- 3) Professional or technical organization memberships: National Assoc. of Realtors

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

4) Civic or Community experience, group memberships, or previous service appointments: _____

4 years PWC

5) Experience and or knowledge pertaining to the area of interest: 4 years PWC

I hereby place my signature below which constitutes that the information on this form are true and correct.



Signature

10/4/2022
Date

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831-884-1278; FAX 831-384-9148
www.cityofmarina.org

Verification of Voter Registration

I, Steve Hunt, hereby declare that I am a registered voter in the City of Marina at the address indicated below and that the following information is true and correct:

(Please Print or type)

Name: Steve Hunt

Address: [REDACTED]

City: Marina, CA 93933 Marina, California 93933

Phone Number: (home) (801) [REDACTED] (work) _____

Fax Number (if any): _____

Email Address: [REDACTED]

Dated this day of 10/4, 2022

Signature [REDACTED]

Monterey County Elections Department

☒ Yes, registered voter of Marina

☐ No, not a registered voter of Marina

[Signature]
Signature of MCED Verifying

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Steve Hunt

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Application to field of City Operations (10 pts)	Understanding local municipal ordinances (10 pts)	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts)

SECTION B - QUESTIONS (10 points each)

- Why did you apply for this commission? *Mike Over - History at Marina. 30 yr resident.*
- What do you see as the role of a Public Works Commission member? *objectivity. Understanding agenda items*
- What is your perception of the City's future and how can you facilitate it? *lot of important issues. Not all the skeletal*
- Do you have ideas for improvement to services offered or to enhance the over all appearance of Marina? *Communication - let people*
- Why are you the best choice for this position? *NOT the worst. Listening respect people for betterment of City. Passion and honesty*

Comments:

Qualified: () yes () no

Recommended for further consideration by City Council () yes () no

Evaluated by:

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	9	8	8	9	8	42
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	7	87	8	8	6	38

Grand Total

80

- 2) Not to prioritize. Understand staff reports.
- 3) → card room major issue. Beach town, College town.
open for business. Recreation. Understanding issues, participating.
- 4) know what's happening. ~~Beach~~ Aesthetically - gateways, not
improvements.
flattering.
- 5)

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Steve Hunt

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts) <u>10</u>	Participation in City commissions and/or civic organizations (10 pts) <u>8</u>	Application to field of City Operations (10 pts) <u>7</u>	Understanding local municipal ordinances (10 pts) <u>7</u>	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts) <u>8</u>

SECTION B - QUESTIONS (10 points each)

- Why did you apply for this commission? keep engaged w/ Marina, PW comm
- What do you see as the role of a Public Works Commission member? 8 by committee 'what's why' held off
- What is your perception of the City's future and how can you facilitate it? Marina needs to keep identity as Beach/collage town
- Do you have ideas for improvement to services offered or to enhance the over all appearance of Marina? at the hotel, - improve/egress into city
- Why are you the best choice for this position? can engage w/ all ppl, honest, promote, be honest & community & people

Comments:

Qualified: ☒ yes ☐ no

Recommended for further consideration by City Council ☒ yes ☐ no

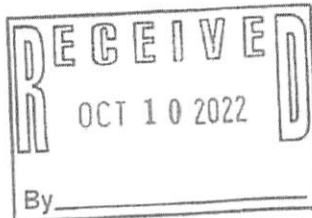
Evaluated by: LISA BERNLEY

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<u>10</u>	<u>8</u>	<u>7</u>	<u>7</u>	<u>8</u>	<u>40</u>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<u>8</u>	<u>8</u>	<u>10</u>	<u>9</u>	<u>10</u>	<u>45</u>

Grand Total 85

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.cityofmarina.org

Office Use Only

Received On: _____

Interview Date: 10/24/22

Registered Voter: Yes

☐ Approved ☐ Denied

Application Valid Thru _____

CANDIDATE FOR PUBLIC SERVICE APPOINTMENT

Committee/Commission Applying for: Publics Works

Section A - General Information

Name (last, first, middle): Rouland Stephen C

Home Address (address, city): [REDACTED] MARINA

Home Phone: [REDACTED] Business Phone: _____ Fax Number: _____

E-Mail: [REDACTED]

Employer: Retired Address: _____

Section B - Residency

Length of Residency in the City of Marina: 12 (yrs.) Length of Residency in Monterey County 15 (yrs.)

Are you a registered voter in Marina? X yes _____ no

Section C - Questionnaire

How many hours can you devote to the Commission / Committee per month? 8 (hrs.)

**Please include years or period of membership or service below.*

If additional space needed, please feel free to attach additional pages to application.

1) Educational Background: BA Rutgers University

2) Occupational Experience: SOFTWARE ENGINEER 25yrs
SR. PROJECT MANAGER 10yrs

3) Professional or technical organization memberships: NONE

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

4) Civic or Community experience, group memberships, or previous service appointments: _____

NONE

5) Experience and or knowledge pertaining to the area of interest: INTERESTED IN PARKS

AND FACILITIES. AND PARTICULARLY IMPROVEMENT OF RESIDENTIAL &
COMMERCIAL AREAS. AS A FORMER PROJECT MANAGER FOR SOFTWARE
DEVELOPMENT AND MAINTENANCE I AM VERY FAMILIAR WITH ESTABLISHING
PROJECT PRIORITIES AND RETURN ON INVESTMENT AS WELL AS BUDGETING.

I hereby place my signature below which constitutes that the information on this form are true and correct.


Signature

10/10/22
Date

City of Marina



City of Marina
211 HILLCREST AVENUE
MARINA, CA 93933
831- 884-1278; FAX 831- 384-9148
www.cityofmarina.org

Verification of Voter Registration

I, Stephen Rowland, hereby declare that I am a registered voter in the City of Marina at the address indicated below and that the following information is true and correct:

(Please Print or type)

Name: Stephen Rowland

Address: [REDACTED]

City: MARINA Marina, California 93933

Phone Number: (home) [REDACTED] (work) _____

Fax Number (if any): _____

Email Address: [REDACTED]

Dated this 10 day of December, 20 22.

[REDACTED]
Signature

Monterey County Elections Department

X

Yes, registered voter of Marina

No, not a registered voter of Marina

[Signature]

Signature of MCED Verifying

211 Hillcrest Avenue
Marina, California 93933
(831) 884-1278 (831) 384-9148 (fax)

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Stephen Rouland

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts)	Participation in City commissions and/or civic organizations (10 pts)	Application to field of City Operations (10 pts)	Understanding local municipal ordinances (10 pts)	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts)

SECTION B - QUESTIONS (10 points each)

- Why did you apply for this commission? *12 yr resident. Retired 4 yrs, have time interest*
- What do you see as the role of a Public Works Commission member? *focus streets, parks, traffic control*
- What is your perception of the City's future and how can you facilitate it? *New developments offer insight into*
- Do you have ideas for improvement to services offered or to enhance the over all appearance of Marina? *Downtown Utilization*
- Why are you the best choice for this position?

Comments: *experience of project mgt. Ability to motivate team to commit and implement within budget*

Qualified: ☒ yes ☐ no

Recommended for further consideration by City Council ☒ yes ☐ no

Evaluated by: *B Delgado*

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<i>6</i>	<i>6</i>	<i>8</i>	<i>9</i>	<i>6</i>	<i>35</i>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<i>6</i>	<i>6</i>	<i>7</i>	<i>7</i>	<i>8</i>	<i>34</i>

Grand Total *69*

scrowland@gmail.com

1) give back to community

2)

3) new development Insurance experience taught about about development attributes and interests in PLW,

INTERVIEW EVALUATION FORM

PUBLIC WORKS COMMISSION

APPLICANT

Name: Stephen Rouland

Date: October 24, 2022

SECTION A

RESIDENCY IN CITY/COUNTY	COMMUNITY & CIVIC INVOLVEMENT	EDUCATIONAL EXPERIENCE	PROFESSIONAL EXPERIENCE	PARTICIPATION IN CITY EVENTS OR MEETINGS
Knowledge of area (10 pts) <u>8</u>	Participation in City commissions and/or civic organizations (10 pts) <u>6</u>	Application to field of City Operations (10 pts) <u>6</u>	Understanding local municipal ordinances (10 pts) <u>6</u>	Attendance or participation at past or current City Services & Improvement Commission Meetings (10 pts) <u>6</u>

SECTION B - QUESTIONS (10 points each)

- Why did you apply for this commission? Participate in local gov. duty to serve community
- What do you see as the role of a Public Works Commission member? upkeep of roads, infrastructure, bldgs, community engagement
- What is your perception of the City's future and how can you facilitate it? growth in new development / people
- Do you have ideas for improvement to services offered or to enhance the overall appearance of Marina? downside parking spaces, project management
- Why are you the best choice for this position? Project management skills, teamwork, + manager, budget oversight + prioritization

Comments: excellent project management skills - good addition to city despite current lack of experience in municipal processes

Qualified: ☒ yes ☐ no

Recommended for further consideration by City Council ☒ yes ☐ no

Evaluated by: L. A. BERLEY

SECTION C - SCORING

Sec. A	Residency / Knowledge of Area	Involvement / Participation	Education Experience	Profession Experience	Attendance / Participation in meetings	Total Points for Section A
	<u>8</u>	<u>6</u>	<u>6</u>	<u>6</u>	<u>6</u>	<u>32</u>
Sec. B	Question 1	Question 2	Question 3	Question 4	Question 5	Total Points for Section B
	<u>8</u>	<u>8</u>	<u>8</u>	<u>8</u>	<u>8</u>	<u>40</u>

Grand Total 72

October 13, 2022,

Item No. **9a**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 1, 2022

CITY COUNCIL CONSIDER INTRODUCING BY TITLE, WAIVING THE READING, AND APPROVING FIRST READING OF ORDINANCE NO. 2022-____, ADOPTING AND AMENDING TITLE 15 OF THE MARINA MUNICIPAL CODE TO ADOPT 2022 EDITIONS OF CALIFORNIA BUILDING STANDARDS CODE, SPECIFICALLY 2022 CALIFORNIA BUILDING CODE, 2022 CALIFORNIA RESIDENTIAL CODE, 2022 CALIFORNIA ELECTRICAL CODE, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA PLUMBING CODE, 2022 CALIFORNIA ENERGY CODE, 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 CALIFORNIA EXISTING BUILDING CODE, 2022 CALIFORNIA HISTORICAL BUILDING CODE AND 2022 CALIFORNIA FIRE CODE, WITH CERTAIN EXCEPTIONS, MODIFICATIONS AND ADDITIONS REQUIRED BY LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS; APPROVING FINDINGS TO SUPPORT LOCAL MODIFICATIONS AND SETTING A PUBLIC HEARING FOR NOVEMBER 15, 2022, APPROVING SECOND READING BY TITLE ONLY, WAIVING THE READING, AND FINAL ADOPTION OF THE ORDINANCE SO AS TO BE IN EFFECT AS OF JANUARY 1, 2023.

REQUEST:

It is requested that the City Council:

1. Consider approving introduction by title only and approving first reading of Ordinance No. 2022-____, adopting and amending Title 15 of the Marina Municipal Code to adopt 2022 Editions of California Building Standards Codes, specifically 2022 California Building Code, 2022 California Residential Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Energy Code, 2022 California Green Building Standards Code, 2022 California Existing Building Code, 2022 California Historical Building Code and 2022 California Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions.
2. Set Tuesday, November 15, 2022, for public hearing, approving second reading by title only, and final adoption of the Ordinance to be in effect as of January 1, 2023.

BACKGROUND:

The California Building Standards Commission (CBSC) has published the latest editions of the construction codes (Codes) for the State of California. They will become effective for every state agency and local municipality as of January 1, 2023, but cities are allowed to modify the codes to reflect local conditions. The City of Marina (City) has until that date to modify the Codes with local exceptions, modifications, and additions, supported by express findings or the Codes will go into effect unmodified by local conditions. Typically, every three years the CBSC reviews and revises the Codes.

The ordinance before Council for introduction on November 1, 2022, would amend Title 15 of the Marina Municipal Code (MMC) to adopt 2022 Editions of the California Building Standards Code - specifically 2022 Building Code, Residential Code, Electrical Code, Mechanical Code, Plumbing Code, Energy Code, Green Building Standards Code, Existing Building Code, Historical Building Code and Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions.

ANALYSIS:

The attached ordinance, with Exhibit A, would introduce for adoption the 2022 CBSC Codes and represents a continuation of previously adopted changes regarding local modifications. There are, however, changes to some of the reference numbering in the new 2022 California Codes, and the proposed ordinance reflects these new reference numbers to ensure that the MMC continues to relate accurately to the CBSC Codes. **(EXHIBIT A)**. The local modification will be discussed with the City Council via presentation slides on November 1, 2022. State law requires the City to adopt findings for any local modification to the building standards contained in the CBSC Codes. These findings are included in Exhibit A to the ordinance. These findings are consistent from previous two (2) adoption cycles and continue to apply to the proposed ordinance adoption process.

State law requires that the City Council schedule a public hearing on the ordinance after the first reading. The public hearing can occur in conjunction with the second reading (or, as proposed in this case, the waiver of a formal second reading of the entire ordinance). The ordinance adopting amendments, exceptions, modification, and additions must be sent to the CBSC and be in effect as of January 1, 2023. Pursuant to Government Code 50022.3 and 6066, the notice of the public hearing must be published once a week for two successive weeks. The City Council must determine that the form of this publication is sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof. In addition, the City is required to keep on file a copy of the codes to be adopted by reference for at least 15 days before the public hearing as well as after adoption of the ordinance.

FISCAL IMPACT:

None

CONCLUSION:

This request is submitted for City Council consideration and action.

Respectfully submitted,

Dan Paolini, CBO
Chief Building Official
City of Marina

Doug McCoun
Fire Chief
City of Marina

REVIEWED/CONCUR:

Guido Persicone
Community Development Director
City of Marina

Layne P. Long
City Manager
City of Marina

Exhibit A to the Staff Report

ORDINANCE NO 2022-____

AN ORDINANCE OF THE CITY OF MARINA ADOPTING AND AMENDING TITLE 15 OF THE MARINA MUNICIPAL CODE TO ADOPT 2022 EDITIONS OF CALIFORNIA BUILDING STANDARD CODES, SPECIFICALLY 2022 CALIFORNIA BUILDING CODE, 2022 CALIFORNIA RESIDENTIAL CODE, 2022 CALIFORNIA ELECTRICAL CODE, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA PLUMBING CODE, 2022 CALIFORNIA ENERGY CODE, 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2022 CALIFORNIA EXISTING BUILDING CODE, 2022 CALIFORNIA HISTORICAL BUILDING CODE, AND 2022 CALIFORNIA FIRE CODE, WITH CERTAIN EXCEPTIONS, MODIFICATIONS AND ADDITIONS REQUIRED BY LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS; AND APPROVING FINDINGS TO SUPPORT LOCAL MODIFICATIONS.

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WHEREAS, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City may adopt the provisions of the California Building, Residential, Electrical, Mechanical, Plumbing, Energy, Green Building Standards, Existing Building, Historical, and Fire Codes with certain exceptions, modifications and additions to provisions of the California codes which are reasonably necessary to protect the health, welfare and safety of the citizens of the City of Marina (“City”) because of local climatic, geological and topographical conditions; and

WHEREAS, the City Council has considered whether certain modifications to the building standards contained in Exhibit A, attached hereto are necessary in the City due to local climatic, geological, or topographical conditions, and.

WHEREAS, the factual findings made are valid and relate to the amendments made to the California codes in this adoption; and

WHEREAS, the City Council directed that a public hearing be held and duly noticed and published in accordance with California Government Code §50022.3, and said hearing was held on November 15, 2022, concerning the purpose of this ordinance to adopt the 2022 California Building Standard Codes with modifications to address unique local conditions; and

WHEREAS, this ordinance was found to be categorically exempt from environmental review, per the provisions of Section 15061(b) (3) of the Guidelines to the California Environmental Quality Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

1. Title 15 Amended: Title 15 entitled “Buildings and Construction” is hereby amended as set forth in the attached thirty-one (31) pages, marked Exhibit “A,” and incorporated herein by this reference thereto.

2. Findings Adopted: The City Council hereby adopts the factual findings set forth in respective sections of Title 15 of the Marina Municipal Code, attached hereto as Exhibit A, relating to the amendments made to the California codes.

3. Savings Clause: Repeal of any provision of the Marina Municipal Code or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this ordinance.

4. Severability: If any provision, section, paragraph, sentence or word of this ordinance, or the application thereof to any person, property or circumstance is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons, property or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this ordinance are severable.

5. Interpretation: The provisions of this ordinance are enacted for the public health, safety and welfare and are to be liberally construed to obtain the beneficial purposes thereof as specified in Chapter 1 of the Building Code. In the event of any conflict between this ordinance and any law, rule, or regulation of the State of California, that requirement which established the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of the Municipal Code. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistency and no further, is hereby repealed or modified to the extent necessary to affect the provisions of this ordinance.

6. Filing of Findings: The City Clerk is hereby directed to file a copy of this ordinance with the California Building Standards Commission of the State of California.

7. Notice: The City Council hereby determines that the form of the Notice of the public hearing held on November 15, 2022, which was published on October 19 and October 26, 2022, is sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

8. Liability: The provisions of this ordinance shall not be construed as imposing upon the City any liability or responsibility for damage to persons or property resulting from defective work, nor shall the City a, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this ordinance or of any permits or certificates issued under this ordinance.

9. Effective Date: This ordinance shall take effect on January 1, 2023.

10. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted in three (3) public places designated by resolution of the City Council and a summary of the ordinance, prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City prior to the effective date.

The forgoing ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on November 1, 2022, and was passed and adopted at a regular meeting duly held on November 15, 2022, by the following votes:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

**EXHIBIT A TO
ORDINANCE NO. 2022-_____**

**AMENDMENTS TO TITLE 15 OF THE MARINA MUNICIPAL CODE
BUILDINGS AND CONSTRUCTION**

Editor's Note: **Bold**, [bracketed] numbers and text are for identification purposes only and are not a part of the Title as amended.

- 1- Section 15.04.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:**

15.04.010 Definitions.

"Building code" means the California Building Code, or CBC, 2022 Edition, based on the 2021 International Building Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations and as amended by the Marina Municipal Code known as the California Building Code. (CBC)

"Residential code" means the California Residential Code, or CRC 2022 Edition, based on the 2021 International Residential Code promulgated by the International Code Council including Appendices AF, AI, AL, AO, AR, AS, AV and AY together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations and as amended by the Marina Municipal Code known as the California Residential Code. (CRC)

"Electrical code" means the California Electric Code or CEC, 2022 Edition, based on the 2020 National Electrical Code edition promulgated by the National Fire Protection Association, as amended, and set forth in the California Building Standards Code, Title 24 of the California Code of Regulations, together with those omissions, amendments, exceptions, and additions thereto as amended by the Marina Municipal Code known as the California Electrical Code. (CEC)

"Mechanical code" means the California Mechanical Code or UMC, 2022 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including Appendices A, B, C, D, E F, and G thereto, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as California Mechanical Code (CMC).

"Plumbing code" means the California Plumbing Code or UPC, 2022 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including the Appendices G and I thereto, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as the California Plumbing Code (CPC).

"Fire code" means the California Fire Code or CFC, 2022 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions, and additions there to as amended in Title 24 in the California Code of Regulations and in the Marina Municipal Code, known as the California Fire Code (CFC).

"Energy code" means the California Energy Code or CEC, 2022 Edition, promulgated by the California Building Standards Commission including the appendix sections, together with those omissions, amendments, exceptions, and additions there to as amended in Title 24 in the California Code of Regulations and in the Marina Municipal Code, known as the California Energy Code (CEC).

"Existing building code" means the California Existing Building Code, 2022 Edition, based on the 2021 International Existing Building Code and California Historical Building Code, promulgated by the International Code Council, including the appendix thereto. with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations and as amended by the Marina Municipal Code known as the

“Green building standards code” means the California Green Building Standards Code, 2022 Edition promulgated by the California Building Standards Commission including the Appendices A-4 & A-5 thereto, together with those omissions, amendments, exceptions, and additions as amended in Title 24 in the California Code of Regulations and in the Marina Municipal Code.

“Housing code” means the Uniform Housing Code 1997, promulgated by the International Code Council, together with those omissions, amendments, exceptions, and additions thereto as amended in the Marina Municipal Code.

“Dangerous building code” means the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions, and additions as amended by the Marina Municipal Code.

“Security code” means the Uniform Building Security Code, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions, and additions thereto as amended in the Marina Municipal Code (UBSC).

“Emergency Work” means work that if not done immediately will affect the life safety of the occupant or cause damage the structure.

2. Section 15.08.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.010 Adoption of technical provisions of California Building Code (CBC).

A. Except as otherwise provided for in this chapter, the California Building Code (CBC), 2022 Edition, Volumes I and II, including the appendices thereto, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CBC has been filed for use and examination of the public in the office of the building official of the city of Marina.

3. Section 15.08.020 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.020 Section 105.3.2 amended.

Section 105.3.2 shall be amended to read as follows:

105.3.2 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing AND pays a fee of \$500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

4. **Section 15.08.025 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:**

15.08.025 Section 105.5 amended.

Section 105.5 shall be amended to read as follows:

105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2019 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of \$1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted, and permit obtained along with all applicable fees applied for this new project. All existing projects are subject to this section and will be subject to the conditions listed above.

5. **Section 15.08.040 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:**

15.08.040 Section 1505.1.1 amended.

A. Findings. The amendments set forth in this section are reasonably necessary because of the following local geological, topographical, and climactic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.
2. The local geographic, topographic, and climactic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina and may cause a delayed fire response time, allowing further growth of a fire.
3. The types of roof coverings as set forth in the amendment are a more restrictive standard, which will better prevent fire damage, which can result from local conditions.

B. Section 1505.1.1 shall be amended to read as follows:

“Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or class A roof.

6. **Section 15.08.100 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:**

“15.08.100 Portions of the California Building Code which are not approved, adopted, or incorporated by reference.

The following portions of the California Building Code 2022 Edition or the appendices thereto, are not approved or adopted or incorporated in this chapter by reference and shall not be deemed to be a part of this chapter nor a part of the building code of the city of Marina.

Chapter 9 (All. See Chapter 9 of the California Fire Code, 2022 Edition with amendments.)

Appendices.

2022 CBC Appendix A (Qualifications)

2022 CBC Appendix B (Board of Appeals)

2022 CBC Appendix C (Ag Buildings)

2022 CBC Appendix D (Fire Districts)

2022 CBC Appendix G (Flood Proofing)

2022 CBC Appendix K (Flooding)

- 7. Section 15.12.010 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:**

15.12.010 Adoption of technical provisions of California Mechanical Code (CMC).

A. Except as otherwise provided for in this chapter, the California Mechanical Code, 2022 Edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CMC has been filed for use and examination of the public in the office of the building official of the city of Marina.

- 8- Section 15.12.011 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:**

15.12.011 Portions of California Mechanical Code which are not approved, adopted, or incorporated by reference.

The following portions of the California Mechanical Code or CMC, 2022 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the mechanical code of the city of Marina:

Chapter 1, Division II, and all of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CMC Appendices A, B, C, D, E and F.

- 9. Chapter 15.14 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:**

Chapter 15.14 RESIDENTIAL CODE

Sections:

- 15.14.010 Adoption of technical provisions of California Residential Code (CRC).
- 15.14.020 Section R105.2 amended.
- 15.14.030 Section R106.5 amended.
- 15.14.040 Section R106.6 amended
- 15.14.050 Section Table R302.6 amended
- 15.14.060 Section R313 deleted
- 15.14.070 Section R902.1.1 amended
- 15.14.080 Section R902.1.2. amended
- 15.14.090 Section R902.1.3 amended
- 15.14.100 Portions of California Residential Code which are and are not approved, adopted or incorporated by reference.

15.14.010 Adoption of technical provisions of California Residential Code (CRC)

A. Except as otherwise provided for in this chapter, the California Residential Code, 2022 Edition, including the appendices thereto, together with those omissions, amendments, exceptions, and additions thereto are approved and adopted, and hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein

B. One copy of the CRC has been filed for use and examination of the public in the office of the building official of the city of Marina

C. Findings. The amendments set forth in Sections 15.14.020, 15.14.030, 15.14.040, 15.14.050, 15.14.060, 15.14.070, 15.14.080 and 15.14.090 are reasonably necessary because of the following local geological, topographical, and climatic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.
2. The local geographic, topographic, and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina, and may cause a delayed fire response time, allowing further growth of the fire
3. The type of residential construction provisions set forth in the amendments are more restrictive standards, which will better prevent fire and seismic damage, which can result from local conditions.

15.14.020 Section R105.2 “Work exempt from permit” amended.

Section R105.2 is amended to read as follows:

(10) Decks that are not more than 30 inches above grade, at any point.

15.14.030 Section R105.5 amended.

Section R105.5 is hereby amended to read as follows:

R105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2022 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of \$1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted, and permit obtained along with all applicable fees applied for this new project.

All existing projects are subject to this section and will be subject to the conditions listed above.

15.14.040 Section R106.6 amended.

Section R106.6 is hereby amended to read as follows:

R106.6 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing

that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing and pays a fee of \$500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

15.14.050 Table 302.6 amended.

Table R302.6 is amended to read as follows:

“Not less than 5/8” type X” in all columns in the table.

15.14.060 Section R403.1.3 amended.

Section R403.1.3 is hereby amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2 (1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook. In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family *dwelling*s which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

15.14.070 Section R902.1.1 amended.

Section R902.1.1 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof.

15.14.080 Section R902.1.2 amended.

Section R902.1.2 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof.

15.14.090 Section R902.1.3 amended.

Section R902.1.3 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire-retardant roof or Class A roof.

15.14.100

Portions of California Residential Code which are and are not approved, adopted, or incorporated by reference.

The following portions of the California Residential Code or CRC, 2022 Edition, or the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the residential code of the city of Marina:

- A. Section R313 (All. See Chapter 9 of the California Fire Code, 2022 Edition with amendments.)
- B. CRC Appendices AF, AI, AL, AO, AR, AS, AV, and AY.

10. Chapter 15.18 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

“Chapter 15.18 GREEN BUILDING STANDARDS CODE

Sections:

- 15.18.010 Adoption of California Green Building Standards Code (CGBSC).
- 15.18.020 Portions of California Green Building Standards Code which are not approved, adopted, or incorporated by reference.

15.18.010 Adoption of California Green Building Standards Code (CGBSC).

A. Except as otherwise provided for in this chapter, the California Green Building Standards Code, 2022 Edition, including the appendices thereto, together with those omissions, amendments, exceptions, and additions thereto are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CGBSC has been filed for use and examination of the public in the office of the building official of the city of Marina.

15.18.020 Portions of California Green Building Standards Code which are not approved, adopted, or incorporated by reference.

The following portions of the California Green Building Standards Code or CGBSC, 2022 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the green building standards code of the city of Marina:

All of the appendix chapters with the exception of the following appendix chapters or portion thereof:

- A. CGBSC Appendices A-4 and A-5.

11. Chapter 15.22 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

Chapter 15.22 EXISTING BUILDING CODE

Sections

15.22.010 Adoption of California Existing Building Code (CEBC).

15.22.010 Adoption of California Existing Building Code (CEBC).

A. The California Existing Building Code, 2022 edition is approved and adopted, and is hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEBC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.”

12. Section 15.24.010 of the Marina Municipal Code is repealed in its entirety and replaced to read as follows:

15.24.010 Adoption of Technical Provisions of California Plumbing Code (CPC).

A. Except as otherwise provided for in this Chapter, the California Plumbing Code, 2022 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B One copy of the CPC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.

13. Section 15.24.030 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.24.030 Portions of California Plumbing Code which are not approved, adopted, or incorporated by reference.

The following portions of the California Plumbing Code or CPC, 2022 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the plumbing code of the City of Marina:

Chapter 1 – Division II and all the Appendices with the exception of the following Appendix Chapters or portion thereof (which are approved, adopted and incorporated in this Chapter by reference):

A. CPC Appendix G.

B. CPC Appendix I.

14. Chapter 15.28 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

“Chapter 15.28 ELECTRICAL CODE

Sections

15.28.010 Adoption of the technical provisions of the California Electrical Code.

15.28.010 Adoption of Technical Provisions of California Electrical Code (CEC).

A. Except as otherwise provided for in this Chapter, the California Electrical Code, 2022 edition, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.

15. Chapter 15.32 of the Municipal Code is hereby repealed in its entirety and replaced to read as follows:

Chapter 15.32 ADOPTION OF THE CALIFORNIA FIRE CODE (CFC)

Sections:

- 15.32.005 Adoption of technical provisions of California Fire Code.
- 15.32.010 Definitions.
- 15.32.020 Bureau of fire prevention established.
- 15.32.030 Findings.
- 15.32.040 Section 101.1 Amended – Title.
- 15.32.050 Section 101.2.1 Amended - Appendices.
- 15.32.060 Section 102.1 Amended – Construction & Design Provisions.
- 15.32.070 Added
- 15.32.080 Section 103.0 Added.
- 15.32.090 Section 104.1.1 Added.
- 15.32.100 Section 105.5.0 Added.
- 15.32.110 Section 112.2 Amended.
- 15.32.120 Section 112.4 Amended.
- 15.32.130 Section 113.4 Amended.
- 15.32.140 Section 202 Amended.
- 15.32.150 Section 307.1.2 Added.
- 15.32.160 Section 307.2.1.2 Added.
- 15.32.180 Section 503.2.7 Amended.
- 15.32.190 Section 503.2.7.1 Added.
- 15.32.200 Section 503.7 Added.
- 15.32.210 Section 507.5.2 Amended.
- 15.32.220 Section 605.3.1 Added.
- 15.32.230 Section 605.3.1.1 Added.
- 15.32.240 Section 901.1.1 Added.
- 15.32.250 Section 901.2.2 Added.
- 15.32.260 Section 901.4 Amended.
- 15.32.270 Section 901.4.8 Added.
- 15.32.280 Section 901.6.4 Added.
- 15.32.290 Section 901.6.5 Added.
- 15.32.300 Section 901.11 Added.
- 15.32.310 Section 901.11.1 Added.
- 15.32.320 Section 901.11.2 Added.
- 15.32.330 Section 901.11.2.1 Added.
- 15.32.340 Section 901.11.2.2 Added.
- 15.32.350 Section 901.11.3 Added.
- 15.32.360 Section 901.11.3.1 Added.
- 15.32.370 Section 901.11.3.1.1 Added.
- 15.32.380 Section 901.11.3.1.2 Added.
- 15.32.390 Section 901.11.3.1.3 Added.
- 15.32.400 Section 901.11.3.2 Added.
- 15.32.410 Section 901.11.3.3 Added.
- 15.32.420 Section 901.11.3.4 Added.
- 15.32.430 Section 903.2 Amended.

15.32.440 Section 903.2.8 Amended.
 15.32.450 Section 903.3.11.1 #7 Added.
 15.32.460 Section 903.3.1.1.2 Deleted.
 15.32.470 Section 903.3.1.2 Amended.
 15.32.480 Section 903.3.1.2.1 Amended.
 15.32.490 Section 903.3.1.2.3 Amended.
 15.32.500 Section 903.3.1.2.4 Amended.
 15.32.510 Section 903.3.1.2.5 Amended.
 15.32.520 Section 903.3.1.2.6 Amended.
 15.32.530 Section 903.3.1.2.7 Amended.
 15.32.540 Section 903.3.1.3 Amended.
 15.32.550 Section 903.3.1.3.1 Added.
 15.32.560 Section 903.3.1.3.2 Added.
 15.32.570 Section 903.3.1.3.3 Added.
 15.32.580 Section 903.3.1.3.4 Added.
 15.32.590 Section 903.3.1.3.5 Added.
 15.32.600 Section 903.3.1.3.5.1 Added.
 15.32.610 Section 903.3.1.3.6 Added.
 15.32.620 Section 903.3.1.3.7 Added.
 15.32.630 Section 903.4.1 Amended.
 15.32.640 Section 903.4.2 Amended.
 15.32.650 Section 903.4.2.1 Added.
 15.32.660 Section 903.4.3 Added.
 15.32.670 Section 904.13.2 Amended.
 15.32.680 Section 904.13.5.2 Amended.
 15.32.690 Section 907.1.6 Added.
 15.32.700 Section 907.2 Amended.
 15.32.710 Section 907.6.5 Amended.
 15.32.720 Section 907.6.6 Amended.
 15.32.730 Section 907.6.6.5 Added.
 15.32.740 Section 907.6.6.6 Added.
 15.32.750 Section 907.7.2 Amended.
 15.32.760 Section 1205.1.1 Added.
 15.32.770 Section 1205.1.1.1 Added.
 15.32.780 Section 1205.1.1.2 Added.
 15.32.790 Section 1205.1.1.3 Added.
 15.32.800 Section 1205.1.1.4 Added.
 15.32.810 Section 1205.2.1 Amended.
 15.32.820 Section 1205.2.1.4 Added.
 15.32.830 Section 1206.15 Added.
 15.32.840 Section 3905.3 Added.
 15.32.850 Section 5609.0 Added.
 15.32.860 Section 5609.1 Added.
 15.32.870 Section 5609.1.2 Added.
 15.32.880 Section 5609.1.3 Added.
 15.32.890 Section 5609.1.4 Added.
 15.32.900 Section 5609.1.5 Added.
 15.32.910 Appendix D D103.2 Amended.
 15.32.920 Appendix Q Added.
 15.32.930 Appendix R Added.

15.32.005 Adoption of technical provisions of California Fire Code

A. Except as otherwise provided for in this chapter, the California Fire Code or CFC, 2022 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions, and additions thereto as amended in Title 24 of the California Code of Regulations, are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CFC has been filed for use and examination of the public in the office of the fire chief of the City of Marina.

15.32.010 Definitions.

As used in this chapter or in any other uniform codes or other nationally recognized fire safety standard made a part of this chapter, unless otherwise apparent from the context:

- A. "City" means the city of Marina when it refers to a political entity and means the incorporated area of the city of Marina when it refers to an area.
- B. "City council" means the city council of Marina.
- C. "Fire Chief" means the chief of the fire department serving the city of Marina.
- D. "Fire code official" means the Fire Chief or his or her designee.
- E. "Mayor" means the mayor of the City of Marina.
- F. "Municipality" means the City of Marina.

15.32.020 Bureau of fire prevention established.

The California Fire Code shall be enforced by the fire chief or his/her designee. The fire chief is appointed as the fire code official. The bureau of fire prevention is established within the city under the direction of the fire code official. The function of the fire prevention bureau shall be the implementation, administration, and enforcement of the provisions of the Fire Code. References within the California Fire Code to the "department of fire prevention" shall mean the bureau of fire prevention
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15.32.030 Findings.

The amendments set forth in Sections 15.32.040 through 15.32.090 are reasonably necessary because of the following local climatic, geological, and topographical conditions:

- A. Climate. The city, on average, experiences an approximate annual rainfall of fifteen inches. The heaviest months for rainfall can be expected between January and April. During winter months, the city may experience periods of heavy rain, which can cause local flooding. Due to the proximity of the Pacific Ocean, winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The city has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. Light to gusty winds occur during dry periods which, when coupled with highly flammable vegetation, can cause uncontrollable fires. With increased development spreading into brush covered coastal hill areas, wind driven fires could have severe consequences, as have been demonstrated on several occasions throughout the state.
- B. Geologic. The city is susceptible to seismic hazards resulting from movement along any one of several known faults. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat-producing appliances and the unavailability to water for fire control due to broken water mains. In the event of a major earthquake many areas of the city may not be accessible to emergency equipment and, if bridges or roads are damaged, the city may be isolated from outside assistance.
- C. Topographical. The city is divided by California State Highway 1. The freeway creates barriers which obstruct traffic patterns and delay response time for fire equipment. The water supply within the city is directly affected by the topographical layout. In the event of a major catastrophe, the city does not have an elevated water storage system to supply pressurized water to the city fire hydrants.
- D. Conclusion. Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity and size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Fire Code be amended by this chapter to mitigate the effects of these conditions.

15.32.040 Section 101.1 - Amended.

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Marina, hereinafter referred to as "Fire Code".

15.32.050 Section 101.2.1 – Amended

Section 101.2.1 is amended to read as follows:

101.2.1 Appendices. Provisions in all appendices to the 2022 California Fire Code are hereby adopted in their entirety and shall apply.

15.32.060 Section 102.1 – Amended

Section 102.1 is amended to read as follows:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities, and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions when identified in specific sections of this code.
4. Existing structures, facilities, and conditions, which, in the opinion of the fire code official, constitute a distinct hazard to life and property.
5. Existing structures alterations and repairs.
 - 5.a. All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this Chapter.
 - 5.b. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent (50%) or more of the external walls of a building, or result in the removal, modification, replacement and/or repair of fifty percent (50%) or more of the existing internal structural and/or non-structural framework, independently or in combination thereof, within a five year period, the entire building shall be made to conform to the current provisions of this Chapter
 - 5.c. Calculations of linear wall measurements shall be shown on all plans submitted for building permits, on the cover page in the project description of said plans.
 - 5.d. The determination under this section of the requirement for upgrading any existing structure to full conformance with the current provisions of this Chapter shall be at the sole discretion of the fire code official.

15.32.070 Amended to read as follows:

MARINA CITY CODE INTERPRETATION

With regards to construction provisions of this Code being required on building remodels:

If wall coverings (drywall, paneling, etc.) are removed down to bare studs, do these walls get included in the calculations?

ANSWER: No

If new wall coverings are installed over existing wall coverings, do these walls get included in the calculations?

ANSWER: No

What is the measurement parameter for determining the 50% figure?

ANSWER: ALL WALLS, INTERIOR AND EXTERIOR, ARE MEASURED USING THE LINEAR FOOTAGE OF THE WALLS.

MARINA CITY CODE COMMENTARY

The following formula is used to determine the 50% linear wall length in the City of Marina and is a standard adopted by the Monterey County Fire Prevention Officers Association:

Step 1: Determine the total linear length of all walls of the existing building.

Step 2: Determine the total linear length of all walls of the proposed remodeled building, including additions to the building.

Step 3: Determine the total linear length of all walls that are proposed to be removed during the remodel.

Step 4: Add the results of Steps 1, 2, and 3.

Step 5: Determine whether Step 4 result is over 150% of the Step 1 result. If so, Section 102.1 applies. If not, it does not apply.

15.32.080 Section 103.0 – Added

Section 103.0 is added to Chapter 1 of the Fire Code to read as follows:

103.0 Responsibility for enforcement.

103.0.1 Within established fire protection districts, incorporated cities and community services districts, responsibility for enforcement of this code shall be under the direction of the Fire Chief within each district.

Ord. 2022-____ § 1 (Exh. A (15) (part)), 2022)

15.32.090 Section 104.1.1 – Added

Section 104.1.1 is added to Chapter 1 of the Fire Code to read as follows:

104.1.1 Police powers. The fire code official and his authorized deputies shall have the powers of police offices in performing their duties under this code. When requested to do so by the fire code official, the chief of police of the jurisdiction is authorized to assign such available police officers as necessary to assist the fire code official in enforcing the provisions of this code.

15.32.100 Section 105.5.0 – Added

Section 105.5.0 is added to Chapter 1 of the Fire Code to read as follows:

105.5.0 Agricultural Explosive Devices. An operational permit is required for storage or use of any agricultural explosive device including “bird bombs”.

15.32.110 Section 112.2 – Amended

Section 112.2 is amended to read as follows:

112.2 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If the occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the correction or abatement of such hazardous conditions.

15.32.120 Section 112.4 – Amended

Section 112.4 is amended to read as follows:

112.4 Violation penalties. Persons who shall violate any provision of this code or shall fail to comply with any of the requirements thereof or shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable by a fine not more than five hundred dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

15.32.130 Section 113.4 – Amended

Section 113.4 is amended to read as follows:

113.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of an infraction as specified in Section 112.4 of this code.

15.32.140 Section 202 – Amended

Section 202 is amended to add the following definitions and to read as follows:

ALL WEATHER SURFACE. A road surface constructed to the minimum standards adopted by the jurisdiction.

BRIDGE. A structure to carry a roadway over a depression or obstacle.

IDLE PALLET. A pallet or similar product storage and/or lifting device not currently in use and empty of product.

15.32.150 Section 307.1.2 – Added

Section 307.1.2 is added to read as follows:

The Chief of the Marina Fire Department shall prohibit all outdoor rubbish fires. No waste matter shall be disposed of by burning within the City of Marina.

15.32.160 Section 307.2.1.2 – Added

Section 307.2.1.2 is added to read as follows:

Permit Required. No person shall kindle or maintain any open ground fire or authorize any such fire or authorize any such fire to be kindled or maintained for the purpose of preparation of food, such as in the case of a luau or barbecue or recreational fire without a permit from the Marina Fire Department. Other than one- and two-family residential dwelling units, applicant shall also need to secure a permit and/or clearance from the Monterey Bay Unified Air Pollution Control District.

15.32.180 Section 503.2.7 – Amended

Section 503.2.7 is amended to read as follows:

503.2.7 Grade. The grade of fire apparatus access roads shall be no greater than 15% unless specifically approved by the fire code official.

15.32.190 Section 503.2.7.1 – Added

Section 503.2.7.1 is added to Chapter 5 of the Fire Code to read as follows:

503.2.7.1 Paving. All fire apparatus access roads over eight percent (8%) shall be paved with a minimum 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base. All fire apparatus access roads over fifteen percent (15%) where approved shall be paved with perpendicularly grooved concrete.

15.32.200 Section 503.7 – Added

Section 503.7 is added to Chapter 5 of the Fire Code to read as follows:

503.7 Fire apparatus access road names. All fire apparatus access road names shall be issued or approved by the appropriate governmental agency.

15.32.210 Section 507.5.2 – Amended

Section 507.5.2 is amended to read as follows:

507.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations, and servicing shall comply with approved standards. When required by the fire code official, hydrants shall be painted in accordance with the most current edition of NFPA 291.

15.32.220 Section 605.3.1.1 – Added

Section 605.3.1 Spark Arrestors

Section 605.3.1.1 is added to Chapter 6 of the Fire Code to read as follows:

605.3.1.1 An approved spark arrester shall be installed on all chimneys, incinerators, smokestacks or similar devices using solid fuel for conveying smoke or hot gases to the outer air

15.32.230 Section 605.3.1.2 – Added

Section 605.3.1.2 is added to Chapter 6 of the Fire Code to read as follows:

605.3.1.2 Spark arresters shall have openings in accordance with Section 2113.9.2(3) of the California Building Code and Section 1003.9.2 of the California Residential Code with minimum openings of 3/8" and maximum openings of 1/2".

Section 901.1.1 is added to Chapter 9 of the Fire Code to read as follows:

901.1.1 Responsibility. The owner of the protected premises shall be responsible for all fire protection systems within the protected premises, whether existing or installed under this code.

15.32.250 Section 901.2.2 – Added

Section 901.2.2 is added to Chapter 9 of the Fire Code to read as follows:

901.2.2 Additional documentation. Additional documentation as required by the fire code official shall be provided to the fire code official in an acceptable format.

15.32.260 Section 901.4 – Amended

Section 901.4 is amended to read as follows:

901.4 Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. All systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled, or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

15.32.270 Section 901.4.8 – Added

Section 901.4.8 is added to Chapter 9 of the Fire Code to read as follows:

901.4.8 Nonoperational equipment. Any fire protection equipment that is no longer in service shall be removed.

MARINA CITY CODE INTERPRETATION

With regards to construction provision of the Marina City Fire Code being imposed on ancillary building based on proximity to the main structure, when are detached buildings to be considered "attached" for the purposes of imposing fire protection system requirements of the Marina City Fire Code?

Answer: Ancillary buildings withing 20 feet of the main structure are considered "attached" for the purpose of imposing fire protection system requirements.

15.32.280 Section 901.6.4 – Added

Section 901.6.4 is added to Chapter 9 of the Fire Code to read as follows:

901.6.4 Qualifications of Inspection, Testing and Maintenance Personnel. All personnel performing any inspection, testing or maintenance of any fire protection system shall be qualified. Where such inspection, testing and maintenance is performed by an outside service company, the company shall be appropriately licensed in accordance with the California Business and Professions Code or by the California State Fire Marshal.

15.32.290 Section 901.6.5 – Added

Section 901.6.5 is added to Chapter 9 of the Fire Code to read as follows:

901.6.5 Additional records. All documentation generated during any scheduled inspection or test of any fire protection system, whether required or voluntarily installed, shall be forwarded to the fire code official within 21 calendar days after the date of the inspection or test.

15.32.300 Section 901.11 – Added

Section 901.11 is added to Chapter 9 of the Fire Code to read as follows:

901.11 Fire Protection Features for Plant Processing and Extraction Facilities

15.32.310 Section 901.11.1 – Added

Section 901.11.1 is added to Chapter 9 of the Fire Code to read as follows:

901.11.1 Scope. This section applies to occupancies regulated by Chapter 39 of this Code.

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15.32.320 Section 901.11.2 – Added

Section 901.11.2 is added to Chapter 9 of the Fire Code to read as follows:

901.11.2 Definitions.

15.32.330 Section 901.11.2.1 – Added

Section 901.11.2.1 is added to Chapter 9 of the Fire Code to read as follows:

901.11.2.1 Plant processing. Plant processing shall include all plant post-harvest operations, excluding retail sales of plant and related products.

15.32.340 Section 901.11.2.2 – Added

Section 901.11.2.2 is added to Chapter 9 of the Fire Code to read as follows:

901.11.2.2 Indoor cultivation. Indoor cultivation shall be defined as all nursery or cultivation conducted in other than Group U occupancies (greenhouses).

15.32.350 Section 901.11.3 – Added

Section 901.11.3 is added to Chapter 9 of the Fire Code to read as follows:

901.11.3 Fire Protection Systems. All buildings or portions thereof housing plant post-harvest or indoor cultivation operations shall be protected as defined in this section.

15.32.360 Section 901.11.3.1 – Added

Section 901.11.3.1 is added to Chapter 9 of the Fire Code to read as follows:

901.11.3.1 Fire Sprinklers. Fire sprinklers shall be installed in accordance with 901.11.3.1.1, 901.11.3.1.2, or 901.11.3.1.3.

15.32.370 Section 901.11.3.1.1 – Added

Section 901.11.3.1.1 is added to Chapter 9 of the Fire Code to read as follows:

901.11.3.1.1 Fire sprinklers shall be installed in all buildings or portions thereof; such fire sprinkler systems shall be designed to Ordinary Group II design standards in the latest adopted edition of NFPA 13 and Section 903 of this code.

15.32.380 Section 901.11.3.1.2 – Added

Section 901.11.3.1.2 is added to Chapter 9 of the Fire Code to read as follows:

901.11.3.1.2 If the occupancy is classified as a Group H Occupancy the fire sprinkler system may be required to be designed and installed as an Extra Hazard fire sprinkler system

15.32.390 Section 901.11.3.1.3 – Added

Section 901.11.3.1.3 is added to Chapter 9 of the Fire Code to read as follows:

901.11.3.1.3 Where permitted by the fire code official and not otherwise required by this code or the CBC, fire sprinklers may be eliminated in approved buildings less than 500 square feet.

15.32.400 Section 901.11.3.2 – Added

Section 901.11.3.2 is added to Chapter 9 of the Fire Code to read as follows:

901.11.3.2 Fire Alarm Systems. Fire alarm systems shall be installed in all buildings or portions thereof; such fire alarm systems shall include both fire sprinkler system monitoring and

complete occupant notification as specified in the latest adopted edition of NFPA 72 and Section 907 of this code.

15.32.410 Section 901.11.3.3 – Added

Section 901.11.3.3 is added to Chapter 9 of the Fire Code to read as follows:

901.11.3.3 Special Hazard Systems. Where specified by appropriate UL listings for extraction booths utilizing volatile solvents, dry chemical fire protection systems shall be installed according to the latest adopted edition of NFPA 17. If there is no UL listing for the extraction booth, a dry chemical fire protection system shall be installed.

15.32.420 Section 901.11.3.4 – Added

Section 901.11.3.4 is added to Chapter 9 of the Fire Code to read as follows:

901.11.3.4 Portable Fire Extinguishers. Portable fire extinguishers shall be installed in accordance with NFPA 10 and Section 906 of this code.

15.32.430 Section 903.2 – Amended

Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems shall be provided in all new buildings and structures constructed, moved into, or relocated within the jurisdiction.

Exceptions:

- (1) Structures not classified as Group R occupancies and not more than five hundred (500) square feet in total floor area.
- (2) Detached agricultural buildings, as defined by this code and the CBC, located at least one hundred feet (100) from any other structure or the property line, whichever is closer.
- (3) Accessory structures not classified as R occupancies associated with existing non-sprinklered R-3 occupancies (one- or two-family dwellings) and less than one thousand five hundred (1500) square feet in total fire area.
- (4) Where an insufficient water supply exists to provide for an automatic fire sprinkler system and where the Fire Code Official permits alternate protection.

The following Sections are amended by changing requirements to five hundred (500) square feet for fire sprinkler installation, as follows (the complete text of the section is not provided):

903.2.1.1 Group A-1. Change twelve thousand (12,000) square feet to five hundred (500) square feet.

903.2.1.2 Group A-2. Change five thousand (5,000) square feet to five hundred (500) square feet.

903.2.1.3 Group A-3. Change twelve thousand (12,000) square feet to five hundred (500) square feet.

903.2.1.4 Group A-4. Change twelve thousand (12,000) square feet to five hundred (500) square feet.

903.2.1.5 Group A-5. Change one thousand (1,000) square feet to five hundred (500) square feet.

903.2.3 Group E. Change twelve thousand (12,000) square feet to five hundred (500) square feet.

903.2.4 Group F-1. Change twelve thousand (12,000) square feet to five hundred (500) square feet.

903.2.4.1 Group F-1. Change two thousand five hundred (2,500) square feet for woodworking operations to five hundred (500) square feet.

903.2.7-1 Group M. Change twelve thousand (12,000) square feet to five hundred (500) square feet.

903.2.7-3 Group M. Change twenty-four thousand (24,000) square feet to five hundred (500) square feet.

903.2.9 Group S-1. Change twelve thousand (12,000) square feet to five hundred (500) square feet.

903.2.9.1 Repair Garages. Change ten thousand (10,000) square feet (2 story buildings) and twelve thousand (12,000) square feet (1 story buildings) to five hundred (500) square feet.
903.2.9.2 Bulk storage of tires. Change twenty thousand (20,000) cubic feet to five hundred (500) square feet.

15.32.440 Section 903.2.8 – Amended

Section 903.2.8 is amended to read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all buildings with a Group R fire area, including, but not limited to, one- and two-family dwellings, townhomes, and manufactured homes and mobile homes located outside of licensed mobile home parks hereafter constructed, moved into or relocated within the jurisdiction, including all additions to buildings already equipped with automatic fire sprinkler systems.

(Exceptions remain per 2022 California Fire Code)

15.32.450 Section 903.3.1.1.1 #7 – Added

Section 903.3.1.1.1 #7 is added to Chapter 9 of the Fire Code to read as follows:

7. Passenger elevator shafts or associated passenger elevator mechanical rooms, where elevator shafts are constructed with a 2-hour fire resistive method.

15.32.460 Section 903.3.1.1.2 – Deleted

Section 903.3.1.1.2 is deleted in its entirety:

15.32.470 Section 903.3.1.2 – Amended

Section 903.3.1.2 is amended to read as follows:

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R as amended in Chapter 80.

15.32.480 Section 903.3.1.2.1 – Amended

Section 903.3.1.2.1 is amended to read as follows:

903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

15.32.490 Section 903.3.1.2.3 – Amended

Section 903.3.1.2.3 is amended to read as follows:

903.3.1.2.3 Attics. Where NFPA 13R sprinkler systems are installed, all attic areas shall be provided with sprinkler protection in accordance with NFPA 13.

15.32.500 Section 903.3.1.2.4 – Amended

Section 903.3.1.2.4 is amended to read as follows:

903.3.1.2.4 Sprinkler control valves. Where NFPA 13R sprinkler systems are installed, sprinkler system control valves shall be installed in accordance with NFPA 13.

15.32.510 Section 903.3.1.2.5 – Amended

Section 903.3.1.2.5 is amended to read as follows:

903.3.1.2.5 Bathrooms. Automatic sprinklers shall be installed in all bathrooms, regardless of square footage, where an electrical receptacle is installed.

15.32.520 Section 903.3.1.2.6 – Amended

Section 903.3.1.2.6 is amended to read as follows:

903.3.1.2.6 Accessible storage areas. Automatic sprinklers shall be installed in all accessible storage areas.

15.32.530 Section 903.3.1.2.7 – Amended

Section 903.3.1.2.7 is amended to read as follows:

903.3.1.2.7 Under-stair spaces. Automatic sprinklers shall be installed in all under-stair spaces including all under-stair closets.

15.32.540 Section 903.3.1.3 – Amended

Section 903.3.1.3 is amended to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Automatic fire sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D. The requirements of this section supersede the requirements of the California Residential Code.

15.32.550 Section 903.3.1.3.1 – Added

Section 903.3.1.3.1 is added to read as follows:

903.3.1.3.1 All fire sprinkler systems installed in one- and two-family dwellings shall be tested for leakage by undergoing a hydrostatic test made at 200 psi for two-hour duration.

15.32.560 Section 903.3.1.3.2 – Added

Section 903.3.1.3.2 is added to read as follows:

903.3.1.3.2 Each water system supplying both domestic and fire protection systems shall have a single indicating-type control valve, arranged to shut off both the domestic and sprinkler systems. A separate shut-off valve for the domestic system only shall be permitted to be installed. The location of the control valve shall be approved by the fire code official.

15.32.570 Section 903.3.1.3.3 – Added

Section 903.3.1.3.3 is added to read as follows:

903.3.1.3.3 Automatic sprinklers shall be installed in all bathrooms, regardless of square footage, where an electrical receptacle is installed.

15.32.580 Section 903.3.1.3.4 – Added

Section 903.3.1.3.4 is added to read as follows:

903.3.1.3.4 Automatic sprinklers shall be installed in all attached garages and other accessory structures and in all garages and other accessory structures.

15.32.590 Section 903.3.1.3.5 – Added

Section 903.3.1.3.5 is added to read as follows:

903.3.1.3.5 Automatic sprinklers shall be installed in all accessible storage areas.

15.32.600 Section 903.3.1.3.5.1 – Added

Section 903.3.1.3.5.1 is added to read as follows:

903.3.1.3.5.1 Automatic sprinklers shall be installed in all under-stair spaces including all closets.

15.32.610 Section 903.3.1.3.6 – Added

Section 903.3.1.3.6 is added to read as follows:

903.3.1.3.6 Local water flow alarms shall be provided on all sprinkler systems. Local water flow alarms shall be powered from the main kitchen refrigerator circuit. The local water flow alarm shall be clearly audible from within the master bedroom at an audibility level of not less than 75 dBA. Where no kitchen exists in the building, the water flow alarm shall be powered from the bathroom lighting circuit. Where required by the fire code official, interior audible notification appliances or additional water flow alarms may be required to be installed at locations specified by the fire code official.

15.32.620 Section 903.3.1.3.7 – Added

Section 903.3.1.3.7 is added to read as follows:

903.3.1.3.7 Automatic fire sprinklers shall be installed to protect all furnaces and heating system appliances.

MARINA CITY FIRE CODE INTERPRETATION

With regards to requiring fire sprinkler installation in bathrooms,

Do rooms with toilets and/or bidets only and no electrical receptacles require fire sprinklers?

ANSWER: No unless they exceed the 55 square foot minimum in NFPA 13R and NFPA 13D.

Do rooms with showers only and no electrical receptacles require fire sprinklers?

ANSWER: No, unless they exceed the 55 square foot minimum in NFPA 13R and NFPA 13D

15.32.630 Section 903.4.1 – Amended

Section 903.4.1 is amended to read as follows:

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72, or, when approved by the fire code official, shall sound an audible signal at a constantly attended location. The fire alarm system installed to transmit such signals shall be considered a building fire alarm system (exceptions remain unchanged).

15.32.640 Section 903.4.2 – Amended

Section 903.4.2 is amended to read as follows:

903.4.2 Alarms. One exterior approved audible appliance shall be connected to every automatic sprinkler system in an approved location. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Interior alarm notification appliances shall be installed as required by Section 903.4.2.1.

15.32.650 Section 903.4.2.1 – Added

Section 903.4.2.1 is added to Chapter 9 of the Fire Code to read as follows:

903.4.2.1 Where an automatic fire sprinkler system is installed in a building with more than one tenant or with over 100 sprinkler heads, audible and visible notification appliances shall be installed throughout the building as follows:

a. Audible notification appliances shall be installed so as to be audible at 15 dBA above average sound pressure level throughout the building.

b. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors in accordance with the spacing requirements of NFPA 72.

c. Visible notification appliances can be eliminated in normally unoccupied portions of buildings where permitted by the fire code official.

EXCEPTION: The requirements of this section do not apply to Group R-3 Occupancies.

15.32.660 Section 903.4.3 – Added

Section 903.4.3 is added to read as follows:

903.4.3 Floor control valves. Approved indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in all buildings over one story in height and shall be individually annunciated as approved by the fire code official.

15.32.670 Section 904.13.2 – Amended

Section 904.13.2 is amended to read as follows:

904.13.2 System interconnection. The actuation of the fire extinguishing system shall automatically shut down all fuel and electrical power located under the hood, except for the electrical power to the exhaust air supply. The fuel and electrical supply reset shall be manual.

15.32.680 Section 904.13.5.2 – Amended

Section 904.13.5.2 is amended to read as follows:

904.13.5.2 Extinguishing system service. Automatic fire extinguishing systems shall be serviced by a CSLB licensed C-16 contractor or a CSFM licensed “A” licensee at least every six months and after any activation of the system. Inspection shall be performed by the owner at least monthly in accordance with the currently adopted edition of NFPA 17-A. The service contractor shall review the records of monthly inspections every six months, and deficiencies shall be reported to the fire code official. A service report shall be forwarded to the fire code official by the licensed service contractor within 15 days after every service on the appropriate AES form.

15.32.690 Section 907.1.6 – Added

Section 907.1.6 is added to Chapter 9 of the Fire Code to read as follows:

907.1.6 Multiple Fire Alarm Systems. Multiple fire alarm systems within a single protected premises are not permitted, unless specifically authorized by the fire code official.

15.32.700 Section 907.2 – Amended

Section 907.2 is amended to read as follows:

907.2 Exception 1. The manual fire alarm box is not required for fire alarm control units dedicated to elevator recall control.

15.32.710 Section 907.6.5– Amended

Section 907.6.5 is amended to read as follows:

907.6.5 Access. Access shall be provided to each fire alarm system component for periodic inspection, maintenance, and testing.

15.32.720 Section 907.6.6– Amended

Section 907.6.6 is amended to read as follows:

907.6.6 Monitoring. Fire alarm systems, whether required by this chapter or the California Building Code or voluntarily installed, shall be monitored by an approved supervising station in accordance with NFPA 72 and this section.

15.32.730 Section 907.6.6.5– Added

Section 907.6.6.5 is added to read as follows:

907.6.6.5 Zone transmittal. Where required by the fire code official, fire alarm signals shall be transmitted by zone to the supervising station and retransmitted by zone to the public fire service communications center.

15.32.740 Section 907.6.6.6 – Added

Section 907.6.6.6 is added to Chapter 9 of the Fire Code to read as follows:

907.6.6.6 Means of communication. The use of either POTS or cable telephone lines with a digital alarm communicator transmitter shall not be permitted.

EXCEPTION. Where no other communications methods are available, the use of telephone lines shall be permitted to be used on a temporary basis not to exceed one year from the date of final acceptance test or until permitted alternate means of communications are available.

15.32.750 Section 907.7.2– Amended

Section 907.7.2 is amended to read as follows:

907.7.2 Completion documents. The following documentation shall be provided at the time of acceptance testing for all fire alarm system installations:

1. A record of completion in accordance with NFPA 72.
2. A contractor's statement verifying that the system has been installed in accordance with the approved plans and specifications and has been 100% tested in accordance with NFPA 72.
3. A contractor's affidavit of personnel qualifications, indicating that all personnel involved with the installation of the fire alarm system meet the qualification requirements of the fire code official.

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15.32.760 Section 1205.1.1– Added

Section 1205.1.1 is added to read as follows:

1205.1.1 Signing and Marking. In addition to signing and marking requirements of the California Building Code and the California Residential Code, the following signing and marking is required:

15.32.770 Section 1205.1.1.1– Added

Section 1205.1.1.1 is added to read as follows:

1205.1.1.1 Main Panel Exterior Marking. A placard is required to be permanently affixed to the main service disconnect panel. The placard shall be red in color with white capital letters at least 1/2" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather-resistant, durable plastic with engraved letters, or other approved material.

15.32.780 Section 1205.1.1.2– Added

Section 1205.1.1.2 is added to read as follows:

1205.1.1.2 Circuit Disconnecting Means Marking. A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have contrasting color capital letters at least 3/8" in height and in a non—serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

15.32.790 Section 1205.1.1.3– Added

Section 1205.1.1.3 is added to read as follows:

1205.1.1.3 Secondary Power Sources. Where photovoltaic systems are interconnected to battery systems, generator backup systems, or other secondary power systems, additional signage acceptable to the fire code official shall be required indicating the location of the secondary power source shutoff switch.

15.32.800 Section 1205.1.1.4– Added

Section 1205.1.1.4 is added to read as follows:

1205.1.1.4 Installer Information. Signage acceptable to the fire code official indicating the name and emergency telephone number of the installing contractor shall be required to be installed adjacent to the main disconnect.

15.32.810 Section 1205.2.1– Amended

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Section 1205.2.1 is amended to read as follows:

Section 1205.2.1, Exceptions 1 and 2 of the California Fire Code are deleted in their entirety.

15.32.820 Section 1205.2.1.4– Added

Section 1205.2.1.4 is added to read as follows:

1205.2.1.4 Hip and Valley Layout. Hip and Valley Layouts. Modules shall be located no closer than one and one-half feet (1-1/2') to a hip or valley if modules are to be placed on both sides of a hip or valley. Where modules are located on only one side of a hip or valley that is of equal length, the modules shall be permitted to be placed directly adjacent to the hip or valley.

15.32.830 Section 1206.15– Added

Section 1206.15 is added to read as follows:

1206.15 Signage acceptable to the fire code official shall be required indicating the location of the stationary fuel cell power system.

15.32.840 Section 3905.3– Added

Section 3905.3 is added to read as follows:

3905.3. Fire Protection Systems. Fire protection systems in occupancies regulated by this chapter shall be in accordance with Section 901.11 of this Code.

15.32.850 Section 5609.0 added

Section 5609.0 is added to Chapter 56 of the California Fire Code to read as follows:

5609.0 Safe and Sane Fireworks Permitted. Notwithstanding the foregoing provision of law, safe and sane fireworks, as defined by the California Health and Safety Code or regulations issued by the Office of the State Fire Marshal, may be sold and discharged within the City during the period from 12:00 o'clock noon on June 28 to and until 11:59 p.m. on July 4 of each year, pursuant to the provisions of this ordinance and not otherwise.

No fireworks shall be sold, or offered for sale, discharged, or possessed within the city of Marina that are classified by the California Health and Safety Code as a dangerous firework.

Any property owner that allows the willful possession, sale or discharge of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both. Any person in possession of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both, all fireworks shall be confiscated.

The safe and sane firework known as a "Piccolo Pete", "Whistling Phantom", or similar type of whistling fountain shall not be sold or discharged within the city of Marina.

15.32.860 Section 5609.1 added

Section 5609.1 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1 Sale Permit Required. No person, co-partnership, partnership, organization, or group shall sell safe and sane fireworks within the City without first having applied for and received a permit therefor in compliance with the terms of this Ordinance. Upon receipt of a written application for a permit pursuant to this ordinance, the city manager shall direct the Fire Chief to cause an investigation to be made and make a report to the city manager of his findings and his recommendations for or against the issuance of a permit, together with his reasons therefor. After the receipt of such report and recommendations, the City Manager shall have the power, in his discretion, to grant or deny the application. The denial of an application may be appealed to the City council by a written notice of appeal filed with the city clerk within five (5) days after notice of the city manager's action. Any permit granted by the city manager may be subject to such reasonable conditions and restrictions as may be imposed by the city manager, and such conditions and restrictions shall be complied with by the permittee.

15.32.870 Section 5609.1.2 added.

Section 5609.1.2 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.2 Permittees. The sale of "safe and sane" fireworks within the city is allowed by non-profit agency, certified by the Secretary of the State of California or the Internal Revenue Service, that is based in the City of Marina and having a mailing address within the city of Marina and whose

primary purpose is to benefit the youth and adults that live in the city of Marina. No permit for the sale of safe and sane fireworks shall be issued to any person, corporation, partnership, organization or group which has not been in business or in operation within the City for at least one (1) year continuously preceding the filing of the application. Being in business shall require the prior payment of a business license fee to the City. An organization or group shall be deemed to be in operation if it has a principal and permanent meeting place in the City, holds regular business meetings at that location and has a bona fide membership of at least twenty (20) members.

15.32.880 Section 5609.1.3 added.

Section 5609.1.3 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.3. Application for Permit. Application for a permit to sell safe and sane fireworks shall:

- a) Be made in writing.
- b) Be filed with the Fire Chief on or prior to May 1 of each year.
- c) Set forth the proposed location of all fireworks stands, and the dimensions thereof.
- d) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deliver to the city manager satisfactory evidence of an insurance policy with \$50,000/100,000 public liability and \$10,000 property damage coverages, with a rider attached to the policy designating the City and its agents and employees as additional insured thereunder.
- e) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deposit \$100.00 cash with the city clerk, which deposit shall be refunded to the permittee after the permit period has ended, if said permittee has complied with all applicable provisions of law for the sale of fireworks, but to be forfeited and retained by the City in the event of noncompliance with such law;
- f) Be accompanied by a nonrefundable application fee as specified in Chapter 3 of the Marina Municipal Code; and
- g) Shall contain the following information: name and address of the applicant; applicant's business or organization status; the date the applicant was organized or first conducted business; the names and addresses of applicant's officers, if any; the location of applicant's principal and permanent place of business or meeting; the location where applicant will sell and store fireworks; and the applicant's State Board of Equalization Sales Tax Permit Number.

Provided the above requirements are met, permits shall be granted on a first-applied for, first-granted basis. Applicants for permits hereunder shall be notified by the Fire Chief or his or her designee of the granting or denial of their application for a permit on or before the first day of June each year.

15.32.890 Section 5609.1.4 added.

Section 5609.1.4 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.4 Fireworks Stands, Regulations. All retail sales of safe and sane fireworks shall be permitted only from within temporary fireworks stand, and the sale from any other building or structure is prohibited. Such stands shall be subject to the following regulations:

- a) No person, corporation, partnership, organization, or group other than the designated permittee shall operate the stand for which a permit is issued or share or otherwise participate in the profits from the operation of such stand.
- b) No person other than individuals who are employees of the permittee or members of a permittee organization or group, or the spouses or children, eighteen years or older, of such persons, shall sell or otherwise participate in the sale of fireworks at such stand.

- c) Fireworks stands shall comply with the provisions of the Building Code of the City, and all stands shall be erected under the supervision of the building official, who shall require that stands be constructed in a manner which will reasonably insure the safety of attendants and patrons. An electrical permit and compliance with electrical codes are required.
- d) If, in the judgment of the building official or fire department inspector, the construction of the stands or the conduct of the operators therein does not conform to the provisions of this ordinance, such officer may order the stands immediately closed.
- e) No person shall be allowed in the interior of the stands except those directly employed in the sale of fireworks.
- f) There shall be at least one supervisor, twenty-one (21) years of age or older, on duty at all times. There shall be no sale of fireworks to persons under sixteen (16) years of age.
- g) No stand shall be placed closer than thirty (30) feet to any other building.
- h) NO SMOKING signs shall be prominently displayed both inside and outside the stand. No smoking shall be permitted within the stand, or within five (5) feet of the stand.
- i) All weeds and combustible material shall be cleared from the location of the stand. No rubbish shall be allowed to accumulate in or around any fireworks stand, nor shall a fire nuisance be permitted to exist.
- j) No stand shall be erected before June 15th of any year. The premises on which the stand is erected shall be cleared of all structures and debris not later than noon of the 12th day of July following.
- k) All stands must be equipped with at least one 2 1/2-gallon water pressure type extinguisher for each exit in the stand. Each fire extinguisher shall have a current State Fire Marshal tag affixed and have been serviced within the last year.
- l) Each stand in excess of twenty (20) feet in length must have at least two (2) exits; and each stand in excess of forty (40) feet in length must have at least three (3) exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty (20) feet.
- m) No stand shall be constructed with a depth of more than twelve (12) feet.
- n) All unsold safe and sane fireworks shall be returned to the wholesaler not later than the eighth (8) day of July.
- o) Fireworks shall be stored only in a metal type Conex container and be equipped with a lock for overnight storage at the firework stand location. No fireworks shall be stored in the temporary fireworks stands when the stand is not occupied and not in operation.
- p) In addition to the above, the permittee shall also conform to all regulations relating to the storage and sale of fireworks as set forth in the California Health and Safety Code and the Fireworks Rules and Regulations of the State Fire Marshal.
- q) No one shall possess, use, or sell dangerous or illegal fireworks from the stand or near the stand. Violation of this section shall cause for immediately revoking the Fire Department permit and the stand will be shut down.
- r) No fireworks shall be sold or discharged on the Marina Municipal Airport property.

15.32.900 Section 5609.1.5 added.

Section 5609.1.5 is added to Chapter 56 of the California Fire Code to read as follows:

- a. 5609.1.5 NUMBER OF FIREWORK STAND PERMITS.

(a) Firework stand permits shall be limited to one (1) permit being available for firework stands in the City per every three thousand (3,000) in City population.

(b) As the population of the City increases, the then current limit on the number of permits for any calendar year shall be increased by one (1) permit per every three thousand (3,000) in additional City population. Population to be determined using the then current State of California Department of Finance, Demographic Research Unit's Population Estimates for California cities.

15.32.910 Section D103.2 – Amended

Section D103.2 is amended to read as follows:

D103.2 Grade. Fire apparatus access roads shall not exceed 15 percent in grade with a maximum side slope of 5%.

EXCEPTION: Grades steeper than 15 percent, if approved by the fire code official, shall be paved with perpendicularly grooved concrete.

15.32.920 Appendix Q adopted and added.

Appendix Q is adopted and added to read:

APPENDIX Q: Standard Fire Conditions for Single Family Dwellings

SECTION Q101 GENERAL

Q101.1 Scope. Applications for the construction or remodel of single family dwellings, including one- and two-family dwellings, townhomes, modular and manufactured homes, and mobile homes outside of established mobile home parks, shall be subject to the fire conditions in this appendix when conditioned by the Fire Code Official.

Q101.2 Conflicting sections. Where provisions in this appendix conflict with other sections of this Code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the Fire Code Official.

SECTION Q102 ROADS

Q102.1 General. These conditions will be used primarily when conditioning a subdivision or other project that requires roads. Roads identified in this Section are vehicular access to more than two (2) parcels; more than four (4) residential units; or access to any industrial or commercial occupancy. Includes public and private streets and lanes.

Q102.2 Road access. (FIRE 001). Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than one hundred fifty (150) feet from fire department access. All roads shall be constructed to provide a minimum of two (2) ten (10) feet wide traffic lanes with an unobstructed vertical clearance of not less than fifteen (15) feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (75,000 pounds). Each road shall have an approved name.

Q102.3 Roadway engineering. (FIRE 002). The grade for all roads shall not exceed fifteen percent (15%) with a maximum side slope of five percent (5%). Where road grades are 8 percent (8%) or less, an all-weather aggregate base is required at a minimum or as required in other sections of the Monterey County Code. Where road grades exceed eight percent (8%), a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than one hundred (100) feet. No roadway turn shall have a horizontal inside radius of less than fifty (50) feet. A roadway turn radius of fifty (50) to one hundred (100) feet is required to have an additional four (4) feet of roadway surface. A roadway turn radius of one hundred (100) to two hundred (200) feet is required to have an additional two (2) feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of one hundred fifty (150) feet of surface length. The minimum

turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of sixty (60) feet in length.

Q102.4 Dead end roads.

Q102.4.1 Parcels less than one acre. (FIRE 003). For parcels less than one acre, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed eight hundred (800) feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of sixty (60) feet in length.

Q102.4.2 Parcels greater than one acre and not exceeding five acres (FIRE 004). For parcels greater than one acre and not exceeding five acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed one thousand three hundred twenty (1,320) feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of sixty (60) feet in length

Q102.4.3 Parcels greater than five acres and not exceeding twenty (20) acres. (FIRE 005). For parcels greater than five acres and not exceeding twenty (20) acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed two thousand six hundred forty (2,640) feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than one thousand three hundred twenty (1,320) foot intervals. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of sixty (60) feet in length.

Q102.4.4 Parcels greater than twenty (20) acres. (FIRE 006). For parcels greater than twenty (20) acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed five thousand two hundred eighty (5,280) feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than one thousand three hundred twenty (1,320)-foot intervals. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the road. If a hammerhead/T is used, the top of the “T” shall be a minimum of sixty (60) feet in length.

SECTION Q103 DRIVEWAYS, GATES, AND BRIDGES

Q103.1 Driveways. (FIRE 007). Driveway identified in this Section is defined as a vehicle access that serves up to two (2) parcels with no more than two (2) residential units and any number on non-commercial or industrial buildings on each parcel. Driveways shall not be less than twelve (12) feet wide traffic lane and minimum fourteen (14) feet wide unobstructed clearance, with an unobstructed vertical clearance of not less than fifteen (15) feet. The grade for all driveways shall not exceed fifteen percent (15%) with a maximum side slope of five percent (5%). Where driveway grades are eight percent (8%) or less, an all-weather surface such as an aggregate base shall meet minimum fire requirements. Other types of material for driveways may be required by Monterey County Code. Where the grade exceeds eight percent (8%), a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of

fire apparatus forty thousand (40,000) pounds, and be accessible by conventional-drive vehicles, including sedans. For driveways with turns ninety (90) degrees and less, the minimum horizontal inside radius of curvature shall be twenty-five (25) feet. For driveways with turns greater than ninety (90) degrees, the minimum horizontal inside radius curvature shall be twenty-eight (28) feet. For all driveway turns, an additional surface of four (4) feet shall be added. All driveways exceeding one hundred fifty (150) feet in length, but less than eight hundred (800) feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds eight hundred (800) feet, turnouts shall be provided at no greater than four hundred (400)-foot intervals. Turnouts shall be a minimum of twelve (12) feet wide and thirty (30) feet long with a minimum of twenty (25) foot taper at both ends. Turnarounds shall be required on driveways in excess of one hundred fifty (150) feet of surface length and shall be thirty (30) feet long with a minimum twenty-five (25) foot taper at both ends. Turnarounds shall be required on driveways in excess of one hundred fifty (150) feet of surface length and shall be located within fifty (50) feet of the primary building. The minimum turning radius for a turnaround shall be forty (40) feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of sixty (60) feet in length.

Q103.2 Gates. (FIRE 008). All gates providing access from a road to a driveway shall be located at least thirty (30) feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least two (2) feet wider than the width of the traffic lane but in no case be less than fourteen (14) feet wide unobstructed and unobstructed vertical clearance of fifteen (15) feet. Where a one-way road with a single traffic lane provides access to a gated entrance, a forty (40) foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.

Q103.3 Bridges. (FIRE 009). All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than twelve (12) feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signage, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges.

SECTION Q104 SIGNS AND ADDRESSES

Q104.1 Road signs. (FIRE 010). All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum four-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least one hundred (100) feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of the jurisdiction. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than one hundred (100) feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the Fire Code Official.

Q104.2 Addresses for buildings. (FIRE 011). All buildings shall be issued an address in accordance with jurisdictional requirements. Each occupancy, including detached accessory dwelling units (ADU), except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of four-inch (4") height, 1/2-inch stroke,

contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance.

SECTION Q105 WATER SUPPLY

Q105.1 Water systems. (FIRE 012). The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, NFPA Standard 1142 or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available.

Q105.2 (RESERVED) (FIRE 013).

Q105.3 Single parcel fire protection water supply. (FIRE 014). For development of structures totaling less than three thousand (3,000) square feet on a single parcel, the minimum fire protection water supply shall be four thousand nine hundred (4,900) gallons. For development of structures totaling three thousand (3,000) square feet or more on a single parcel, the minimum fire protection water supply shall be nine thousand eight hundred (9,800) gallons. For development of structures totaling more than ten thousand (10,000) square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available.

Q105.4 Fire hydrants and valves. (FIRE 015). A fire hydrant or fire valve is required. The hydrant or fire valve shall be eighteen (18) inches above grade, eight feet from flammable vegetation, no closer than four feet nor further than twelve (12) feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than fifty (50) feet and not more than one thousand (1,000) feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2-inch National Hose outlet supplied by a minimum four inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of three inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within three feet of the hydrant/valve, with the blue marker not less than three feet or greater than five feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

SECTION Q106 SETBACKS

Q106.1 Setbacks. (FIRE 016). Except as permitted by the fire code official, all parcels one acre and larger shall provide a minimum thirty (30) foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than one-acre, alternate fuel modification standards or other requirements may be imposed by the Fire Code Official to provide the same practical effect.

SECTION Q107 VEGETATION AND DEBRIS DISPOSAL

Q107.1 Disposition of vegetation and debris fuels. (FIRE 017). Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit.

SECTION Q108 GREENBELTS

Q108.1 Greenbelts. (FIRE 018). Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wild land fuels and structures. The locations shall be approved by the Fire Code Official.

SECTION Q109 DEFENSIBLE SPACE

Q109.1 Standard defensible space requirements. (FIRE 019). Defensible space requirements shall meet Section 4291 of the Public Resources Code or the Monterey County Code, whichever is more restrictive. Additional or alternate fire protection approved by the Fire Code Official may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by the Fire Code Official and other jurisdictional authorities.

Q109.2 (RESERVED) (FIRE 020).

SECTION Q110 FIRE PROTECTION SYSTEMS

Q110.1 Residential fire sprinkler systems (Standard). (FIRE 021). The building(s) and attached structure(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection.

Q110.2 (RESERVED) (FIRE 022).

Q110.3 (RESERVED) (FIRE 023).

Q110.4 Residential fire alarm systems. (FIRE 024). The residence shall be fully protected with an approved household fire warning system as defined by NFPA 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the California Residential Code shall meet the requirements of the California Residential Code.

Q110.5 (RESERVED) (FIRE 025).

(Ord. 2022-____ § 1 (Exh. A (15) (part)), 2022)

**15.32.930 Appendix R adopted and added.
Appendix R is adopted and added to read:**

Appendix R Roofs

SECTION R101 GENERAL

R101.1 Scope. Applications for the construction or remodel of any buildings shall be subject to the roofing conditions of this Appendix when conditioned by the Fire Code Official.

R101.2 Conflicting Sections. Where provisions in this Appendix conflict with other sections of this Code or other appendices, the provisions of this Appendix shall prevail unless otherwise directed by the Fire Code Official.

SECTION R102 NEW BUILDINGS

R102.1 General. (FIRE 026). Roofing requirements for all new buildings shall be a minimum Class “B” roof assembly as defined by the International Building Code.

EXCEPTION: Greenhouses shall be exempt from the requirements of this Section.

R102.2 Very High Hazard Severity Zones. (FIRE 027). Roofing requirements for all new buildings in Very High Hazard Severity Zones shall be a minimum Class “A” roof assembly as defined by the International Building Code.

SECTION R103 EXISTING BUILDINGS

R103.1 General. (FIRE 026). Roofing requirements for existing buildings when fifty percent (50%) or more of the roof area is reroofed within a one-year period after the issuance of a building permit shall be a minimum Class “B” roof assembly as defined by the California Building Code. Where there is no permit issued, this section is applicable to buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is reroofed within a one-year period after commencing construction.

R103.2 Very High Hazard Severity Zone. (FIRE 027). Roofing requirements for existing buildings within a very high hazard severity zone when fifty percent (50%) or more of the roof area is reroofed within a one-year period after the issuance of a building permit shall be a minimum Class “A” roof assembly as defined by the International Building Code. Where there is no permit issued, this Section is applicable to such buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is reroofed within a one-year period after commencing construction.

SECTION R104 ADDITIONS TO EXISTING BUILDINGS

R104.1 General. The requirements of this Appendix shall apply to all additions to existing buildings, except that only the new portions of the roof shall be required to meet the requirements of this Appendix.

October 11, 2022

Item No: **11a**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 1, 2022

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2022-
AUTHORIZING STAFF TO ENTER INTO AN AGREEMENT ON BEHALF OF
THE CITY OF MARINA WITH BIRD, INC. NECESSARY TO ALLOW
SCOOTERS TO BE USED WITHIN THE JURISDICTION AND TO EXECUTE
AN ENCROACHMENT PERMIT.**

REQUEST

It is requested that City Council consider

1. Adopting Resolution No. 2022- authorizing staff to work with Bird, Inc. to implement the deployment and authorize the City Manager to execute a Shared Mobility Agreement, an encroachment permit with a fee agreement, and amendments necessary to implement a Shared Mobility Device Services program in Marina.

BACKGROUND

On February 11, 2022, the Bird Rides, Inc. (the “Company”) contacted City of Marina (“City”) Staff regarding bringing electric scooters to Marina.

On August 26, 2022, Bird notified the City that they reached a tentative agreement to bring electric scooters to California State University Monterey Bay (CSUMB).

The City Council is asked to approve the City Manager to sign a Shared Mobility Device Service agreement with Bird Rides, Inc (“**EXHIBIT A**”) with an encroachment permit with a fee agreement to be executed by Public Works Director or their designee.

ANALYSIS

The Company is proposing to bring stand-up electric scooters to the City of Marina. Multiple attempts to bring stand-alone electric scooters to the City of Marina and CSUMB have not been successful. One of the key differences that Bird believes that this deployment will be successful is that they are waiting to deploy scooters in either location until both agencies have reached an agreement. This is advantageous for the City, because it will create another form of transportation between the campus and the City of Marina.

Another important aspect of the agreement is that the fleet will be managed by a fleet manager who is responsible for maintaining and managing the fleet of scooters within the City. The fleet manager will be picking them up, charging and repairing them and then putting them back in strategic locations. During business hours (8:00 am to 6:00 pm) the fleet manager will have a minimum four (4) hour response time for calls for service and City Staff can escalate that for high priority issues to a two (2) hour response. For any issues that are not addressed within the response time, City staff’s time will be covered by an Encroachment Permit.

The consulting Attorney for this project is previous City Attorney Robert Rathie. He has been involved in the details of the contract language including ensuring that the indemnification agreement and the insurance coverage are sufficient for the City of Marina. Under Assembly Bill (AB) 1286 (September 2020), required insurance coverage for shared mobility devices to operate in cities is set to a minimum of one million dollars (\$1,000,000) for each occurrence and not less than five million dollars (\$5,000,000) aggregate for all occurrences. In negotiating the contract, the Company agreed to Robert’s proposal to bring this up to two million dollars (\$2,000,000) for each occurrence, five million dollars (\$5,000,000) aggregate and to include five million dollars (\$5,000,000) umbrella insurance.

Further, Robert consulted with Monterey Bay Area Self Insurance Authority (MBASIA) regarding the insurance amount and our consultant agreed that the insurance amount that the Company has agreed to provide is sufficient.

Shared mobility devices such as these electric scooters help with last mile transportation for citizens who use public transportation, and they will help cut down on carbon emissions within the city. Further, alternative transportation modes such as these will benefit the City for Planning Projects to prove we are working on reducing Vehicle Miles Travelled (VMT).

FISCAL IMPACT

If the resolution is adopted, then the City shall enter into a fee agreement with the Company that will result in all staff time to be 100% cost recovery as required in Marina Municipal Code Chapter 3.24.

ENVIRONMENTAL DETERMINATION

The City of Marina determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CCR, Title 14, Chapter 3 (“CEQA Guidelines), Article 20, Section 15378).

CONCLUSION:

This request is submitted for City Council discussion and possible action.

Respectfully submitted,

Nicholas McIlroy
Associate Planner
Community Development Department
City of Marina

REVIEWED/CONCUR:

Guido F. Persicone, AICP
Community Development Director
Community Development Department
City of Marina

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AUTHORIZING STAFF TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF MARINA WITH BIRD, INC. NECESSARY TO ALLOW SCOOTERS TO BE USED WITHIN THE JURISDICTION AND TO EXECUTE AN ENCROACHMENT PERMIT.

WHEREAS, on February 11, 2022, the Bird Rides, Inc. (the “Company”) contacted City of Marina (“City”) Staff regarding bringing electric scooters to Marina.

WHEREAS, on August 26, 2022, Bird notified the City that they reached a tentative agreement to bring electric scooters to California State University Monterey Bay (CSUMB).

WHEREAS the City Council approves the City Manager to sign a Shared Mobility Device Service agreement with Bird Rides, Inc (“**EXHIBIT A**” to the resolution), an encroachment permit with a fee agreement, and amendments necessary to implement a Shared Mobility Device Services program in Marina.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Marina hereby:

1. Directs City of Marina staff to enter into a Shared Mobility Device Service agreement on behalf of the City of Marina with Bird Rides, Inc (“**EXHIBIT A**”); and
2. Authorizes the City Manager to execute, in the name of the City of Marina, all necessary applications, contracts and agreements and amendments thereto to implement and carry out the shared mobility agreement attached hereto, and any encroachment permit required through approval of the agreement.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 1ST day of November 2022, by the following vote:

AYES, COUNCIL MEMBERS:

NOES, COUNCIL MEMBERS:

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk

**SHARED MOBILITY DEVICE SERVICES BETWEEN
THE CITY OF MARINA AND BIRD**

The Shared Mobility Device Services Agreement (“Agreement”) is made on _____, 2022, by and between the CITY OF MARINA, a municipal corporation (“City”) located at 211 Hillcrest Avenue Marina, CA (the “City”) and BIRD RIDES, Inc., located at 406 Broadway #369 Santa Monica, CA 90401 (the “Company”) to provide services under the following terms and limitations. This agreement shall remain in effect for 12 months and may be renewed unless either party provides written notice to the other of its intention not to renew at least ninety (90) days prior to the end of the then-current term, or unless terminated as set forth below. City and Company are sometimes referred to in the singular as a “Party” and jointly as the “Parties.”

RECITALS

1. City seeks by this Agreement to implement a 12-month pilot program for a dockless stand-up electric scooter sharing systems program.
2. Company proposes to operate a shared mobility program within the City.
3. Company will abide by all City ordinances and rules governing the use of public right-of-way to provide efficient and effective electric scooter sharing systems.
4. Company will provide electric scooter sharing systems, which collectively will be referred to as the "fleet".
5. All Company fleet devices have GPS, 3G, and self-locking technology, such that the electric-assist scooters may be locked and tracked and opened by users with a phone application.

In consideration of the mutual covenants and representations set forth in this Agreement, City and Company hereby agree to launch an electric scooter sharing system program, with renewals every 12 months.

AGREEMENT

- 1) Scope: This Agreement and its terms apply to any proposed deployment of Stand-up electric scooter sharing systems within City jurisdictional boundaries. The City agrees that Company may utilize the City Right of Way to provide shared mobility services within the City. The term Right of Way ("ROW") refers to public sidewalks, public roads, other public pathways, City-owned parking lots, and parks owned and maintained by the City for a term of up to twelve (12) months, which may be amended or extended in writing, by mutual agreement to address any issues and modifications raised during the pilot term. This is a non-exclusive agreement and City reserves the right to issue business licenses and to enter into similar agreements in furtherance of implementation of a pilot program for dockless shared mobility devices to other businesses providing shared mobility devices during the term of this Agreement.

- 2) Both parties agree to meet after three (3) months to meet and review the operating agreement between the City, and the Company. At this time, the City can bring up any issues that need to be addressed and the City and the Company can add an addendum to the Agreement as needed.
- 3) Except as otherwise provided herein, City shall regulate the operation of Stand-up electric scooters in a manner no more restrictive than City's regulation of bicycles. Stand-up electric scooters are to be ridden on streets, and where available, in bike lanes and bike paths. Stand-up electric scooters are to stay to the right of street lanes and to offer the right of way to bicycles in bike lanes and on bike paths. Users of Stand-up electric scooters shall be 18 years of age or older. Users of Stand-up electric scooters who violate these provisions may be fined by City consistent with fines for cyclists.
- 4) Use of City ROW. City authorizes the Company to use the public ROW solely for the purposes of maintaining and offering its stand-up scooter fleet for a shared mobility program within the City. Authority to utilize the City ROW for this fleet is dependent on the Company's compliance with all terms of this Agreement, the California Vehicle Code, and the City's Municipal Code. The rights described in this Agreement do not constitute a lease or an easement and shall not transfer any real property interest in City property.
 - a. This Agreement only applies to operations within the City of Marina ROW as defined herein. Additional operational areas may be established, for example, locations on private properties and transit stations. Prior written consent of the property owner shall be obtained by the Company.
- 5) Permitted Use. Company may use the ROW for parking of the fleet that is owned and maintained by Company for use in the shared mobility program. For purposes of this Agreement, the term ROW refers to hard-surfaced areas owned and maintained by the City. Company shall not place or attach any personal property, fixtures, or structures to ROW without the prior written consent of City.
 - a. It is Company's duty under this Agreement to ensure that use of the ROW and Company's operations within the City shall not: a) adversely affect ROW or the City's streets, or sidewalks; and b) adversely affect the property of any third parties located within the ROW; and c) impede or inhibit pedestrian movement or accessibility within the public way or along other property or rights-of way owned or controlled by the City; or d) create conditions which are a threat to public safety and security.
 - b. Upon termination of this Agreement by either Party, Company shall, at its sole cost and expense, immediately remove its fleet and any other property from the City ROW.

- 6) Fleet. The fleet provided by Company shall meet all applicable safety standards and requirements in the California Vehicle Code, including lights and reflectors, and be well-maintained and in good and safe riding condition.
 - a. A maximum of 100 deployed and properly maintained electric scooters should be in service in any calendar month. At the discretion of the City, the maximum number of deployed devices may be dynamically managed. The goal of the fleet shall be to average 2 rides per vehicle over a 30-day period. The maximum number of deployed shared mobility devices can be increased or decreased with prior notice to the City based upon the last 30-days' data demonstrating fleet performance against this average 2 riders per day standard. To increase the fleet above 100 devices, the previous 30-day period must demonstrate a minimum average usage of 2 rides per day.
- 7) Fees. Company, and all independent contractors (Fleet Managers) working for Company in the City of Marina, shall submit to the City the applicable business licensing fees as set forth in Chapter 5.20 of the City of Marina Municipal Code.
- 8) Administrative Cost Recovery. This Agreement is contingent upon an active encroachment permit being obtained, and maintained in good standing at all times, by the Company from the City's Public Works Department. This must be renewed on a regular basis as agreed upon with the Director of Public Works. Company will remit payment based on the average number of deployed vehicles in the public right of way over a time. This cost recovery is intended to fully reimburse ongoing City administration costs of implementing and enforcing this Agreement.
- 9) Fleet Parking. Company and the City may collaboratively identify designated parking areas to station fleet devices and corral and rebalance the fleet as needed. Company and the City may pre-designate fleet parking zones for staging the fleet for public use ("Home Zones"). The Home Zones will be identified on the up-to-date application map maintained by Company and available for viewing by the City at all times. The City will work in good faith with Company to determine and locate stations so as to be convenient for public access. Fleet may only be parked in a legal manner in the ROW by individuals participating in the shared mobility program. Electric scooters parked on private property will be allowed at the discretion of the private property owner but may be subject to approval of the City's Community Development Department. Company will actively manage its fleet to ensure orderly parking and the free and unobstructed use of the ROW.
 - a. Stand up electric scooters in the fleet shall be restricted to the following parking zones on the ROW:
 - i. Fleet can only be parked on hard surfaces (e.g. concrete, asphalt, compacted soil)

- and shall stand upright when parked.
 - ii. Fleet shall not be parked in zones adjacent to or in any way blocking loading zones, passenger loading zones, disabled parking zones, automobile street parking spaces, curb ramps, entryways, driveways, and street furniture and pathways that require pedestrian access (e.g. benches, play structures).
 - iii. Shared mobility devices shall not be deployed or parked at the corners of sidewalks nor within any crosswalk, curb ramp, or within a feature that serves as an accessible element such as landings, areas of refuge, detectable warning surfaces, bus bench access, bus stop access, or any other physical feature that may be require for mobility. Devices shall not be deployed or parked within 5 feet of a street corner pedestrian ramp.
 - iv. Shared mobility devices parked in residential areas that do not impede pedestrian travel will be allowed to remain in place.
 - b. Company shall inform users of devices and its Fleet Managers responsible for deploying its fleet as to how to park or deploy the fleet correctly. Company shall inform the City as to how it plans to incentivize device users and Fleet Managers responsible for deploying the fleet to park or deploy shared mobility devices safety and correctly. Company will be responsible for payment of fees and disincentives for any scooters not parked in accordance with Section 9.a. above.
 - c. Company shall require shared mobility device users to take and submit a photo of the parked device via the mobile application at the end of a ride. Company shall monitor the submitted photos and take prompt actions to address shared mobility device parking violations.
- 10) Maintenance and Care of ROW. Company expressly agrees to repair, replace or otherwise restore any part or item of real or personal property that is damaged, lost or destroyed as a result of Company's use of ROW. Should Company fail to repair, replace, or otherwise restore such real or personal property, Company expressly agrees to pay City's costs, including reasonable administrative fees, in making such repairs, replacements, or restorations.
- 11) Company shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each Stand-up electric scooter for members of the public to make relocation requests or to report other issues with devices.
- 12) Safety Education and Customer Communication. Company shall provide education to stand-up electric scooter riders on the City's existing rules and regulations, safe and courteous riding, and proper parking. Company shall:
- Educate users regarding laws applicable to riding and operating stand up electric scooters including wearing a helmet as necessary.
 - Notify customers that rider shall yield to pedestrians on sidewalks.

- Instruct customers on how to park fleet devices legally and properly.
- Make available parking instruction materials that will be available on the fleet, the app and as outreach materials for distribution.
- Provide a mechanism for customers to easily and quickly notify the company of any problems with the stand-up electronic scooters, including providing a phone number clearly posted on all fleet and available on the mobile application and website.
- Maintain a customer service phone number for customers to report safety concerns, complaints, or ask questions. This service phone number must be posted on all deployed fleet and on website and mobile application.
- Will be responsible and accountable for any fleet safety equipment distributed to users, such as helmets and other accessories.
- Engage with California State University at Monterey Bay, and possibly other schools, districts and institutions on fleet device safety.

13) Data Sharing and Required Reports. Company will provide data to City as necessary to assist with monitoring program usage. Company shall provide City staff access to, and maintain, a real time dashboard that monitors the fleet. Company shall ensure the dashboard has the capability of providing monthly reports to the City concerning utilization of the fleet and the fleet route usage and shall cooperate with the City in the collection and analysis of aggregated data concerning its operations. Said dashboard shall provide the following real-time data at a minimum.

- Heat map of rider usage;
- Total number of rides per day per device;
- Total riders, including unique riders;
- Average trip time;
- Average trip distance;
- Peak hours of use; and
- Fleet distribution and in service.

In addition to the dashboard data, Company shall also provide quarterly reports that provide the following information at a minimum.

- Total number of reported complaints and damage and response time; and
- Number of outreach and safety activities in Marina.

Reports shall be public records as defined in the California Public Records Act.

14) Fines and Penalties. Company shall be responsible for administrative fines assessed pursuant to Chapter 1.12 of the City of Marina Municipal Code because of Company devices being deployed by its representatives or parked by its users in the ROW in manner

that is inconsistent with the parking requirements of item 9.a. Should a shared mobility device not be relocated, re-parked, rebalanced or removed within the Response Time listed below, the device may be impounded by the City or its agents and taken to a City facility for storage at the expense of the Company.

- 15) Response Time. Company agrees to a minimum four (4) hour response time for standard calls for service from the City or the community within business hours defined as 8:00 AM to 6:00 PM. The City staff shall have the ability to report high priority issues with a minimum two (2) hour response time within business hours.
- 16) Compliance with All Laws. Company at its own cost and expense must abide by all statutes, ordinances, regulations, and requirements of all governmental entities applicable to its use of the ROW and the operation of this shared mobility pilot program, including but not limited to laws governing operation of electric scooters. If any license, permit, or other governmental authorization is required for Company's lawful use or occupancy of ROW or any portion thereof, Company shall procure and maintain such license, permit and/or governmental authorization at or prior to the inception and throughout the term of this Agreement.
- 17) Indemnification:
 - a. Company and City agree that the City, its Council, boards and commissions, officers, employees, agents, and volunteers should, to the extent permitted by applicable law in effect on or validly retroactive to the date first written above, be fully protected from any loss, injury, damage, claim, lawsuits, cost, expense, attorney's fees, litigation costs, defense costs, court costs or any other cost arising out of or in any way related to the activities authorized by this Agreement including, but not limited to, Company's use of facilities or equipment provided by the City or others and claims brought by customers of Company, regardless of the negligence of and regardless of whether liability without fault is imposed or sought to be imposed on the City, whether arising directly or indirectly, arising out of or connected in any way with the shared mobility device program or services provided for herein by the Company (including its officers, managers, employees, agents and volunteers). Accordingly, the provisions of this indemnity provision are intended by the Parties to be interpreted and construed to provide the fullest protection possible under the law to the City. Company acknowledges that City would not enter this Agreement in the absence of the commitment from Company to indemnify and protect City as set forth herein.

To the full extent permitted by law, Company shall defend, indemnify, and hold harmless City, its Council, boards and commissions, officers, employees, agents, and volunteers from any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged, or threatened, actual attorney fees incurred by City, court costs, interest, defense costs including expert witness fees, infringement of patent, copyright or any other proprietary right or trademark, and any other costs or expenses of any kind whatsoever without restriction or limitation incurred in relation to, as a

consequence of, or arising out of or in any way attributable actually, allegedly, or impliedly, in whole or in part, to the activities associated with this Agreement including any bodily injury including death or damage to property arising out of or in connection with any use, misuse, placement or misplacement, including but not limited to placement or misplacement resulting in alleged violations of the Americans with Disabilities Act (ADA), of Company's devices, property or equipment by any person. All obligations under this provision are to be paid by the Company as they are incurred by the City.

Without affecting the rights of the City under any provision of law, this Agreement, or this section Company shall not be required to indemnify and hold harmless City for liability as set forth above to the extent that loss, damage, injury, or liability results from the gross negligence or willful misconduct of City, its Council, boards and commissions, officers employees, agents and volunteers and is not contributed to by any act of or by any omission of Company including its officers, managers, employees, agents and volunteers to perform some duty imposed by law or agreement on Company, provided the City's gross negligence or willful misconduct is determined by written agreement of the parties or the findings of a court of competent jurisdiction. This exception will apply only in instances where the City is shown to have been grossly negligent or to have engaged in willful misconduct and not in instances where Company (including its officers, managers, employees, agents, and volunteers) is solely or partially at fault and where City' is not grossly negligent or did not engage in willful misconduct. In those instances, the obligation of Company will be all inclusive and City will be indemnified for all liability incurred, even though a percentage of the liability is attributable to conduct of the City.

The obligations of Company under this or any other provision of this Agreement will not be limited by the insurance provisions of this Agreement or the provisions of any workers' compensation act or similar act. Company expressly waives its statutory immunity under such statutes or laws as to City, its Council, boards and commissions, officers, employees, agents, and volunteers.

Failure of the City to monitor compliance with these requirements imposes no additional obligations on City and will in no way act as a waiver of any rights hereunder. This obligation to indemnify and defend City as set forth herein is binding on the successors, assigns, or heirs of Company and shall survive the termination of this Agreement or this section.

- b. If any action or proceeding is brought against any indemnified party by reason of any of the matters against which the Company has agreed to defend the indemnified party, as provided above, Company, upon notice from the City, shall have an independent obligation to immediately defend any indemnified Party at Company's expense by counsel reasonably acceptable to the City. An indemnified party need not have first paid for any of the matters to which it is entitled to indemnification in order to be so defended.

- c. The review, acceptance or approval of the Company's work or services by any indemnified party shall not affect, relieve, or reduce the Company's indemnification or defense obligations.
- 18) Non-assignability. Both parties hereto recognize that this Agreement is for the personal services of Company or a wholly owned subsidiary of the Company and cannot be transferred, assigned, or subcontracted by Company without the prior written consent of City.
- 19) Waivers. The waiver by either party of any breach or violation of any term, covenant, or condition of this Agreement or of any provisions of any ordinance or law shall not be deemed to be a subsequent waiver of such term, covenant, condition, ordinance or law or of any subsequent breach or violation of the same or of any other term, covenant, condition, ordinance or law. The subsequent acceptance by either party of any consideration which may become due hereunder shall not be deemed to be a waiver of any preceding breach or violation by the other party of any term, covenant, or condition of this Agreement or of any applicable law or ordinance.
- 20) Insurance. As a condition precedent to the effectiveness of this Agreement and without limiting Company's indemnification of the City, Company agrees to obtain and maintain in full force and effect at its own expense the insurance policies set forth in **Exhibit "A"** "Insurance" attached hereto and made a part hereof.
- 21) Fleet Manager. The parties acknowledge that Company may subcontract with independent business logistics providers to facilitate local operations. The parties further acknowledge that Company may perform any or all the services contemplated hereunder, including the owning and/or operation of Stand-up electric scooters in City, through one or more of its wholly owned subsidiaries. Company's use of these logistics providers or performance through its wholly owned subsidiaries does not constitute a transfer or assignment of this Agreement, and Company remains responsible for all obligations and requirements under this Agreement. A physical inspection of the home or base of operations of the Fleet Manager's area for charging scooters will be required if the fleet is located within the City of Marina. This inspection will be required for all new Fleet Managers as part of their Business License application.
- 22) Attorney Fees. In the event it should become necessary for either party to enforce or interpret any of the terms and conditions of this Agreement by means of court action or administrative enforcement the laws of the State of California shall govern the interpretation of the terms and conditions of this Agreement and such action shall be brought in a court of proper jurisdiction in Monterey County, the prevailing party, in addition to any other remedy at law or in equity available to such party, shall be awarded all reasonable costs and reasonable

attorney's fees in connection therewith, including the fees and costs of experts reasonable consulted by the attorneys for the prevailing party.

- 23) Non-discrimination. Company warrants that it is an Equal Opportunity Employer and shall comply with applicable regulations governing equal employment opportunity. Neither Company nor any of its subcontractors shall discriminate in the employment of any person because of race, color, national origin, ancestry, physical handicap, medical condition, marital status, sex, or age, unless based upon a bona fide occupational qualification pursuant to the California Fair Employment and Housing Act.
- 24) Term. This agreement shall commence on _____ 2022, (the "Commencement Date") and shall expire twelve (12) months after the Commencement Date, unless earlier terminated or extended pursuant to termination clause below.
- 25) Termination. Either party may terminate this Agreement upon (30) thirty days prior written notice for any of the following conditions:
 - a. Non-performance of this Agreement;
 - b. Public health and safety reasons;
 - c. If the services or operations hereunder become operationally impracticable; or
 - d. An attempt to transfer or assign this Agreement.

Company may terminate this Agreement at any time prior to the expiration date set forth in section 24 above, however, Company shall not terminate this Agreement without first giving at least 30 days' written notice of termination. Upon the effective date of termination of this Agreement, Company shall remove all fleet devices from the City and restore the ROW to the condition of the ROW at the Commencement Date of this Agreement.

- 26) Independent contractors. In carrying out their responsibilities, the Parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of joint relationship.
- 27) Notices. All notices and communications to the City from Company shall be made in writing and sent to the address below. All notices and communication to the Company shall be made in writing and sent to the address given in the Preamble.
- 28) Amendment. This Agreement may be amended by mutual agreement of the parties. Such amendments shall only be effective if incorporated in written amendments to this Agreement and executed by duly authorized representatives of the parties.

- 29) Applicable law and Venue. The laws of California shall govern the interpretation and enforcement of this Agreement. Venue shall be in Monterey County Superior Court.
- 30) Counterparts. This Agreement may be executed simultaneously or in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.
- 31) This agreement shall be governed by and construed in accordance with the laws of the State of California.

IN WITNESS WHEREOF, the City and the Bird Rides, Inc. have executed this Agreement:

Marina, CA

Bird Rides, Inc.

Signed By:

Signature: _____

Signature: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____

Address:

City of Marina

Attn: Matt Mogensen, Assistant City Manager

211 Cypress Avenue

Marina, CA 93933

Exhibit A

Insurance Requirements

Company shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property that may arise from or in connection with the performance of the Agreement by Company, its agents, representatives, employees or subcontractors.

Minimum Scope and Limits of Insurance

Coverage shall be at least as broad as:

1. **Commercial General Liability (CGL):** Insurance Services Office Form CG 00 01 covering CGL on an “occurrence” basis for bodily injury or property damage, including contractual liability, personal injury, and product liability and completed operations with limits of no less than \$5,000,000 per occurrence and \$5,000,000 in the aggregate for all occurrences during the policy period. The insurance shall not exclude coverage for injuries or damages caused by the shared mobility service provided to the shared mobility device user.
2. **Business Auto:** Primary coverage shall be written on Insurance Services Office Form CA 00 01 10 01 and shall be endorsed to state the City of Marina, its officers, officials, employee and volunteers are added as additional insureds with respect to the ownership, operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by Company or for which Company is responsible. Limits shall be no less than \$1,000,000 combined single limit per accident for bodily injury and property damage. Starting and ending dates shall be concurrent. If Company owns no autos, a non owned auto endorsement to the CGL policy described above is acceptable.
3. **Workers’ Compensation:** Workers’ Compensation insurance as required by the State of California, with Statutory Limits and Employers’ Liability Insurance with limits of no less than \$1,000,000 per accident for bodily injury or disease.

If Company maintains broader coverage or higher limits than the minimum shown above, the City of Marina requires and shall be entitled to the broader coverage or higher limits maintained by Company. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City of Marina.

Other Insurance Provisions

1. The insurance policies shall contain, or be endorsed to contain, the following provisions:
 - a. **Additional Insured Status:** The City of Marina, its officers, officials, employs and volunteers are to be covered as additional insureds on the CGL, Auto and Employers’ Liability policies. Additional Insured coverage must be provided in the form of an endorsement to Company’s insurance (at least as broad as Insurance Services Office Form CG 20 10 11 85, or if not available, through the addition of **both** CG 20 10, CG 20 26, CG 20 33 or CG 20 18 **and** CG 20 37).
 - b. **Primary Coverage:** For any claims related to this Agreement, Company’s insurance shall be primary coverage at least as broad as Insurance Services Office Form CG 20 01 04 13 as respects

the City of Marina, its officers, officials, employees and volunteers. Any insurance or self-insurance maintained by the City of Marina, its officers, officials, employees or volunteers shall be in excess of Company's insurance and shall not contribute with it.

c. Notice of Cancellation: Each insurance policy required herein shall state that coverage shall not be canceled except after notice has been given to the City of Marina.

d. Waiver of Subrogation: Company hereby grants to the City of Marina a waiver of any right of subrogation which any insurer of Company may acquire against the City of Marina by virtue of payment of any loss. Company agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City of Marina has received a waiver of subrogation endorsement from the insurer.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the City of Marina for all work performed by Company, its employees, agents and subcontractors.

Self-Insured Retentions

Self-insured retentions must be declared to and approved by the City of Marina. The City of Marina may require Company to purchase coverage with a lower retention or provide satisfactory proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. The policy language shall provide, or be endorsed to provide, that the self-insured retention may be satisfied by either the named insured or the City of Marina.

Acceptability of Insurers

Insurance is to be placed with insurers authorized to conduct business in California with a current A.M. Best rating of no less than A:VII, unless otherwise acceptable to the City of Marina.

Verification of Coverage

Company shall furnish the City of Marina with original certificates and amendatory endorsement (or copies of the applicable policy language effecting coverage provided by this clause). All certificates and endorsement are to be received and approved by the City of Marina execution of this Agreement. However, failure to obtain required documents prior to the commencement of the Agreement shall not waive Company's obligation to provide them. The City of Marina reserves the right to require complete, certified copies of all required insurance policies, including the endorsements required herein, at any time.

Failure to Maintain Insurance Coverage

If Company, for any reason, fails to maintain insurance coverage which is required pursuant to this Agreement, the same shall be deemed a material breach of contract. The City of Marina, at its sole option, may terminate this Agreement and obtain damages from Company resulting from said breach.

Subcontractors.

Company remains fully responsible for the acts, omissions, services, functions and obligations performed by its subcontractors to the same extent as if such acts, or omissions, services, functions or obligations were performed by Company's employees or agents and for purposes of this Agreement such work will be deemed work performed by the Company. Company shall not employ for the program any subcontractor that the City may within a reasonable time object to as unsuitable. The parties agree that Company's subcontractors shall be independent contractors with regard to the providing of services under this Agreement, and that Company's subcontractors shall not be considered to be employees or agents of the City for any purpose and will not be entitled to any of the benefits City provides for its employees. City shall make no deductions for payroll taxes or Social Security from amounts due Company for work or services provided under this Agreement.

Special Risks or Circumstances

City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstance.

BIRD SCOOTER MOU FAQs

Why are we approving this tonight?

Bird has requested to use our public right-of-way for stand-up electric scooter use. Additionally, we are looking at this now for alignment with CSUMB which is also entering into an agreement with BIRD. This will facilitate an alternative mode of transportation for students to travel to Marina.

Where are the scooters allowed to be?

Scooters will be allowed in the public right-of-way including on streets and sidewalks, and geo-coded to create a digital fence to run only in Marina.

What happens if we deny this MOU? What will happen to the CSUMB scooter agreement?

Bird scooters will not come to the City of Marina and mostly likely not at the CSUMB campus as well. Additionally, per AB 1286 Bird would be prohibited from operating as this bill mandates an agreement with the City.

What mechanism is in place to ensure the vendor is complying with the MOU?

A 90-day check in provisions has been added. Additionally, as party to the agreement the City can terminate its participation at any time and the agreement is renewed annually after 1-year period.

What happens to the CSUMB approval of the scooter project?

CSUMB will likely NOT move forward since we share a border with the campus and we would prohibit the scooters in our area. Additionally, the vendor is not interested in operating at just the campus, but rather with CSUMB and Marina combined.

How can we make sure the scooters will not be all over our public right of way?

The fleet of scooters are only allowed to be parked on hard surfaces and are not allowed to be parked blocking sidewalks or entrances. To ensure compliance users are required to take a photo of where they park the scooter at the end of use. If the scooter is parked incorrectly the user will continue to be charged until they have parked the scooter correctly and taken a new photo.

What is the phone number for a resident to call if they see a scooter on a sidewalk?

If approved the BIRD fleet manager's phone number will be put on all scooters and posted to the City website.

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 1, 2022

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION 2022-, AMENDING
RESOLUTION NO. 80-71, AS AMENDED, PARAGRAPHS 8, 9, 13, AND 27
REGARDING BEST PRACTICES FOR PUBLIC ENGAGEMENT AND
MEETING EFFICIENCY**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2022-, amending Resolution No. 80-71, as amended, Establishing the Rules and Procedures for the Conduct of Meetings (**Exhibit A**);
2. Amending Paragraph 8 regarding Order of Business and Consideration and Sequence of Agenda Items;
3. Amending Paragraph 9 regarding Preparation of the Minutes;
4. Amending Paragraph 13 regarding Debate;
5. Amending Paragraph 27 regarding Manner of Addressing Council; and
6. Approving a new Agenda format in substantially the same form as **Exhibit B**.

BACKGROUND:

At the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71, “Establishing the Rules and Procedures for the Conduct of Meetings of the City Council” (“Rules and Procedures”). The Rules and Procedures govern Council conduct, and include provisions for the setting meetings, order of the agendas, Council debate, and conflicts of interest.

The Rules and Procedures have been amended multiple times over the years – primarily in regard to the order of the agenda and meeting times.¹ (**Exhibit C**.) More recently, the City Council directed staff to bring forward proposals regarding the Rules and Procedures to increase public engagement and improve meeting efficiency. While this is the present direction, a more comprehensive update can be brought forward to align the Rules and Procedures with the Marina Municipal Code, and incorporate all amendments into one document.

This agenda item was brought to Council for consideration in early August, and continued several times due to more pressing matters. Since August, members of the public and Council have suggested additional areas of potential revision to streamline public meetings.

ANALYSIS:

Elected officials have a large body of work to get through, and it must be accomplished in a reasonable amount of time. A well-organized agenda, appropriate opportunities for public comment and following protocol are all essential to running an effective meeting.

¹ See Resolutions 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107.

Public Engagement

Public comment is an essential part of local government meetings. Hearing from the public is a critical part of the Council's role. Council members need to be in touch with the public and be responsive. That said, the purpose of public comment is to inform the Council of the public's views, and not to enter into debate or dialogue with Council, or to have general public comment take precedence over items scheduled for action on the agenda.

Time limits on public comment are an important tool for running a meeting of reasonable length, and prioritizing the important discourse while participants are available. General public comment at the meeting's outset provides an opportunity for members of the public to share their viewpoints with Council on matters of concern. However, extensive general comment, prior to the Council's deliberation of the agendized action items, can fatigue all participants and diminish the quality of the discourse and decision-making.

It is recommended that the Mayor and Council provide brief factual information to public comment, if necessary and appropriate, but should not enter into a back and forth exchange or call on staff to provide answers on the spot. As a caution, once a third comment or participant is involved, the question/answer can quickly turn into an unagendized discussion. A best practice is for staff to note input or questions and provide responses at a later date, or to place the item on a future agenda.

The City may adopt reasonable regulations for public comment, including time limits. Many public agencies allow up to three minutes, which can be limited if there are many participants or to accommodate a lengthy agenda. The public does not need to be given an opportunity to speak on an item that has already been considered by a committee made up exclusively of members of the Council at a public meeting, if all interested members of the public had the opportunity to speak on the item before or during its consideration, and if the item has not been substantially changed. In addition, the City may provide multiple ways for residents to express their views, which can further reduce pressure on meeting time, i.e., by encouraging letters and other written communication.

Staff proposes amendments to the current Agenda template in terms of public comments. (**Exhibit B.**) It is recommended that public input on the Consent Agenda be heard under general Public Comment. In this way, the Consent Agenda may be called, and if no items are pulled, adopted in one motion. The agenda, in its current form, provides

“ . . . 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.”

The Agenda can be clarified to specify that while members of the public may comment on Consent items before action is taken, it remains within the Council's discretion as to whether to pull an item. Further, it is also within Council's discretion as to whether the public comment or question is to be answered by staff or referred to a later date. Additionally, staff proposes to make the Agenda more user-friendly by including only those items brought forward for Council action.

Staff recommends changes to the Rules and Procedures, Paragraph 8 a), to separate Council and Staff Announcements from Public Comment. Subsection b) modifications reflect the new numbering, and update the Rules with gender-neutral language. Proposed additions are set forth in italicized font; deletions are noted in strikeout font:

8. Order of Business and Consideration and Sequence of Agenda Items.

- a) The business of the City Council shall be taken up for consideration and disposition in the following order:
1. Call to Order 5:00p.m. (if there is to be a Closed Session)
 2. Roll Call and Establishment of Quorum
 3. Closed Session (if any)
 4. Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
 5. Moment of Silence & Pledge of Allegiance
 6. Special Presentations - *no action; no public comment*
 7. ~~Special Council and Staff Announcements and Communications from the Floor~~
 8. *Public Comment – Up to a maximum of 3 minutes per person*
 9. Consent Agenda
 10. Public Hearings
 11. Other Council Action Items
 12. Council & Staff Informational Reports – *no action taken, no public comment*
 13. Adjournment
- b) The Mayor, at ~~their~~ *his/her* discretion and subject to majority vote overruling ~~them~~ *him/her*, may re-arrange agenda items, provided that any items ‘pulled’ from Item 98, ‘Consent Agenda’ shall be considered following the last item of Item ~~1140~~, “Other Council Action Items.”

Paragraph 27 a) of the Rules and Procedures, entitled “Manner of Addressing Council,” sets forth the allotted time for public comments. Proposed modifications consider that members of the public cannot be required to provide their names or other information as prerequisite to speaking, and that the Council has the ability to limit public comment where necessary for meeting efficiency.

Proposed additions are shown in italicized font; deletions are in strikeout font:

27. Addressing the Council

- a) Manner of Addressing Council. Each person desiring to address the Council ~~shall step up to the speaker’s rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and, unless further time is otherwise specifically provided for in these rules or is granted by majority vote of the Council, shall limit his remarks~~ *may comment for up to four three (43) minutes, which may be limited at the discretion of the Mayor depending on time available and the number of speakers. All remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Council Member or a member of the City staff without the permission of the Presiding Officer.*
- c) After Motion Close of Public Hearing. After ~~a motion has been made or~~ a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

Structured Discussion

Motion after public comment and prior to Council discussion can help focus Council discourse by identifying the issue to be decided, and make it easier for members of the public to follow the discussion. Accordingly, staff recommends the Council first solicit public input, and then make a motion, followed by Council discussion and a vote. This is the recommended process set forth in Rosenberg's Rules of Order, which is a simplified version of Robert's Rules of Order. Not only does this help identify the issue before the Council, but it ensures compliance with the Brown Act, which requires the public be provided an opportunity to speak prior to action being taken.

Paragraph 8 c) of the Rules and Procedures sets forth the procedure for consideration of Agenda Items. The proposed modifications are set forth below (additions shown in italicized font; deletions in strikeout font):

8. Order of Business and Consideration and Sequence of Agenda Items.

- c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:
 - 1. Mayor Introduces the Agenda Item
 - 2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
 - 3. Applicant/proponent, when appropriate, up to ten (10) minutes (at Presiding Officer's discretion)
 - 4. City Council Clarifying *Technical* Questions of Staff and Applicant/Proponent
 - 5. ~~Brief Council Comments and Motion~~ *Public Comments* – up to a maximum of ~~four~~ *three (43)* minutes per person
 - 6. Mayor Closes Public Hearing/Public Comments
 - 7. Council *Motion and* Discussion
 - 8. Council Vote

Paragraph 30 also sets forth rules that apply to Public Hearings, which should be eventually be aligned or consolidated with Paragraph 8. A summary of the public hearing process is included on the draft Agenda.

Paragraph 13 g), "Limitation of Debate" provides, "No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken." To enhance debate, and manage time more efficiently, some councils have adopted the rule that each person may speak twice on a given subject. This proposed modification is set forth below (additions shown in italicized font):

13. Rules of Debate.

- g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. *Council Members may speak twice on a given subject.*

Meeting Preparation

To aid in meeting efficiency, questions of staff should be asked in advance. This saves Council time during the meeting, and for those questions that Council would like to be addressed at the meeting, enables staff to prepare to answer the questions accurately and succinctly. As a result, meetings run more smoothly, Council is provided the information needed for decision-making, and the need to continue items to the next agenda is minimized.

Minutes

Many public agencies have adopted action minutes, which record what is done at a meeting and not what is said. This is also the guideline of Robert's Rules of Order, which governs Council conduct. The time and effort required to prepare detailed minutes summarizing what was said, and their subjective nature, are time-consuming and resource intensive and the effort often exceeds the value to the City and to the public. This is not necessary given that Council meetings are recorded and available through AMP and YouTube. The proposed modification to the Rules is set forth below (additions shown in italicized font; deletions in strikeout font):

9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of ~~the~~ *action* minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

Future Topics

Future topics to improve meeting efficiency may include additional training on Council, Commission and staff roles and responsibilities, Robert's and Rosenberg's Rules of Order, the Brown Act, and consideration of a Code of Conduct.

CEQA:

Amendment of Resolution 80-71 is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

FISCAL IMPACT:

None identified.

CONCLUSION:

This request is submitted for City Council consideration and potential action.

Respectfully submitted,

Heidi Quinn
Interim City Attorney
City of Marina

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING RESOLUTION 80-71, AS AMENDED, PARAGRAPHS 8, 9, 13, AND 27, REGARDING BEST PRACTICES FOR PUBLIC ENGAGEMENT AND MEETING EFFICIENCY.

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council (“Rules and Procedures”); and

WHEREAS, the City Council previously amended the Rules and Procedures by adopting Resolution Nos. 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107; and

WHEREAS, after discussion, the City Council directed staff to place on a future agenda a resolution to make proposed changes to the Rules and Procedures regarding public engagement and meeting efficiency; and

WHEREAS, staff proposes modifications to Paragraph 8 regarding Order of Business and Consideration and Sequence of Agenda Items, Paragraph 9 regarding Preparation of Minutes, Paragraph 13 regarding Debate, and Paragraph 27 regarding Manner of Addressing Council; and amendment of the Agenda format; and

WHEREAS, amendment of Resolution 80-71, as amended, is not subject to California Environmental Quality Act (CEQA) as it is not a “project” pursuant to Section 15378 of the CEQA Guidelines.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Rules and Procedures. The Rules and Procedures shall be modified as follows (new language in italics and deleted language in strike-out text):

1. Paragraph 8 of the Rules and Regulations shall be modified as follows:

8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the City Council shall be taken up for consideration and disposition in the following order:

1. Call to Order 5:00p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations - *no action; no public comment*

7. ~~Special Council and Staff Announcements and Communications from the Floor~~

8. Public Comment – Up to a maximum of 3 minutes per person

9. Consent Agenda

10. Public Hearings

11. Other Council Action Items

12. Council & Staff Informational Reports – *no action taken, no public comment*

13. Adjournment

- b) The Mayor, at *their* ~~his/her~~ discretion and subject to majority vote overruling ~~them~~ ~~him/her~~, may re-arrange agenda items, provided that any items ‘pulled’ from Item 98, “Consent Agenda” shall be considered following the last item of Item 1140, “Other Council Action Items.”
- c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:
1. Mayor Introduces the Agenda Item
 2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
 3. Applicant/proponent, when appropriate, up to ten (10) minutes (at Presiding Officer’s discretion)
 4. City Council Clarifying *Technical* Questions of Staff and Applicant/Proponent
 5. ~~Brief Council Comments and Motion~~ Public Comments – up to a maximum of ~~four~~ *three* (43) minutes per person
 6. Mayor Closes Public Hearing/Public Comments
 7. Council *Motion and* Discussion
 8. Council Vote
2. Paragraph 9 of the Rules and Regulations shall be modified as follows:
9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of ~~the action~~ minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.
3. Paragraph 13 of the Rules and Regulations shall be modified as follows:
13. Rules of Debate.
- g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. *Council Members may speak twice on a given subject.*
4. Paragraph 27 of the Rules and Regulations shall be modified as follows:
27. Addressing the Council
- a) Manner of Addressing Council. Each person desiring to address the Council shall ~~step up to the speaker’s rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and, unless further time is otherwise specifically~~

~~provided for in these rules or is granted by majority vote of the Council, shall limit his remarks~~ *may comment for up to four three (43) minutes, which may be limited at the discretion of the Mayor depending on time available and the number of speakers.* All remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Council Member or a member of the City staff without the permission of the Presiding Officer.

- c) ~~After Motion~~ Close of Public Hearing. ~~After a motion has been made or~~ a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

5. The Agenda format shall be in substantially the same form as Attachment 1 hereto.

Section 3. Effective Date of Resolution. This Resolution shall take effect on immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held this ____ day of _____ 2022, by the following vote:

AYES, COUNCIL MEMBERS:

NOES, COUNCIL MEMBERS:

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



AGENDA TEMPLATE

DATE

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 2022-78, 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/>

PARTICIPATION

You may participate in the City Council meeting in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City’s home page at <https://cityofmarina.org/>. Attendees can make oral comments during the meeting by using the “Raise Your Hand” feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only. If you are unable to participate in real-time, you may email to marina@cityofmarina.org with the subject line “Public Comment Item#___” (insert the item number relevant to your comment) or “Public Comment – Non Agenda Item.” Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina’s website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the

City of Marina website www.cityofmarina.org subject to City staff's ability to post the documents before the meeting

VISION STATEMENT

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

MISSION STATEMENT

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

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. PUBLIC COMMENT:

4. 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, Item #1

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

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

6. SPECIAL PRESENTATIONS:

a. Presentation #1

7. SPECIAL COUNCIL AND STAFF ANNOUNCEMENTS AND

8. COMMUNICATIONS FROM THE FLOORPUBLIC COMMENT: ~~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-that is not on the agenda. Please state your name for the record. Action will not be taken on an-items 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~~

~~Comments are limited to a~~ maximum of ~~four-three~~ (43) 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. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.

9. 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 and non-controversial. 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 may~~ provide a response. If discussion or a lengthy explanation is required, ~~the Council may that item will be removed from the Consent Agenda for Successor Agency to the former Marina Redevelopment Agency~~ remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it and will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.

10. 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~~ These items are considered to be routine and non-controversial. All items under the Consent Agenda ~~are normally may be~~ 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 may~~ provide a response. If discussion or a lengthy explanation is required, ~~Council may that item will be remove the item~~ from the Consent Agenda and it will be placed at the end of Other Action Items.

a. ACCOUNTS PAYABLE:

(1) Accounts Payable Check Numbers XXX– _____, totaling \$

b. MINUTES:

(1) DATE, Regular City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS:

(1) City Council consider adopting Resolution No. 2022-, regarding . . .

g. APPROVAL OF AGREEMENTS:

(1) City Council consider adopting Resolution No. 2022-, approving . . .

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS:

j. REPORTS: (RECEIVE AND FILE): None

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

(1) City Council consider adopting Ordinance No. 2022-, approving . . .

m. APPROVE APPOINTMENTS: None

11. PUBLIC HEARINGS: *For public hearings involving a quasi-judicial determination by the Council, in the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to speak. All other persons may be given up to three (3) minutes to speak. In public hearings not involving a quasi-judicial determination by the Council, all persons may be given up to three (3) minutes to speak on the matter.*

a. City Council open a public hearing and consider adopting Resolution No. 2022-, approving . . .

12. 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~~Members of the public may be given up to three-(43) minutes ~~of public comment~~to speak.*

13. 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.~~Members of the public may be given up to three (3) minutes to speak.*

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 . . .

14. COUNCIL & STAFF INFORMATIONAL REPORTS:

a. Monterey County Mayor's Association [Mayor Bruce Delgado]

b. ~~AB1234 Reports 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.~~

ADJOURNMENT:

CERTIFICATION

I, Anita Sharp, Deputy City Clerk, of the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at City Hall and Council Chambers Bulletin Board at 211 Hillcrest Avenue, Monterey County Library Marina Branch at 190 Seaside Circle, City Bulletin Board at the corner of Reservation Road and Del Monte Boulevard on or before 6:30 p.m., Friday, July 15, 2022.

ANITA SHARP, DEPUTY CITY CLERK

City Council, Airport Commission and Redevelopment Agency meetings are recorded on tape and available for public review and listening at the Office of the City Clerk and kept for a period of 90 days after the formal approval of MINUTES.

City Council meetings may be viewed live on the meeting night and at 12:30 p.m. and 3:00 p.m. on Cable Channel 25 on the Sunday following the Regular City Council meeting date. In addition, Council meetings can be viewed at 6:30 p.m. every Monday, Tuesday and Wednesday. For more information about viewing the Council Meetings on Channel 25, you may contact Access Monterey Peninsula directly at 831-333-1267.

Agenda items and staff reports are public record and are available for public review on the City's website (www.ciymarina.org), at the Monterey County Marina Library Branch at 190 Seaside Circle and at the Office

of the City Clerk at 211 Hillcrest Avenue, Marina between the hours of 10:00 a.m. 5:00 p.m., on the Monday preceding the meeting.

Supplemental materials received after the close of the final agenda and through noon on the day of the scheduled meeting will be available for public review at the City Clerk's Office during regular office hours and in a 'Supplemental Binder' at the meeting.

Members of the public may receive the City Council, Airport Commission and Successor Agency of the Former Redevelopment Agency Agenda at a cost of \$55 per year or by providing a self-addressed, stamped envelope to the City Clerk. The Agenda is also available at no cost via email by notifying the City Clerk at marina@cityofmarina.org

ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. ~~M~~meetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. ~~T~~to request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@cityofmarina.org. ~~R~~equests must be made at least **48 hours** in advance of the meeting.

RESOLUTION NO. 80- 71

A RESOLUTION ESTABLISHING RULES AND PROCEDURES FOR
THE CONDUCT OF THE MEETINGS OF THE MARINA CITY COUNCIL

-o0o-

WHEREAS, in order to provide for continuity of responsibility and to provide sufficient time and opportunity for full consideration and public discussion of important issues which the City Council must review and decide, and in order to provide for the orderly and expeditious conduct of council meetings, it is necessary and appropriate to adopt the following rules and procedures relating to the conduct of such meetings,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina, as follows:

1. Purpose. The purpose of this resolution is to establish the procedure for the presentation and determination of matters coming before the Marina City Council, to provide for the fair and efficient consideration of said matters, and to insure that the public is fully informed of the matters coming before the City Council and has an opportunity to witness the deliberations of the members thereof in the conduct of public business, and that proper public involvement in the deliberations of the Council be encouraged.

2. Regular Meetings. The City Council shall hold regular meetings on the first and third Tuesdays of each month at the hour of 7:30 o'clock p.m. in the Council Chamber of the City Hall, 211 Hillcrest Avenue in the City, or in such other place within the city limits to which said meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in the City Hall, the meetings may be held for the duration of the emer-

1 gency at such other place as is designated by the Mayor or, if he
2 should fail to act, by three members of the City Council. When the
3 day for any regular meeting falls on a legal holiday, no meeting
4 shall be held on such holiday, but a regular meeting shall be held
5 at the same hour on the following business day.

6 3. Study Sessions. The City Council shall meet in a study
7 session on the first and third Tuesdays of each month at the hour
8 of 7:00 o'clock p.m. in the Council Chamber of the City Hall, or at
9 such other place as may be determined by the Council, for the pur-
10 pose of hearing reports from the staff and reviewing, discussing
11 and debating matters of interest to the City. Such sessions shall
12 be open to the public and press. No official action shall be
13 taken at a study session; provided, however, that nothing herein
14 shall be deemed to prevent the taking of an informal vote on any
15 matter under discussion. The participation of the public in such
16 sessions shall be subject to the discretion of the presiding officer.

17 4. Special Meetings. Special meetings may be called at any
18 time by the Mayor, or by three members of the City Council, by
19 delivering personally or by mail written notice to each Council
20 Member and to each local newspaper of general circulation, radio or
21 television station requesting notice in writing. Such notice must
22 be delivered personally or by mail at least twenty-four hours before
23 the time of such meeting as specified in the notice. The call and
24 notice shall specify the time and place of the speical meeting and
25 the business to be transacted. No other business shall be consider-
26 ed at such meetings. Such written notice may be dispensed with as
27 to any Council Member who at or prior to the time the meeting con-
28 venes files with the City Clerk a written waiver of notice. Such

1 waiver may be given by telegram. Such written notice may also be
2 dispensed with as to any Council Member who is actually present at
3 the meeting at the time it convenes.

4 5. Meetings to be Public - Exception for Executive Sessions.

5 All regular and special meetings of the City Council shall be public;
6 provided, however, the City Council may hold executive sessions
7 during a regular or special meeting, from which the public may be
8 excluded, for the purpose of considering the matters referred to
9 in §§54957-54957.6 of the Government Code of the State of California.

10 No member of the City Council, employee of the City, or any
11 other person present during an executive session of the Council
12 shall disclose to any person the content or substance of any dis-
13 cussion which took place during said executive session unless the
14 City Council shall authorize the disclosure of such information by
15 majority vote.

16 6. Agenda. All reports, communications, ordinances, resolu-
17 tions, contract documents or other matters to be submitted to the
18 Council at a regular meeting shall be delivered to the City Clerk
19 not later than 12:00 o'clock noon on the Wednesday preceding the
20 meeting. The City Clerk shall prepare an agenda of all such
21 matters according to the order of business (paragraph 8 hereinbelow).
22 The agenda shall be delivered or otherwise made available to the
23 Council Members on the Friday preceding the Tuesday Council meeting
24 to which it pertains, and shall be made available to the public no
25 later than 10:00 o'clock a.m. on the Monday preceding the meeting.
26 All matters shall be considered by the Council in the order listed
27 on the agenda, to the extent of time available; provided, however,
28 that the order of the agenda may be changed at any time by the

1 unanimous consent of all Council Members then present at a meeting.
2 Agenda items not considered or completed for lack of time shall
3 become agenda items at the following meeting in accordance with the
4 foregoing policies. No matters other than those on the agenda
5 shall be finally acted upon by the Council; provided, however, that
6 a matter deemed to be an emergency by any Council Member, the City
7 Manager or the City Attorney, or a matter which would become moot
8 if not acted upon at the Council meeting at which it is brought up,
9 with an explanation of the emergency or other necessity for bring-
10 ing it up stated in open Council meeting, may be placed upon the
11 agenda by a motion, seconded and carried, and then may be considered
12 and acted upon by the Council.

13 7. Council Correspondence.

14 a) Availability to the Public. Correspondence addressed to
15 the City Council which is received by the City Clerk or any other
16 officer or employee of the City shall not become a public record
17 until received and filed by the Council at a regular, special or
18 adjourned meeting of the Council. Correspondence received in the
19 City Clerk's office or other offices after 12:00 o'clock noon on
20 the Wednesday preceding a regular Council meeting shall not be
21 placed on the agenda unless it concerns a matter to be considered
22 by the Council at the next regular meeting or is determined by the
23 Mayor or the City Manager to be an urgent matter which should be
24 brought to the immediate attention of the Council. Correspondence
25 shall not be read aloud at a Council meeting unless requested by a
26 majority vote of the Council.

27 b) Authority of City Manager. The City Manager is authorized
28 to open and examine all mail or other written communications

1 addressed to the City Council and to give it immediate attention
2 to the end that all administrative business referred to in said
3 communications and not necessarily requiring Council action may
4 be acted upon between Council meetings.

5 8. Order of Business. The business of the Council shall
6 be taken up for consideration and disposition in the following
7 order:

- 8 1. Call to Order
- 9 2. Pledge of Allegiance and Invocation.
- 10 3. Roll Call.
- 11 4. Approval of the Minutes.
- 12 5. Communications from Floor Not on Agenda.
- 13 6. Special Presentations (if any).
- 14 7. Consent Calendar Items.
- 15 8. Public Hearings.
- 16 9. Other Agenda Items - Consideration of
Ordinances and Resolutions
- 17 10. Council and Staff Reports.
- 18 11. Executive Sessions (if any).
- 19 12. Adjournment.

20 The order of business shall not be changed except by majority
21 vote of the City Council.

22 9. Preparation of Minutes. The City Clerk shall have
23 exclusive responsibility for preparation of the minutes, and any
24 directions for changes in the minutes shall be made only by
25 majority action of the City Council.

26 10. Reading of Minutes. Unless the reading of the minutes
27 of a Council meeting is ordered by a majority vote of the Council,
28 such minutes may be approved without reading if the City Clerk has
previously furnished each Council Member with a copy.

11. Presiding Officer. The Mayor shall be the Presiding
Officer at all meetings of the City Council. In the absence of
the Mayor, the Mayor Pro Tempore shall preside. In the absence
of both the Mayor and Mayor Pro Tempore, the City Clerk shall call

1 the Council to order, whereupon a temporary Presiding Officer shall
2 be elected by the Council Members present to serve until the
3 arrival of the Mayor or Mayor Pro Tempore or until adjournment.
4 Wherever in this resolution the term Mayor is used, it shall apply
5 equally to the Presiding Officer as defined in this section.

6 12. Powers and Duties of Presiding Officer.

7 a) Participation. The Presiding Officer may move, second,
8 debate and vote from the Chair.

9 b) Question to be Stated. The Presiding Officer or such
10 member of the City staff as he may designate shall verbally restate
11 each question immediately prior to calling for the vote. Follow-
12 ing the vote the City Clerk shall announce whether the question
13 carried or was defeated. The Presiding Officer in his discretion
14 may publicly explain the effect of a vote for the audience, or he
15 may direct a member of the City staff to do so, before proceeding
16 to the next item of business.

17 c) Signing of Documents. The Presiding Officer shall sign
18 all ordinances, resolutions, contracts, and other documents neces-
19 sitating his signature which were adopted in his presence, unless
20 he is unavailable, in which case the signature of an alternate
21 Presiding Officer may be used.

22 d) Sworn Testimony. The Presiding Officer may require any
23 person addressing the City Council to be sworn as a witness and to
24 testify under oath, and the Presiding Officer shall so require if
25 directed to do so by a majority vote of the Council.

26 13. Rules of Debate.

27 a) Getting the Floor. Every Council Member desiring to
28 speak shall first address the Chair, gain recognition by the

1 Presiding Officer, and shall confine himself to the question under
2 debate, avoiding personalities and indecorous language.

3 b) Questions to Staff. Every Council Member desiring to
4 question the City staff shall, after recognition by the Presiding
5 Officer, address his questions to the City Manager, the City
6 Attorney, or to such other department head or member of the City
7 staff as may be appropriate.

8 c) Interruptions. A Council Member, once recognized, shall
9 not be interrupted when speaking unless called to order by the
10 Presiding Officer, unless a point of order or personal privilege
11 is raised by another Council Member, or unless the speaker chooses
12 to yield to a question by another Council Member. If a Council
13 Member while speaking, is called to order, he shall cease speaking
14 until the question of order is determined and, if determined to
15 be in order, may then proceed. Members of the City staff, after
16 recognition by the Presiding Officer, shall hold the floor until
17 completion of their remarks or until recognition is withdrawn by
18 the Presiding Officer.

19 d) Points of Order. The Presiding Officer shall determine
20 all points of order subject to the right of any Councilman to
21 appeal to the Council. The Presiding Officer may consult with
22 the City Manager or the City Attorney in connection with deter-
23 mining a point of order, or may refer the question involved to
24 either one for determination. If an appeal is taken, the ques-
25 tion shall be, "Shall the decision of the Presiding Officer be
26 sustained?" A majority vote shall conclusively determine such
27 question of order.

28 e) Point of Personal Privilege. The right of a Council

1 Member to address the Council on a question of personal privilege
2 shall be limited to cases in which his integrity, character or
3 motives are questioned or where the welfare of the Council is con-
4 cerned. A Council Member raising a point of personal privilege
5 may interrupt another Council Member who has the floor only if the
6 Presiding Officer recognizes the privilege.

7 f) Privilege of Closing Debate. The Council Member moving
8 the adoption of an ordinance, resolution or motion shall have the
9 privilege of closing debate.

10 g) Limitation of Debate. No Council Member shall be allowed
11 to speak more than once upon any particular subject until every
12 other Council Member desiring to do so shall have spoken.

13 14. Ordinances, Resolution and Motions--Precedents. When any
14 ordinance, resolution or motion is properly brought before the
15 Council and seconded by another Council Member, no other action
16 shall be considered except a point of order, or a motion to adjourn
17 to table, to table to a certain time, to close debate, to refer or
18 to amend. Such items shall have precedence in the order stated in
19 the preceding sentence. Points of order shall be ruled upon by the
20 Presiding Officer, provided that such ruling may be overridden by
21 a majority of the Council. All of such motions, except motions to
22 amend, shall be put to a vote without debate and decided by a
23 majority.

24 Any of the foregoing motions shall be in order at any time the
25 speaker is duly recognized, except when repeated without interven-
26 ing business or discussion, or if made when the motion to close
27 debate has been adopted or while a vote is being taken.

28 a) Motion to Table. If a motion to table (without time

1 certain) passes, consideration of the matter may be resumed only
2 upon the motion of a member voting with the majority on the motion
3 to table.

4 b) Motion to Close Debate. When a motion to close debate is
5 duly made and seconded, there shall be no further debate. If the
6 question carries, the Presiding Officer shall put pending amendments
7 to a vote, without debate, in the inverse order of their introduc-
8 tion before putting the main question. If the question is decided
9 negatively, the main question and its amendments remain before the
10 council.

11 c) Reconsideration. Providing that no intervening rights
12 will be prejudiced, any Council Member who voted with the majority
13 on a question may move the reconsideration of that question at the
14 same meeting in which the original decision was made or at the next
15 following meeting. After a motion for reconsideration has been acted
16 upon, no other similar motion shall be made without unanimous consent.

17 15. Voting. Three affirmative votes are required to enact an
18 ordinance or to adopt a resolution or motion granting a franchise or
19 authorizing the payment or expenditure of money or incurring of a
20 debt. The majority of a quorum is required to adopt other resolu-
21 tions or motions. A "majority" refers to a majority of the quorum
22 present.

23 Every ordinance shall be adopted by a roll call vote. All
24 other matters may be referred to a vote unless a roll call is
25 requested by any Council Member. On all matters for which a voice
26 vote is authorized, the Presiding Officer may ask for, "objections
27 to the question?". If no objection is expressed, the Presiding
28 Officer shall, "so order," and the minutes shall record a unanimous

1 vote in favor. If any Council Member objects to the procedure, a
2 roll call vote shall be called in the normal manner.

3 16. Failure to Vote. Every Council Member should vote unless
4 disqualified by reason of a conflict of interest. A Council Mem-
5 ber who abstains from voting in effect consents that a majority of
6 the quorum may decide the question voted upon.

7 17. Silence Constitutes Affirmative Vote. Unless a member
8 of the Council states that he is not voting, his silence shall be
9 recorded as an affirmative vote.

10 18. Tie Vote. Tie votes shall be lost motions and may be
11 reconsidered.

12 19. Changing Vote. A member may change his vote only if he
13 makes a timely request to do so immediately following the announce-
14 ment of the vote by the City Clerk and prior to the time that the
15 next item in the order of business is taken up. A Council Member
16 who publicly announces that he is abstaining from voting on a
17 particular matter shall not subsequently be allowed to withdraw
18 his abstention.

19 20. Disqualification for Conflict of Interest. Any Council
20 Member who is disqualified from voting on a particular matter by
21 reason of a conflict of interest shall publicly state or have the
22 Presiding Officer state the nature of such disqualification in
23 open meeting. Where no clearly disqualifying conflict of interest
24 appears, the matter of disqualification may, at the request of the
25 Council Member affected, be decided by the other Council Members
26 or the City Attorney. A Council Member who is disqualified by
27 reason of a conflict in interest in any matter shall not remain in
28 his seat during the debate and vote on such matter, but shall

1 request and be given the permission of the Presiding Officer to
2 step down from the Council table. A Council Member stating such
3 disqualification shall not be counted as a part of a quorum and
4 shall be considered absent for the purpose of determining the
5 outcome of any vote on such matter.

6 21. Remarks of Council Member and Synopsis of Debate. A
7 Council Member may request through the Presiding Officer the
8 privilege of having an abstract of his statement on any subject
9 under consideration by the Council entered in the minutes. If the
10 Council consents thereto, such statement shall be entered in the
11 minutes.

12 22. Protest Against Council Action. Any Council Member shall
13 have the right to have the reasons for his dissent from, or protest
14 against, any action of the Council entered in the minutes. Such
15 dissent or protest to be entered in the minutes shall be made in
16 the following manner: "I would like the minutes to show that I am
17 opposed to this action for the following reasons...".

18 23. Rules of Order. Except as otherwise provided in this
19 resolution, other rules adopted by the City Council or applicable
20 provisions of State law, the procedures of the Council shall be
21 governed, to the extent applicable, by the latest revised edition
22 of Robert's Rules of Order.

23 24. Failure to Observe Rules of Order. Rules adopted to
24 expedite the transaction of the business of the Council in an
25 orderly fashion are deemed to be procedural only and the failure
26 to strictly observe such rules shall not affect the jurisdiction
27 of the Council or invalidate any action taken at a meeting that is
28 otherwise held in conformity with law.

1 25. Ordinances, Resolutions and Contracts.

2 a) All ordinances shall be prepared by the City Attorney.
3 No ordinance shall be prepared for presentation to the Council
4 unless ordered by a majority vote of the Council, or requested by
5 the Mayor, or City Manager, or prepared by the City Attorney on
6 his own initiative.

7 b) Prior Approval by Administrative Staff. All ordinances,
8 resolutions and contract documents shall, before presentation to the
9 Council, have been approved as to form and legality by the City
10 Attorney and shall have been examined and approved for administra-
11 tion by the City Manager or his authorized representative.

12 26. Reading of Ordinances and Resolutions. At the time of
13 adoption of an ordinance or a resolution, it shall be read in full
14 unless, after the reading of the title thereof, the further reading
15 thereof is waived by unanimous consent of the Council Members
16 present. Such consent may be expressed by a statement by the
17 Presiding Officer that "if there is no objection, the further
18 reading of the ordinance or resolution shall be waived". If any
19 Council Member so requests, the ordinance or resolution shall be
20 read in full.

21 27. Addressing the Council.

22 a) Manner of Addressing Council. Each person desiring to
23 address the Council shall step up to the speaker's rostrum, state
24 his name and address for the record, state the subject he wishes to
25 discuss, state whom he is representing if he represents an organiza-
26 tion or other persons, and, unless further time is otherwise speci-
27 fically provided for in these rules or is granted by majority vote
28 of the Council, shall limit his remarks to three (3) minutes. All

1 remarks shall be addressed to the Council as a whole and not to
2 any member thereof. No question shall be asked a Council Member
3 or a member of the City staff without the permission of the Presid-
4 ing Officer.

5 b) Spokesman for Group of Persons. In order to expedite
6 matters and to avoid repetitious presentations, whenever any group
7 of persons wishes to address the Council on the same subject
8 matter, it shall be proper for the Presiding Officer to request
9 that a spokesman be chosen by the group to address the Council and,
10 in case additional information or matters are to be presented by
11 any other member of said group, to limit the number of such
12 persons addressing the Council.

13 c) After Motion. After a motion has been made or a public
14 hearing has been closed, no member of the public shall address the
15 Council from the audience on the matter under consideration with-
16 out first securing permission to do so by the City Council:

17 28. Rules of Decorum.

18 a) Council Members. While the Council is in session, the
19 members must preserve order and decorum, and a member shall neither,
20 by conversation or otherwise, delay or interrupt the proceedings
21 or the peace of the Council nor disturb any member while speaking
22 or refuse to obey the orders of the Presiding Officer.

23 b) Employees. Members of the City staff and employees
24 shall observe the same rules of order and decorum as are applicable
25 to the City Council.

26 c) Persons Addressing the Council. Any person making imper-
27 tinent, slanderous or profane remarks, or who becomes boisterous
28 while addressing the Council, shall be called to order by the

1 Presiding Officer and, if such conduct continues, may at the dis-
2 cretion of the Presiding Officer be barred from further audience
3 before the Council during that meeting, unless permission to con-
4 tinue be granted by a majority of the Council.

5 d) Members of the Audience. Any person in the audience who
6 engages in disorderly conduct such as hand clapping, stamping of
7 feet, whistling, using profane language, yelling, and similar
8 demonstrations, which conduct disturbs the peace and good order of
9 the meeting, or who refuses to comply with the lawful orders of the
10 Presiding Officer, shall be guilty of an infraction, and upon
11 instructions from the Presiding Officer, it shall be the duty of the
12 Sergeant at Arms to remove any such person from the Council Chamber
13 and to place him under arrest or otherwise cause him to be prosecuted
14 under the law.

15 29. Enforcement of Decorum. The Director of Public Safety
16 or such member or members of the Public Safety Department as he
17 may designate, shall be Sergeant at Arms of the City Council and
18 shall carry out all orders given by the Presiding Officer for the
19 purpose of maintaining order and decorum at the Council meetings.
20 Any Council Member may move to require the Presiding Officer to
21 enforce the rules, and the affirmative vote of a majority of the
22 Council shall require him to do so.

23 30. Public Hearings. The following rules shall apply to all
24 public hearings, except when proceedings are held under general
25 laws of the State of California which require different procedures.

26 a) The Mayor shall state the subject matter of the hearing
27 and declare the public hearing open. Before doing so, he may
28 determine whether or not there are proponents or opponents who wish

1 to make presentations, how many persons wish to be heard, or other
2 matters which may affect the conduct of the proceedings. He may
3 impose and announce reasonable time limits on presentations or oral
4 arguments by the public.

5 b) The City Manager or appropriate staff member shall give
6 a factual summary of the matter.

7 c) The proponents shall be heard. (Written correspondence
8 shall be summarized by the Clerk.)

9 d) The opponents shall be heard. (Written correspondence
10 shall be summarized by the Clerk.)

11 e) Each side shall be given a reasonable time for rebuttal.
12 Additional speakers must limit their remarks to providing new infor-
13 mation that was not already covered by other speakers.

14 f) Prior to the close of the public hearing, the Mayor shall
15 give those persons wishing to place their names on the record as
16 being for or against, without presenting an oral argument, an
17 opportunity to do so.

18 g) The public hearing shall be declared closed.

19 h) The Council shall discuss and determine the matter.

20 i) After the public hearing is closed, the public shall not
21 be recognized to speak except to answer any question not covered
22 in the public hearing, and provided that whenever any such answer
23 is given, the opposing side shall be given an opportunity to
24 present facts in rebuttal of the answer given.

25 31. Policy on Public Input. It is the declared policy of
26 the City Council that any member of the public wishing to be heard
27 on a matter under consideration by the City Council shall be given
28 a reasonable opportunity to do so. Prior to the vote on any issue

1 the Mayor shall determine whether or not anyone present wishes to
2 be heard. The Mayor may establish reasonable time limits for oral
3 presentations and shall limit the presentation to the matter before
4 the City Council at that time.

5 32. Absences from Council Meetings. Pursuant to Government
6 Code §36513, if a City Council Member is absent without permission
7 from all regular Council meetings for 60 days consecutively from
8 the last regular meeting he attended, his office becomes vacant and
9 shall be filled by the Council as any other vacancy. In addition,
10 should any Council Member be absent from two (2) consecutive
11 regular Council meetings, or from three (3) regular Council meetings
12 in any six-month period, without permission from (i.e., not excused
13 for good cause by) the Council, the Council may determine that the
14 best interests of the City would be served by said Council Member's
15 resignation, and may request such resignation in a letter authori-
16 zed by vote of the Council.

17 33. Automatic Adjournment. Unless otherwise adjourned, all
18 meetings of the City Council shall automatically be adjourned at
19 10:00 o'clock p.m., except that a majority may extend the automa-
20 tic adjournment to 10:30 o'clock p.m., and adjournment may be
21 further postponed only by unanimous consent to adjourn not later
22 than a specified time.

23 34. Amendment of Rules. These rules may be amended by the
24 Council by an affirmative vote of a majority of a quorum; provided
25 however, that where a provision of these rules require action by
26 a specific affirmative vote which is greater than a majority of a
27 quorum, then an amendment to that rule requires the same vote re-
28 quired for the rule proposed to be amended.

PASSED AND ADOPTED by the City Council of the City of Marina
at a regular council meeting duly held on December 2, 1980, by
the following vote:

AYES: COUNCIL MEMBERS: Davis, Bird, Laden, Takahashi and Mayor Ouve

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

Robert M. Meyer

Robert T. Ouye, Mayor

ATTEST:

Douglas J. Flautt, City Clerk

RESOLUTION NO. 85-1

A RESOLUTION AMENDING RESOLUTION 80-71 ESTABLISHING RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETING OF THE MARINA CITY COUNCIL

-oOo-

BE IT RESOLVED by the City Council of the City of Marina, as follows:

1. That Resolution No. 80-71 entitled "A Resolution Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council", passed and adopted on December 2, 1980, is hereby amended as follows:

8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Roll Call
4. Approval of the Minutes
5. Presentations
6. Communications from the Floor (Not on the Agenda)
7. Council and Staff Reports
8. Correspondence
9. Consent Calendar
10. Public Hearings
11. Other Agenda Items
12. Executive Session
13. Adjournment

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on January 8, 1985, by the following vote:

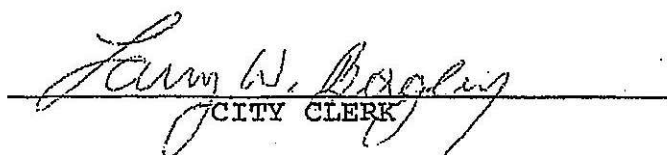
AYES, Councilmembers: Ayers, Blake, Ouye, Kosorek and Mayor Takahashi

NOES, Councilmembers: None

ABSENT, Councilmembers: None


MAYOR

ATTEST:


CITY CLERK

RESOLUTION NO. 91-09

A RESOLUTION AMENDING RESOLUTION 85-1 ESTABLISHING RULES AND
PROCEDURES FOR THE CONDUCT OF THE MEETING OF THE
MARINA CITY COUNCIL

BE IT RESOLVED by the City Council of the City of Marina, as follows:

1. That Resolution No. 85-1 entitled "A Resolution Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council:", passed and adopted on January 8, 1985, is hereby amended as follows:

8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to order
2. Roll Call & Establishment of Quorum
3. Closed Session
4. Pledge of Allegiance & Words of Inspiration/Moments of Silence
5. Communications From The Floor
6. Special Presentations
7. Consent Agenda (includes Approval of Minutes)
8. Public Hearings
9. Other Council Action Items
10. Council & Staff Informational Reports
11. Correspondence
12. Adjournment

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 5th day of February, 1991, by the following vote:

AYES, COUNCIL MEMBERS: Takali, Yates, Horning, Perrine and Mayor Johnsen

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None


EDITH JOHNSEN, Mayor

ATTEST:


JOY E. GUNSAY, City Clerk

RESOLUTION NO. 91-17

A RESOLUTION AMENDING RESOLUTION 91-09 ESTABLISHING RULES AND
PROCEDURES FOR THE CONDUCT OF THE MEETING OF THE
MARINA CITY COUNCIL

BE IT RESOLVED by the City Council of the City of Marina, as follows:

1. That Resolution No. 91-09 entitled "A Resolution Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council:", passed and adopted on February 5, 1991, is hereby amended as follows:

8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to order
2. Roll Call & Establishment of Quorum
3. Closed Session
4. Pledge of Allegiance & Words of Inspiration/Moments of Silence
5. Special Presentations
6. Communications From The Floor
7. Public Hearings
8. Other Council Action Items
9. Consent Agenda (includes Approval of Minutes)
10. Council & Staff Informational Reports
11. Correspondence
12. Adjournment

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 19th day of March, 1991, by the following vote:

AYES, COUNCIL MEMBERS: Takali, Yates, Horning, Perrine and Mayor Johnsen

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None


EDITH JOHNSEN, Mayor

ATTEST:


JOY P. JUNSAY, City Clerk

RESOLUTION NO. 92-30

A RESOLUTION AMENDING RESOLUTION 91-17 ESTABLISHING RULES AND
PROCEDURES FOR THE CONDUCT OF THE MEETING OF THE
MARINA CITY COUNCIL

BE IT RESOLVED by the City Council of the City of Marina, as follows:

1. That Resolution No. 91-17 entitled "A Resolution Amending Resolution 91-09 Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council", passed and adopted on March 19, 1991, is hereby amended as follows:

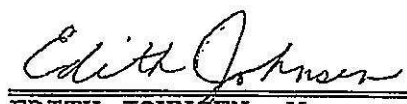
8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to order
2. Roll Call & Establishment of Quorum
3. Closed Session
4. Pledge of Allegiance & Words of Inspiration/Moments of Silence
5. Special Presentations
6. Communications From The Floor
7. Special Announcements
8. Public Hearings
9. Other Council Action Items
10. Consent Agenda (includes Approval of Minutes)
11. Council & Staff Informational Reports
12. Correspondence
13. Adjournment

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 3rd day of June, 1992, by the following vote:

22	AYES,	COUNCIL MEMBERS:	Takali, Yates, Horning, Perrine and Mayor Johnsen.
23	NOES,	COUNCIL MEMBERS:	None
24	ABSENT,	COUNCIL MEMBERS:	None


EDITH JOHNSON, Mayor

ATTEST:


JOY P. JUNSAY, City Clerk

RESOLUTION NO. 94-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING RESOLUTION NO. 80-71 AND 92-30
RELATING TO THE HOURS OF REGULAR MEETINGS AND
THE ORDER OF BUSINESS

BE IT RESOLVED by the City Council of the City of Marina, as follows:

1. That Resolution No. 80-71, Section 2, entitled "Regular Meetings" passed and adopted on December 2, 1980, is hereby amended as follows:

2. Regular Meeting The City Council shall hold regular meetings on the first and third Tuesday of each month at the hour of 6:30 p.m. in the Council Chambers of the City Hall, 211 Hillcrest Avenue in the City, or in such other place within the city limits to which said meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in the City Hall, the meetings may be held for the duration of the emergency at such other place as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day.

2. That Resolution No. 92-30 amending the Order of Business passed and adopted June 3, 1992, is hereby amended as follows:

8. ORDER OF BUSINESS.

The business of the Council shall be taken up for consideration and disposition in the following order:

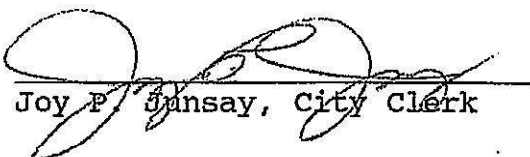
1. CALL TO ORDER 6:00 P.M.
2. ROLL CALL & ESTABLISHMENT OF QUORUM
3. CLOSED SESSION
4. OPEN REGULAR SESSION - REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
5. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE
6. SPECIAL PRESENTATIONS
7. SPECIAL ANNOUNCEMENTS
8. COMMUNICATIONS FROM THE FLOOR
9. CONSENT AGENDA
10. PUBLIC HEARINGS
11. OTHER COUNCIL ACTIONS ITEMS
12. COUNCIL & STAFF INFORMATIONAL REPORTS
13. CORRESPONDENCE
14. ADJOURNMENT

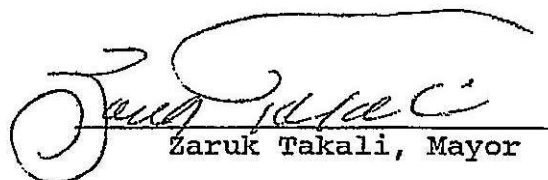
Resolution No. 94-15
April 7, 1994
Page 2

PASSED AND ADOPTED at an Adjourned Regular Meeting of the City Council of the City of Marina duly held on the 7th day of April, 1994, by the following vote:

AYES,	COUNCIL MEMBERS:	John Wilmot, Loyde Yates, Mayor Pro Tem Jim Perrine & Mayor Zaruk Takali.
NOES,	COUNCIL MEMBERS:	NONE
ABSENT,	COUNCIL MEMBERS:	NONE

ATTEST:


Joy P. Jansay, City Clerk


Zaruk Takali, Mayor

RESOLUTION NO. 98-03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING RESOLUTION NO. 94-15 RELATING TO THE ORDER OF BUSINESS

BE IT RESOLVED by this City Council of the City of Marina, that Resolution No. 94-15 is hereby amended to delete Section 8 in its entirety and is replaced by a new Section 8 to read as follows:

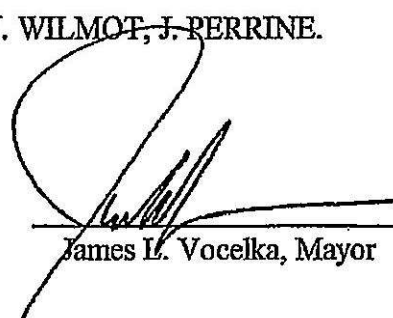
8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. CALL TO ORDER 6:00 P.M.
2. ROLL CALL & ESTABLISHMENT OF QUORUM
3. CLOSED SESSION
4. OPEN REGULAR SESSION - REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
5. MOMENT OF SILENCE (Please stand) & PLEDGE OF ALLEGIANCE
6. SPECIAL PRESENTATIONS
7. SPECIAL ANNOUNCEMENTS
8. COMMUNICATIONS FROM THE FLOOR
9. CONSENT AGENDA
10. PUBLIC HEARINGS
11. OTHER COUNCIL ACTION ITEMS
12. COUNCIL & STAFF INFORMATIONAL REPORTS
13. CORRESPONDENCE
14. ADJOURNMENT

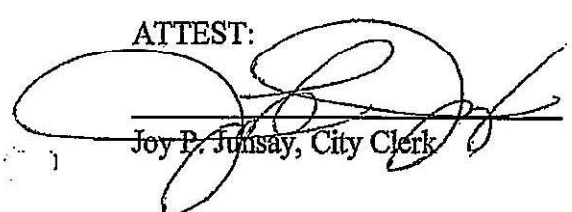
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 20th day of January, 1998, by the following vote:

AYES,	COUNCIL MEMBERS:	H. GUSTAFSON, J. WILMOT, J. PERRINE.
NOES,	COUNCIL MEMBERS:	J. VOCELKA.
ABSENT,	COUNCIL MEMBERS:	NONE
ABSTAIN,	COUNCIL MEMBERS:	NONE



James L. Vocolka, Mayor

ATTEST:



Joy P. Junsay, City Clerk

RESOLUTION NO. 99-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING RESOLUTION NO. 98-03 RELATING TO THE ORDER OF BUSINESS

WHEREAS, the City Council adopted Resolution No. 98-03 is hereby amended as follows:

8. ORDER OF BUSINESS

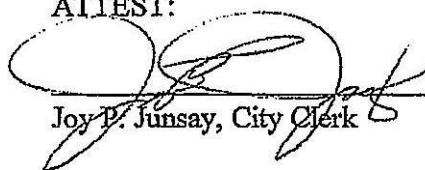
The business of the City Council shall be taken up for consideration and disposition in the following order:

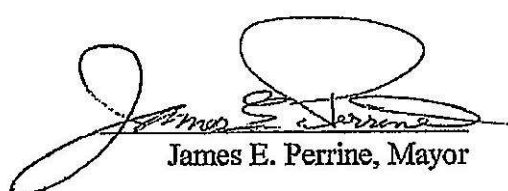
1. CALL TO ORDER ~~6:00 P.M.~~ 5:30 P.M.
2. ROLL CALL & ESTABLISHMENT OF QUORUM
3. CLOSED SESSION
4. OPEN REGULAR SESSION (6:30 P.M.) - REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
5. MOMENT OF SILENCE (Please stand) & PLEDGE OF ALLEGIANCE (Please remaining standing)
6. SPECIAL PRESENTATIONS
7. SPECIAL ANNOUNCEMENTS
8. COMMUNICATIONS FROM THE FLOOW
9. CONSENT AGENDA
10. PUBLIC HEARINGS
11. OTHER COUNCIL ACTION ITEMS
12. COUNCIL & STAFF INFORMATIONAL REPORTS
13. CORRESPONDENCE
14. ADJOURNMENT

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 5th day of January, 1998, by the following vote:

AYES,	COUNCIL MEMBERS:	D. Cleary, H. Gustafson, I. Mettee-McCutchon, K. Nishi, and Mayor J. Perrine.
NOES,	COUNCIL MEMBERS:	NONE
ABSENT,	COUNCIL MEMBERS:	NONE
ABSTAIN,	COUNCIL MEMBERS:	NONE

ATTEST:


Joy P. Junsay, City Clerk


James E. Perrine, Mayor

RESOLUTION NO. 2001-106

A RESOLUTION AMENDING RESOLUTION NO. 80-71 REGARDING THE
HOURS OF REGULAR MEETINGS OF THE CITY COUNCIL

-oOo-

BE IT RESOLVED by the City Council of the City of Marina,
that paragraph 2 of Resolution No. 80-71 is hereby amended to
show that City Council meetings should begin at 5:30 P.M. on the
days indicated so that said paragraph now reads as follows:

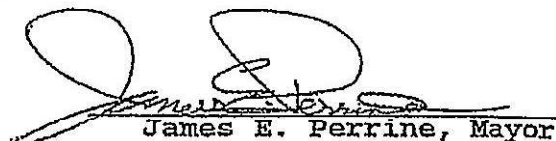
"2. Regular Meetings. The City Council shall hold
regular meetings on the first and third Tuesday of each
month at the hour of 5:30 p.m. in the Council Chambers
of City Hall, 211 Hillcrest Avenue in the City, or such
other place within the City limits to which said
meeting may be adjourned. If by reasons of fire, flood
or other emergency it shall be unsafe to meet in City
Hall, the meetings may be held for the duration of the
emergency at such other place as is designated by the
Mayor or, if he should fail to act, by three members of
the City Council. When the day for any regular meeting
falls on a legal holiday, no meeting shall be held on
such holiday, but a regular meeting shall be held at
the same hour on the following business day."

PASSED AND ADOPTED by the City Council of the City of
Marina at a regular meeting duly held on September 18, 2001, by
the following vote:

AYES: COUNCIL MEMBERS: J. Perrine, H. Gustafson, B.
Delgado, I. Mettee-McCutcheon and M. Morrison.

NOES: COUNCIL MEMBERS: None.

ABSENT: COUNCIL MEMBERS: None.


James E. Perrine, Mayor

ATTEST:


Joy P. Gunsay, City Clerk

RESOLUTION NO. 2009-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
REPEALING SECTION 27a OF RESOLUTION NO. 80-71 AND
APPROVING CHANGING THE THREE MINUTE LIMITATION FOR
PUBLIC COMMENTS TO FOUR (4) MINUTES

WHEREAS, on December 2, 1980, the City Council of the City of Marina adopted Resolution No. 80-71 which limits the public from addressing the City Council to three (3) minutes, and;

WHEREAS, at a regular meeting of January 20, 2009 Council member Frank O'Connell requested that the council place as a future agenda item the modifying of the three minute limitation of comments made by the public on action matters, and;

WHEREAS, on March 17, 2009, the City Council discussed and received public input.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Repeal Section 27a of Resolution No. 80-71 relative to three (3) minute time limit for public comment;
2. Approve changing three (3) minute limitation for public comment to four (4) minutes; and
3. Encourage the commissions, committees and boards to do the same and go with four (4) minutes for public comment.

PASSED AND ADOPTED by the City Council of the city of Marina at a regular meeting duly held on the 17th day of March 2009, by the following vote:

AYES, COUNCIL MEMBERS: Ford, McCall, O'Connell, Delgado

NOES, COUNCIL MEMBERS: Gray

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

Dimitra M. Hubbard, Deputy City Clerk

RESOLUTION NO. 2011-32
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING
PARAGRAPH 34 OF RESOLUTION NO. 80-71 ENTITLED "AMENDMENT OF RULES"

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, Paragraph 34 of the Rules and Procedures, entitled "Amendment of Rules," provides that the rules may be amended by an affirmative vote of a majority of a quorum; provided, however, that where a provision of the rules require action by a super-majority, then an amendment to such a rule also requires a vote by that same super-majority; and

WHEREAS, the Council has determined that on occasion the unanimous vote requirement of Paragraph 33 of the Rules and Procedures to postpone adjournment beyond 10:30 p.m. results in City Council business/matters not being concluded during the meeting, even as to matters where interested parties have waited up to four hours for consideration;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marina, that Paragraph 34, entitled "Amendment of Rules," of the Rules and Procedures is hereby deleted in its entirety and replaced with a new paragraph 34 to read as follows (new language shown in italics):

"34. Amendment of Rules. These rules may be amended by an affirmative vote of a majority of a quorum; provided, however, that *except as to rules relating to adjournment*, where a provision of these rules requires action by a specific affirmative vote which is greater than a majority of a quorum, then amendment to that rule requires the same vote required for the rule proposed to be amended."

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on March 1, 2011, by the following vote:

AYES: COUNCIL MEMBERS: Brown, Ford, O'Connell, Delgado

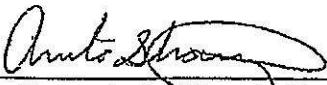
NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: Amadeo

ABSTAIN: COUNCIL MEMBERS: None


Bruce C. Delgado, Mayor

ATTEST:


Anita Sharp, Acting Deputy City Clerk

RESOLUTION NO. 2011-33
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING PARAGRAPH 33 OF
RESOLUTION NO. 80-71 ENTITLED "AUTOMATIC ADJOURNMENT"

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, Paragraph 33 of the Rules and Procedures, entitled "Automatic Adjournment," provides for automatic adjournment at 10:00 p.m. except that a majority may extend adjournment to 10:30p.m., and adjournment may then be further postponed by unanimous consent; and

WHEREAS, the Council has determined that on occasion the unanimous vote requirement of Paragraph 33 of the Rules and Procedures to postpone adjournment beyond 10:30 p.m. results in City Council business/matters not being concluded during the meeting, even as to matters where interested parties have waited up to four hours for consideration;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marina, that Paragraph 33 of the Rules and Procedures, entitled "Automatic Adjournment," of the Rules and Procedures is hereby deleted in its entirety and replaced with a new paragraph 34 to read as follows:

"33. Automatic Adjournment. Unless otherwise adjourned, all meetings of the City Council shall automatically be adjourned at 10:00 o'clock p.m., except that a majority may by one or more motions act to extend the automatic adjournment to not later than a specified time, or for completion of a particular item or items, as specified in the motion to extend the time of adjournment."

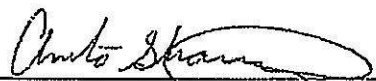
PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on March 1, 2011, by the following vote:

AYES: COUNCIL MEMBERS: Brown, Ford, O'Connell, Delgado
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: Amadeo
ABSTAIN: COUNCIL MEMBERS: None



Bruce C. Delgado, Mayor

ATTEST:


Anita Sharp, Acting Deputy City Clerk

RESOLUTION NO. 2011-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING RESOLUTION NO. 80-71, PARAGRAPH 7 (a) TO MODIFY THE
TIME AT WHICH CORRESPONDENCE BECOMES A PUBLIC RECORD AND
PARAGRAPH 8 TO COMBINE SPECIAL ANNOUNCEMENTS AND
COMMUNICATIONS FROM THE FLOOR, ELIMINATE "CORRESPONDENCE"
FROM THE ORDER OF BUSINESS AND THE AGENDA AND ALLOW THE
MAYOR, SUBJECT TO MAJORITY VOTE OVERRULING HIM/HER, TO RE-
ARRANGE AGENDA ITEMS

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, at the regular meeting of April 5, 2011, the City Council considered three actions to further streamline City Council meetings; and,

WHEREAS, after discussion, the City Council approved and directed staff to place on a future agenda a resolution to make the following changes to the Rules and Procedures:

- a) That correspondence addressed to the City council which is received by the City Clerk or any other officer or employee of the city becomes a public record as soon as it is received; and,
- b) Eliminate "correspondence" from the agenda; and
- c) Combine special announcements and communications from the floor; and,
- d) Allow the Mayor, subject to majority vote overruling him/her, to re-arrange agenda; and,

WHEREAS, Paragraph 7 (a) of the Rules and Procedures, entitled "Availability to the Public," establishes the time at which correspondence addressed to the City Council is a public record; and,

WHEREAS, Paragraph 8 of the Rules and Procedures, entitled "Order of Business and Consideration and Sequence of Agenda Items," establishes the order of taking up business during Council meetings, thereby establishing the agenda, and a prohibition as to changing the Order of Business;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marina, as follows:

1. That Paragraph 7 (a) of the Rules and Procedures, entitled "Availability to the Public," is hereby deleted in its entirety and replaced with a new Paragraph so that the paragraph now reads as follows (*new language shown in italics*):

Resolution No. 2011-65

Page 2

"a) Availability to the Public. Correspondence addressed to the City Council which is received by the City Clerk or any other officer or employee of the City *becomes a disclosable public record, unless subject to an exemptions under the California Public Records Act, as soon as it is received.* Correspondence received in the City Clerk's office or other offices after 12:00 o'clock noon on the Wednesday preceding a regular meeting shall not be placed on the agenda unless it concerns a matter to be considered by the Council at the next regular meeting or is determined by the Mayor or the City Manager to be an urgent matter which should be brought to the immediate attention of the Council. Correspondence shall not be read aloud at a Council meeting unless requested by a majority vote of the Council."

2. That Paragraph 8 of the Rules and Procedures, as previously amended, entitled "Order of Business and Consideration of Agenda Items," is hereby deleted in its entirety and replaced with a new Paragraph so that the Paragraph now reads as follows (*changes shown in italics*):

"8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the City Council shall be taken up for consideration and disposition in the following order (Resolution No. 99-01):

1. Call to Order 5:30 p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) – Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations
7. Special Announcements and *Communications from the Floor –4 Minutes Each Person pursuant to Paragraph 27 a)*
8. Consent Agenda
9. Public Hearings
10. Other Council Action Items
11. Council & Staff Informational Reports
12. Adjournment

b) *The Mayor, at his/her discretion and subject to majority vote overruling him/her, may re-arrange agenda items, provided that any items 'pulled' from Item 8, 'Consent Agenda' shall be considered following the last item of Item 10, 'Other Council Action Items'.*

Resolution No. 2011-65

Page 3

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to 10 minutes (at Presiding Officer's discretion)
4. City Council Clarifying Questions of Staff and Applicant/Proponent
5. Brief Council Comments and Motion
6. Public Comments - 4 Minutes Each Person *pursuant to Paragraph 27 a)*
7. Mayor Closes Public Hearing/Public Comments
8. Council Discussion
9. Council Vote"

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on April 19, 2011, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Ford, O'Connell, Delgado

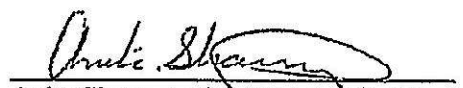
NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None


Bruce C. Delgado, Mayor

ATTEST:


Anita Sharp, Acting Deputy City Clerk

Resolution No. 2011-65

Page 3

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to 10 minutes (at Presiding Officer's discretion)
4. City Council Clarifying Questions of Staff and Applicant/Proponent
5. Brief Council Comments and Motion
6. Public Comments – 4 Minutes Each Person *pursuant to Paragraph 27 a)*
7. Mayor Closes Public Hearing/Public Comments
8. Council Discussion
9. Council Vote"

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on April 19, 2011, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Ford, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

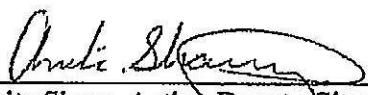
ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None



Bruce C. Delgado, Mayor

ATTEST:



Anita Sharp, Acting Deputy City Clerk

RESOLUTION NO. 2019- 107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING RESOLUTION NO. 80-71, PARAGRAPHS 2 AND 8 a), TO MODIFY
THE HOUR AT WHICH THE CITY COUNCIL WILL CONVENE IN CLOSED
SEESION AT A REGULAR MEETING

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the Marina City Council ("Rules and Procedures"); and

WHEREAS, at the regular meetings of April 7, 1994 (Reso. 94-15), January 5, 1998 (Reso. 99-01), October 18, 2001 (Reso. 01-106), and April 19, 2011 (Reso. 2011-65), the City Council considered actions to further set the hours for convening City Council meetings in closed session and in open session; and

WHEREAS, Paragraphs 2 and 8.a) as amended of the Rules and Procedures, entitled "Regular Meetings" and "Order of Business and Consideration and Sequence of Agenda Items," establish the hour and the order of taking up business during Council meetings, thereby establishing the agenda, and preclude arbitrarily setting the times the Council may convene in closed and open session; and

WHEREAS, after discussion and soliciting comments from the public the Council has determined that if there is to be a closed session on an Agenda for a regular meeting, the Council should convene at the hour of 5:00 p.m.; and

WHEREAS, Paragraph 34 of the Rules and Procedures entitled "Amendment of Rules" provides that the rules may be amended by an affirmative vote of a majority of a quorum; providing, however, that when a provision of the rules require action by a super-majority, then an amendment to such a rule also requires a vote by that same super-majority; and

WHEREAS, Paragraphs 2 includes a provision requiring the vote of three members of the City Council in the event of an emergency, and in the absence of action by the Mayor, to meet as such other place than City Hall as shall be designated, and therefore passage of this Resolution shall require the affirmative vote of not less than three members of the City Council.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marina, as follows:

1. That Paragraph 2 of the Resolution 80-71 Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council, as previously amended by Resolution 2001-106, entitled "Regular Meetings" is hereby deleted in its entirety and replaced with a new Paragraph 2 so that the Paragraph now reads as follows (*changes shown in italics*):

"2. Regular Meetings. The City Council shall hold regular meetings on the first and third Tuesday of each month *convening at the hour of 5:00 p.m. if there is to be a closed session and convening in open session at the hour of 6:30 p.m.* in the Council Chambers of City Hall, 211 Hillcrest Avenue in the City, or such other place within the City limits to which said meeting may be adjourned, If by reason of fire, flood or other emergency it shall be unsafe to meet in City Hall, the meetings may be held for the duration of the emergency at such other place *and at such hour* as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day."

Resolution No. 2019-107

Page Two

2. That Paragraph 8.a) of Resolution 80-71 Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council, as previously amended by Resolutions 94-15, 99-01 and 2011-65, entitled "Order of Business and Consideration and Sequence of Agenda Items," is hereby deleted in its entirety and replaced with a new Paragraph 8.a) so that the Paragraph now reads as follows (*changes shown in italics*):

"8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the City Council shall be taken up for consideration and disposition in the following order (Resolution Nos. 94-15, 99-01, 2011-65 and 2019 - ____):

1. Call to Order 5:00 p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) – Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations
7. Special Announcements and Communications from the Floor – 4 Minutes Each Person pursuant to Paragraph 27 a)
8. Consent Agenda
9. Public Hearings
10. Other Council Action Items
11. Council & Staff Informational Reports
12. Adjournment"

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 15th Day of October 2019, by the following vote:

AYES: COUNCIL MEMBERS: Berkley, Urrutia, O'Connell, Morton, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk