



MINUTES

Tuesday, May 16, 2023

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**

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Council Chambers
211 Hillcrest Avenue
Marina, California

AND

Zoom Meeting URL: <https://zoom.us/j/730251556>

Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

PARTICIPATION

You may participate in the City Council meeting in person or 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.

The most effective method of communication with the City Council is by sending an email to marina@cityofmarina.org. 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.

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: Liesbeth Visscher, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Cristina Medina Dirksen, Mayor/Chair Bruce C. Delgado
3. PUBLIC COMMENT ON CLOSED SESSION:
4. CLOSED SESSION:

- b. Real Property Negotiation (Govt. Code Section 54956.8)
 - i. Property: Los Animas Concrete, 499 9th Street, Marina, CA
Negotiating Party: Paul J. Bruno
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 one item listed under Real Property Negotiations, Council received information, provided direction and no reportable action was taken.

- 5. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)
- 6. **SPECIAL PRESENTATIONS:**
 - a. Public Works Week Proclamation
 - b. Introduction of New Employees
 - i. Alma Gonzalez, Accounting Services Manager, Finance
 - ii. Cyrah Caburian, Executive Assistant, Administration
 - iii. Jessica Edwards, Senior Building Inspector, Community Development
 - iv. Melissa Orduno, Administrative Assistant II, Airport
 - v. Ryan Evans, Mechanic, Public Works
 - vi. R.J. Collier, Maintenance Worker I
 - vii. Zachary Evans, Intern, Community Development-Planning
 - viii. Jalyiah Booker, Recreation Instructor
 - ix. Evelia Kohlman, Recreation Instructor
- 7. **COUNCIL AND STAFF ANNOUNCEMENTS:**
 - Mayor Pro Tem Medina Dirksen – Spoke about the grand opening of Marina’s Pump Track and the donation that came in from various groups and thanked everyone that helped with making this event successful. Announced on May 25th from 2:00-4:00pm at the Seaside Oldemyer Center will be the 2nd Annual George Floyd Reimagining Police & Inclusion Symposium.
 - Council Member Visscher – Announced the MST’s SURF Transit Fair & Family Fun Day on Saturday, June 10, 2023, from 10:00 AM-2:00 PM. MST is hosting this event at the Marina Transit Exchange located at 280 Reservation Road, Marina.
 - Council Member McCarthy – Commented on the Pump Track grand opening. Announced that City of Monterey is discussing at their meeting a Compatible Use Study for the Military Communities and a Tobacco Ban. Announced on May 20th from 10:00am-Noon in the Council Chambers will be a General Plan Update Workshop.
 - Mayor Delgado – Commented on the Pump Track grand opening. Spoke about the other events taking place such as Recreation was having a track meet and Friends of the Marina Library was doing Dad Read’s at the Marina Library. Spoke about the litter clean-up from Del Monte/Beach Road roundabout to the Landfill. On Thursday at Hilltop Park from 6:00pm-8:00pm will be sunset water and weeding of the new plants. Spoke about attending a tour of Singing Friendship Garden in Fresno last Friday.

- City Manager Long – Commented on the Pump Track and noted that the restroom will be open during the day as soon as we get the signs up that will let the people know the restrooms are there.
8. **PUBLIC COMMENT:** *Any member of the public may comment on any matter within the City Council's jurisdiction that is not on the agenda. This is the appropriate place to comment on items on the Consent Agenda. Action will not be taken on items not on the agenda. Comments are limited to a maximum of three (3) minutes. General public comment may be limited to thirty (30) minutes and/or continued to the end of the agenda. 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.*
- Grace Silva-Santella – Clarified that on the Friday before the Pump Track grand opening that Master Falconer, Antonio Balistreri through the Monterey Regional Park District was at the Marina Library and his next appearance will be on July 14th. Thanked the Public Works Department for their fast actions removing graffiti off one of the cypress trees at Vince DiMaggio Park and for clearing away the buildup of sand on the east and west side of the gate to the entrance of the Marina State Beach.
 - Nancy Amadeo – Agrees with previous speaker on the efficiency of the Public Works department on the removal of the sand around the beach entrance. Believes it to be appropriate for Council to work with State Parks to ensure that our parking lot gets the same kind of attention as the other beaches along the Monterey Bay area. Commented on the new Pump Track, found it exciting to see the many people out enjoying the area. Hopes city engages the community more to find out what they want in their parks.
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 City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, the Council may remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*
10. **CONSENT AGENDA:** *These items are considered to be routine and non-controversial. All items under the Consent Agenda may be approved by one motion. Prior to such a motion being made, any member of City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, Council may remove the item from the Consent Agenda and it will be placed at the end of Other Action Items.*
- a. **ACCOUNTS PAYABLE:** *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) Accounts Payable Check Numbers 102328-102414, totaling \$448,803.51.
 - b. **MINUTES:** *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) May 2, 2023, 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) Adopting **Resolution No. 2023-42**, approving the reclassification of an Accounting Technician position to Financial Analyst.
 - (2) ~~Adopting Resolution No. 2023, amending the City's Conflict of Interest Code.~~ ***Pulled by Council Member McCarthy, becomes agenda item 13f***
- g. APPROVAL OF AGREEMENTS: None
- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS:
 - (1) Adopting **Resolution No. 2023-43**, accepting the completion of the Airport Building 533 Exterior Improvement Project.
- i. MAPS: None
- j. REPORTS: (RECEIVE AND FILE):
 - (1) ~~Adopting Resolution No. 2023, receiving and filing the City's Annual Comprehensive Financial Report, Auditor Governance Letter (SAS 114), Management Letter (SAS 115) and Gann Limit Report for the fiscal year ending June 30, 2022.~~ ***Pulled by Council Member Biala, becomes agenda item 13g***
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None

Council Member McCarthy requested to pull agenda item 10f(2).

Mayor Pro Tem Medina Dirksen had a minor correction to item 10b(1), spelling of one of the speakers last name needs to be corrected.

Council Member Biala requested to pull agenda item 10j(1).

DELGADO/MEDINA DIRKSEN: TO APPROVE THE CONSENT AGENDA MINUS 10f(2) AND 10j(1) AND WITH CORRECTIONS TO 10b(1). 5-0-0-0 Motion Passes

- 11. PUBLIC HEARINGS: *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 on the matter.*
 - a. City Council open a public hearing and consider adopting **Resolution No. 2023-44**, confirming diagram, assessment and ordering levy of \$180.78 for FY 2023-24 assessment for Cypress Cove II Landscape Maintenance Assessment District; and authorize City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2023.

Public Comments:

- Nancy Amadeo – Spoke about the trimming of the large tree behind her home. Noted the branches that were trimmed were facing her home and believes that the tree is now off

balanced. Also spoke about one the trees where a large branch has crack running through the middle of the branch and if it breaks it could fall on Abdy Way where cars park and people walk.

BIALA/VISSCHER: TO ADOPT RESOLUTION NO, 2023-44, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$180.78 FOR FY 2023-24 ASSESSMENT FOR CYPRESS COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; AND AUTHORIZE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO AUGUST 1, 2023. 5-0-0-0 Motion Passes

- b. City Council open a public hearing and consider adopting **Resolution No, 2023-45**, confirming diagram, assessment and ordering levy of \$182.42 for FY 2023-24 assessment for Seabreeze Landscape Maintenance Assessment District; and authorize the City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2023.

Public Comments: None received.

BIALA/VISSCHER: TO ADOPT RESOLUTION NO, 2023-45, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$182.42 FOR FY 2023-24 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; AND AUTHORIZE THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO AUGUST 1, 2023. 5-0-0-0 Motion Passes

- c. City Council open a public hearing and consider adopting **Resolution No, 2023-46**, confirming diagram, assessment and ordering levy of \$77.14 for FY 2023-24 assessment for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District; and authorize the City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2023.

Public Comments: None received.

DELGADO/BIALA: TO ADOPT RESOLUTION NO, 2023-46, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$77.14 FOR FY 2023-24 ASSESSMENT FOR MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; AND AUTHORIZE THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO AUGUST 1, 2023. 5-0-0-0 Motion Passes

- d. City Council open a public hearing, take any testimony from the public, and consider approving first reading of Ordinance No. 2023-, revisions to Marina Municipal Code Chapter 13.22 Marina Municipal Airport to amend provisions related to the Airport Rules and Regulations and Minimum Standards. **Public Hearing continued to June 20, 2023**

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. Members of the public may be given up to three (3) minutes 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. 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. Adopting **Resolution No. 2023-47**, approving a fund transfer and appropriation of \$40,000 from each of the Impact Fee accounts to the Public Facilities Impact Fee Study Update.

Public Comments: None received.

BIALA/MCCARTHY: TO ADOPT RESOLUTION NO. 2023-47, APPROVING A FUND TRANSFER AND APPROPRIATION OF \$40,000 FROM EACH OF THE IMPACT FEE ACCOUNTS TO THE PUBLIC FACILITIES IMPACT FEE STUDY UPDATE. 5-0-0-0 Motion Passes

- b. Adopting **Resolution No. 2023-48**, approving an agreement between the City of Marina and the Transportation Agency for Monterey County (TAMC) for the 2023 Regional Surface Transportation Program (RSTP) allocation of funding; and approving the RSTP competitive funding grant application for the Reservation Road & Del Monte Boulevard Operational & Safety Improvements Project.

Public Comments:

- Grace Silva-Santella – Approves applying for this grant money. Expressed concerns about the suggested improvements at Reservation Rd. & Del Monte Blvd. Believe this should be done when the Downtown Plan is being considered.
- Nancy Amadeo – Expressed concerns on the safety crossing at Reservation Rd/Del Monte Blvd. intersection, it is not safe for pedestrians to cross. Spoke about being a pedestrian friendly city and what that means not just for residents but for people visiting.
- May Holland Dungo – Commented on the crossing signal at Reservation & Del Monte, vehicles should not be allowed to turn right when people are crossing this area. Commented about the potholes on Carmel that need to be fixed.

MEDINA DIRKSEN/MCCARTHY: TO ADOPT RESOLUTION NO. 2023-48, APPROVING AN AGREEMENT BETWEEN THE CITY OF MARINA AND THE TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC) FOR THE 2023 REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) ALLOCATION OF FUNDING; AND APPROVING THE RSTP COMPETITIVE FUNDING GRANT APPLICATION FOR THE RESERVATION ROAD & DEL MONTE BOULEVARD OPERATIONAL & SAFETY IMPROVEMENTS PROJECT; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE THE 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. 5-0-0-0 Motion Passes

- c. Adopting **Resolution No. 2023-49**, amending the rate adjustment calculation of the franchise agreement with Green Waste Recovery utilizing a sector specific uniform percentage adjustment and approving maximum rates to be charged by Green Waste Recovery effective July 1, 2023, for collection of franchised solid waste, recycling, and organics.

Public Comments: None received.

MCCARTHY/BIALA: TO ADOPT RESOLUTION NO. 2023-49, AMENDING THE RATE ADJUSTMENT CALCULATION OF THE FRANCHISE AGREEMENT WITH GREEN WASTE RECOVERY UTILIZING A SECTOR SPECIFIC UNIFORM PERCENTAGE ADJUSTMENT AND APPROVING MAXIMUM RATES TO BE CHARGED BY GREEN WASTE RECOVERY EFFECTIVE JULY 1, 2023, FOR COLLECTION OF FRANCHISED SOLID WASTE, RECYCLING, AND ORGANICS. 5-0-0-0 Motion Passes

- d. Adopting **Resolution No. 2023-50**, establishing a Capital Investment Incentive Program (CIIP) for a potential future Community Services Agreement between the City of Marina and Joby Aviation.

Council Member McCarthy recused himself from this item.

Public Comments: None received.

VISSCHER/MEDINA DIRKSEN: TO ADOPT RESOLUTION NO. 2023-50, ESTABLISHING A CAPITAL INVESTMENT INCENTIVE PROGRAM (CIIP) FOR A POTENTIAL FUTURE COMMUNITY SERVICES AGREEMENT BETWEEN THE CITY OF MARINA AND JOBY AVIATION. 4-0-0-0 Motion Passes

- e. Adopting Resolution Nol. 2023-, receive presentation to consider establishing a Sister City Program Policy; and approving Memorandum of Understandings for Sister City Agreements between City of Marina and Izunokuni, Japan; and Namwon, South Korea

Council Discussion: what a friendship city relationship and a sister city relationship within the context of a Marina city sister program because it seems like would like. Suggestion of a subcommittee should be put together consisting of 10 members from 501c(3) organizations, interested citizens and an appointed liaison. Discussion on establishing protocols on what each side would agree to in the MOU.

Public Comments:

- Mia Nguyen – Supports the Sister City and Friendship City ideas, had personal experience with these programs.
- Hyunsoo Hur – Supports the Sister City program with Namwon. Forming a sister city relationship brings several benefits to Marina, culturally, economically, socially, and education wise.
- May Holland Dungo – In favor of the Sister City program for the students, it would be nice to have that kind of relationship with the 2 different countries.
- Yongsoo Oh – Supports the Sister City program between City of Marina and Izunokuni, Japan; and Namwon, South Korea.

DELGADO/MCCARTHY: THAT WE RECOMMEND ESTABLISHING A FRIENDSHIP AND SISTER CITY RELATIONSHIP WITH RESPECTIVE CITIES (Izunokuni Japan & Namwon Korea) AND REQUEST THAT COUNCIL MEMBER BIALA COME BACK WITH THE NEXT DRAFT OF A SISTER CITY/FRIENDSHIP CITY PROPOSAL. 5-0-0-0 Motion Passes

- f. Adopting **Resolution No. 2023-51**, amending the City's Conflict of Interest Code. *Pulled by Council Member McCarthy, was agenda item 10f(1)*

Council Member McCarthy – expressed concern about who needed to complete a statement conflict of interest for and what needed to be reported on in the form.

MEDINA DIRKSEN/MCCARTHY: ADOPT RESOLUTION NO. 2023-51, AMENDING THE CITY'S CONFLICT OF INTEREST CODE. 5-0-0-0 Motion Passes

- g. Adopting **Resolution No. 2023-52**, receiving and filing the City's Annual Comprehensive Financial Report, Auditor Governance Letter (SAS 114), Management Letter (SAS 115) and Gann Limit Report for the fiscal year ending June 30, 2022. *Pulled by Council Member Biala, was agenda item 10j(1)*

Council Member Biala – Noted that a correction was needed on page 15 of the report. Our form of needs to include the City Manger for of government. Asked about the City's rating.

DELGADO/MEDINA DIRKSEN: TO ADOPT RESOLUTION NO. 2023-52, RECEIVING AND FILING THE CITY'S ANNUAL COMPREHENSIVE FINANCIAL REPORT, AUDITOR GOVERNANCE LETTER (SAS 114), MANAGEMENT LETTER (SAS 115) AND GANN LIMIT REPORT FOR THE FISCAL YEAR ENDING JUNE 30, 2022. 5-0-0-0 Motion Passes

14. **COUNCIL & STAFF INFORMATIONAL REPORTS:**

- a. Monterey County Mayor's Association [Mayor Bruce Delgado]
- b. Council reports on meetings and conferences attended (Gov't Code Section 53232).

15. **ADJOURNMENT:** The meeting adjourned at 10:52 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor