



MINUTES

Tuesday, June 6, 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:

- a. Conference with Real Property Negotiations (§54956.8)
 - i. Property: City Corporation Yard, 2660 5th Avenue, Marina, CA
Negotiating Party: Marina Coast Water District
Negotiator(s): City Manager
Terms: Price and Terms
- b. Performance Evaluation of Public Employee, (Govt. Code Section 54957(b)(1) – City Manager

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 at 5:00 pm with regard to the two items listed. Council received information, no reportable action was taken.

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

- 6. **SPECIAL PRESENTATIONS:**

- a. **CERTIFICATE OF COMMENDATIONS**

- 1) Glen Sales, Building Rescue
- 2) Jeffrey Abraham, Building Rescue
- 3) Ron Dunlap, Building Rescue
- 4) Jack Lundgren, Beach Rescue
- 5) Jeffrey Abraham, Beach Rescue
- 6) Jesse Alvarenga, Beach Rescue
- 7) Mark Sweeney, Beach Rescue
- 8) Mike B. Smith, Beach Rescue
- 9) Steve DeVincenzi, Beach Rescue

- b. **PROCLAMATIONS**

- 1) Jason McCoy, 2022 Firefighter of the Year
- 2) Pride Month

- c. Monterey One Water Rate Shift Presentation

- 7. **COUNCIL AND STAFF ANNOUNCEMENTS:**

Council Member Visscher – Announced on June 10, 2023 from 10:00am-2:00pm is the MST Surf Transit Fair and Family Fun Day at the Marina Transit Exchange, 280 Reservation Road.

Council Member Biala – Announced on June 24th from 10:00am-3:00pm is the Marina Multi-Cultural Festival at Vince DiMaggio Park.

Mayor Delgado – Thanked the volunteers for all their work at the future Marina Park called Hilltop Park. On June 5th attended an open house for Joby Aviation new Corporate Headquarters in Santa Cruz.

Mayor Pro Tem Medina Dirksen – Commented on Marina Police assisting Salinas police officers and Sheriff's department last week. Gave kudo's the Marina Public Works department for mowing the medians; and to the Recreation department for the staff's ability to keep the children occupied with various summer camps.

City Manager Long – Introduced the new Recreation Director, Andrea Willer and Human Resources Director, Belinda Varela.

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.*

- Eileen Hu – Commented on green waste organics and the different pricing for homes versus apartments and SB1383. Noted that if you want organic waste bins from Greenwaste it would cost extra. This should be included as part of the service.
- Logan Jensen – Agrees with previous speaker. Spoke about the difficulty of college students being able to afford to live in this area. Expressed willingness to work for the city.
- Grace Silva-Santella – announced Friends of the Marina library will host three movies, on June 10th at 2:30pm will be Singing in the Rain; on June 21st at 2:30 pm will be Summer of Sole, a documentary that follows the 1969 Harlem Cultural Festival; and on June 24th at 2:30 pm co-sponsored with the Marina Tree and Garden Club, will be the documentary film Honey Land.
- Viktoria Hill – Opposes the proposed cell tower location on California Ave. across from the Sea Haven homes. Did not have the funds to file the appeal and hope council will reconsider putting this cell tower in this area.
- Mike Moeller – Thanked the volunteers who sowed up on June 3rd to help the Friends of the Marna Parks remove the invasive feather grass from the library parking lot. Spoke about the plans for the area around the Martin Luther King Bust Memorial location.
- Denise Turley – Commented on the garbage collection for homes versus apartments and whether you have dumpsters. Supports getting food waste bins for the residents at no additional cost.
- Mia Nguyen – Opposes the proposed cell site on California Ave. Believes this will lower property values.
- Tommy Bolea – Commented on the pump track and all the kids biking around and not wanting to leave. Spoke about Marina having the perfect climate; and also spoke about the energy use in California.

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 102415-102536, totaling \$1,246,458.33.
Successor Agency Accounts Payable Check Number 117, totaling \$6,887.50.
 - b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) May 16, 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. 2023-53**, approving the creation of utility easement on City property (City Corporation Yard, 2660 5th Avenue).
 - (2) Adopting **Resolution No. 2023-54**, certifying City of Marina compliance with State law (Proposition 218) with respect to special assessment for the Cypress Cove II Landscape Maintenance Assessment District for FY 2023-2024.
 - (3) Adopting **Resolution No. 2023-55**, certifying City of Marina compliance with State law (Proposition 218) with respect to special assessment for the Seabreeze Landscape Maintenance Assessment District for FY 2023-2024.
 - (4) Adopting **Resolution No. 2023-56**, certifying City of Marina compliance with State law (Proposition 218) with respect to special assessment for the Monterey Bay Estates Landscape Maintenance Assessment District for FY 2023-2024.
 - g. APPROVAL OF AGREEMENTS:
 - (1) Adopting **Resolution No. 2023-57**, awarding the City of Marina Municipal Improvements On-Call Contract 2023 to Monterey Peninsula Engineering, of Marina, California for an annual contract amount not to exceed \$1,000,000, and an option for an additional one (1) year extension with a not to exceed annual funding limit of \$1,000,000.
 - (2) Adopting **Resolution No. 2023-58**, amending the Memorandum of Understanding (MOU) regarding cooperative assistance to comply with Senate Bill 1383, Food Waste Reduction and Organics Recycling Regulations, incorporating changes in the annual cost of program activities.

- (3) ~~Adopting Resolution No. 2023, approving the City of Marina Sister Cities Policy; and approve Memorandum of Understanding for Friendship City agreement between City of Marina and Izunokuni, Japan; and approve Memorandum of Understanding for Sister City agreement between City of Marina and Namwon, South Korea. **Pulled by Mayor Pro Tem Medina Dirksen, becomes agenda item 13d.**~~

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS:

- (1) Adopting **Resolution No. 2023-59**, accepting the completion of all projects completed under the City of Marina Municipal Improvements On-Call Contact 2020.

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 McCarthy had questions on agenda items 10g(2) and 10h(1)

Mayor Pro Tem Medina Dirksen had questions on agenda item 10g(1) and requested to pull agenda item 10g(3).

MCCARTHY/MEDINA DIRKSEN: TO APPROVE THE CONSENT AGENDA MINUS 10g(3). 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. Open public hearing, take testimony from the public and consider adopting **Resolution No. 2023-60**, setting of a 6 percent (6%) Fireworks Cost Recovery Fee and adding the fee to the Master Fee Schedule.

Council discussed past and present cost recovery fees and who pays these fees and where what fund they are deposited in; the history of fires related to fireworks and what other cities fees are. Assessment of fees on illegal fireworks

Public Comments:

- Jason Logan –

VISSCHER/BIALA: TO ADOPT RESOLUTION NO. 2023-60, SETTING OF A 6 PERCENT (6%) FIREWORKS COST RECOVERY FEE AND ADDING THE FEE TO THE MASTER FEE SCHEDULE. 5-0-0-0 Motion Passes

- b. Open a public hearing, take testimony from public and introduce Ordinance No. 2023-, amending the following sections of the Marina Municipal Code (MMC) pertaining to Housing: Sections 17.04, 17.06, 17.08, 17.10, 17.12, 17.16, 17.22, 17.45, 17.48.040 and 17.48.050 and adding new Section 17.51.

Council discussed General Plan Article 5 compliance related to the Mid-year Housing Element and any possible changes already set in Housing Element.

Public Comments:

- Denise Turley – Reminded council that Housing Element has incorrect housing numbers for Preston and Abrams Park.

MCCARTHY/MEDINA DIRKSEN: TO INTRODUCE ORDINANCE NO. 2023-, AMENDING THE FOLLOWING SECTIONS OF THE MARINA MUNICIPAL CODE (MMC) PERTAINING TO HOUSING: SECTIONS 17.04, 17.06, 17.08, 17.10, 17.12, 17.16, 17.22, 17.45, 17.48.040 AND 17.48.050 AND ADDING NEW SECTION 17.51. AYES 5; NOES 0; ABSENT 0; ABSTAIN 0. Motion Passes

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. Receive an informational item on the proposed mural at 3100 Del Monte Blvd and approve the mural design.

Council Discussed: approval from Sabado family for use of portrait of Gerry Low-Sabado, language in the sign ordinance related to a mural, mural ongoing maintenance and funding, definition of anti-graffiti coating, explanation of the mural to the public, utility meters,

Public Comments:

- Randy Sabado – Surprise and honored that the artist chose to paint this particular scene. Family and Chinese community support this project. Spoke about the 12th Annual Walk of Remembrance held in Pacific Grove.
- Mia Nguyen – Supports mural project, as it represents our diversity. Thanked the artist and all involved in the project.
- Jeff Markham – Asked what type of paint would be used to create the mural. Suggested emphasizing the fishing village part of the mural a little bit more.
- Grace Silva-Santella – Think this is a fabulous, exciting piece of public art. Spoke about the public mural at Gloria Jean Tate Park first done by Friends of the Marina Parks, Amy Tackett and Marina Youth Arts project at Vince DiMaggio Park. Excited to see the diversity of public murals in Marina.

BIALA/MEDINA DIRKSEN: THAT WE APPROVE THE PACIFIC ROOT'S MURAL AT 3100 DEL MONTE BOULEVARD AND CONCUR WITH STAFF RECOMMENDATIONS. AYES 4; NOES 1(McCarthy); ABSENT 0; ABSTAIN 0 Motion Passes.

b. MST Bus Surf line Presentation

Council discussed Surf Line routes, fencing designs for safety areas, reduction of ridership impacts, conversion of zero emission vehicles timeline, environmental issues on Local Coastal Permit, bus schedule time saving, clarification on reconversion back to light rail, meaning of bus standing room, figure of hospitality workers in Marina, bus line construction timeframe, lifetime of surf project, Coastal Commission feedback on this project.

Public Comments:

- Mia Nguyen – Asked how riders are counted, what are the specific benefits to Marina and its residents. Expressed concerns about having a bus route installed next to a walking path. Spoke about ridership cost saving.
- Denise Turley – Enjoyed the presentation. Spoke about the people who cannot drive due to medical reasons and love the services provided by MST.
- Jeff Markham – Surf project will bring improvements to our existing public transit infrastructure. Commented on EV Aerotech technology with Joby and Marina as a leader in EV autonomous driving vehicles. Did not note any dedicated EV charging areas and on demand areas for dispatching out to other areas.
- Tommy Bolea – Commented on the railroad tracks running from Santa Cruz to Monterey. Commented on the proposed route for this project. Commented on California's carbon footprint versus Europe.
- Laura Hoover – Asked if the proposed route would affect the handcar tour installation?
- Grace Silva-Santella – Opposes the project because it does not help with the reduction of construction related vehicles. Perplexed at the current rider number and the projected numbers. Project impacts the ability to walk through central Marina, allowing buses to trigger the light for more time to get through intersections and pedestrians less time.

c. ~~Consider adopting Resolution No. 2023, amending the Rules and Procedures for the Conduct of Meetings.~~ ***Continued to June 18, 2023***

- d. Adopting **Resolution No. 2023-61**, approving the City of Marina Sister Cities Policy; and approve Memorandum of Understanding for Friendship City agreement between City of Marina and Izunokuni, Japan; and approve Memorandum of Understanding for Sister City agreement between City of Marina and Namwon, South Korea. ***Pulled by Mayor Pro Tem Medina Dirksen, was agenda item 10g(3).***

Council discussed the definition of Friendship City and Sister City related to the policy and MOU's in packet, Policy terms and renewals,

MEDINA DIRKSEN/BIALA: TO ADOPT RESOLUTION NO. 2023-61, APPROVING THE CITY OF MARINA SISTER CITIES POLICY; AND APPROVE MEMORANDUM OF UNDERSTANDING FOR FRIENDSHIP CITY AGREEMENT BETWEEN CITY OF MARINA AND IZUNOKUNI, JAPAN; AND APPROVE MEMORANDUM OF UNDERSTANDING FOR SISTER CITY AGREEMENT BETWEEN CITY OF MARINA AND NAMWON, SOUTH KOREA. 5-0-0-0. Motion Passes

Public Comments: None received.

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 11:30 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor