



MINUTES

Tuesday, June 20, 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

TELECONFERENCE LOCATION:¹

Hampton Inn / Lobby
3231 Peninsula Road
Oxnard, CA 93035

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 Note: Pursuant to Government Code Section 54953(b), this meeting will include teleconference participation by Council Member Brian McCarthy from the address above. This Notice and Agenda will be posted at the teleconference location.

1. **CALL TO ORDER:** The meeting was called to order at 5:00 P.M.
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 (Remote), 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. Performance Evaluation of Public Employee, (Govt. Code Section 54957(b)(1) – City Manager

6:37 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 5:00pm with regard to the one item listed. Council held discussion and no reportable action was taken.

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

6. SPECIAL PRESENTATIONS:

- a. July 4th Fireworks Enforcement
- b. Recreation Summer Programs

7. COUNCIL AND STAFF ANNOUNCEMENTS:

Mayor Pro Tem Medina Dirksen – Attended DLI-FLC Change of Command. Commented on Marina's Jr. Giants Program

Mayor Delgado – Spoke about Lapis Road and Park area clean-ups.

Council Member McCarthy – Commented on the Aids Life Cycle. Attended Monterey Regional Park District meeting where they allocated \$5,000 for Locke Paddon Park maintenance.

City Manager Long – Provided updates on Sea Haven Park and Joby Aero Inc.

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.*

- Howard Gustafson – Spoke about the buried Fort Ord Mascots throughout the former Fort Ord.
- Eileen Hu – Spoke about changes to homeowner sewer bills; and Greenwaste organic collection bins and billing for apartments.
- Grace Silva-Santella – Commented on Marina Library Free Lunch program for K-12 on Thursdays as well as the Monterey County Food Bank. Announced upcoming movies at the Marina Library.
- Nancy Fortman – Spoke about Joby Aero Inc and city's continued support to keep the business in Marina.
- Denise Turley – Asked is a list of food pantries could be placed on City's website.

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 102537-102632, totaling \$777,774.86.
 - b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) May 30, 2023, Special City Council Meeting
 - (2) June 6, 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. 2023-62**, confirming levy of a special tax for the City of Marina Community Facilities District No. 2007-2 (Locke Paddon) for Fiscal Year 2023-2024 as authorized by Ordinance No. 2007-09; and consider adopting **Resolution No. 2023-63**, certifying City of Marina compliance with State law (Proposition 218) with respect to levying of special taxes for the City of Marina Community Facilities District No. 2007-2 for Fiscal Year 2023-2024 as authorized by Ordinance No. 2007-09.
 - (2) Adopting **Resolution No. 2023-64, 2023-02 (SA/MRA), 2023-01 (NPC), 2023-01 (PPSC-NPC) and 2023-01 (MAC)**, continuing appropriations for Fiscal Year 2023-24; and authorizing The City of Marina to utilize the standard revenue loss allowance under the United States Department of the Treasury Final Rule to comply with the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) under the American Rescue Plan Act (ARPA).
 - (3) Adopting **Resolution No. 2023-65**, establishing appropriations limit for FY 2023-24.
 - g. APPROVAL OF AGREEMENTS: None

- 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):
 - (1) Read by Title Only and consider adopting **Ordinance No. 2023-07**, 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.
- m. APPROVE APPOINTMENTS:
 - (1) ~~Amending “Exhibit A” to Resolution No. 2022-158, approving Mayor’s 2023 recommendation for Mayor Pro Tem and City Council member assignments to various Committees/Commissions/Boards.~~ ***Pulled by Mayor Pro Tem Medina Dirksen, becomes agenda item 13d.***

Council Member McCarthy commented on agenda item 10f(1) and had questions for agenda item 10m(1)

Mayor Pro Tem Medina Dirksen requested to pull agenda item 10m(1)

DELGADO/MEDINA DIRKSEN: TO APPROVE THE CONSENT AGENDA MINUS 10m(1). Ayes 5, Noes 0, Abstain 0, Absent 0 Motion Passes by Roll Call Vote

- 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, take any testimony from the public, and consider introduction of Ordinance No. 2023-08, repealing and replacing Marina Municipal Code Chapter 13.22 Marina Municipal Airport and adopting Rules and Regulations and Minimum Operating Standards by reference. ***Public Hearing continued from May 16, 2023***

Discussion: Non-conforming tenants

Mayor opened public hearing for comments: None received.

BIALA/VISSCHER: THAT WE OPENED THE PUBLIC HEARING AND APPROVE THE INTRODUCTION OF ORDINANCE NO. 2023-08, REPEALING AND REPLACING MARINA MUNICIPAL CODE CHAPTER 13.22 MARINA MUNICIPAL AIRPORT AND ADOPTING RULES AND REGULATIONS AND MINIMUM OPERATING STANDARDS BY REFERENCE, WITH CORRECTIONS TO TWO TYPOGRAPHICAL ERRORS ON PAGE 3 AND PAGE 8. Ayes 5, Noes 0, Abstain 0, Absent 0 Motion Passes by Roll Call Vote

- 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-, receiving informational presentation of the City's Pavement Management Program.

The City Council discussed the Pavement Management Program relating to current and future city street maintenance, as well as funding.

Public Comments:

- Jeff Markham – Commented on making sure all vegetation is cleared away before the application of slurry is applied.
- Tommy Bolea – Made comments about the condition of Carmel Ave, Reservation Road, and the intersection of Second Ave. Also commented about the traffic.

VISSCHER/BIALA: THAT WE ADOPT RESOLUTION NO. 2023-, RECEIVING INFORMATIONAL PRESENTATION OF THE CITY'S PAVEMENT MANAGEMENT PROGRAM. Ayes 5, Noes 0, Abstain 0, Absent 0 Motion Passes by Roll Call Vote

- b. Adopting Resolution No. 2023-, adopting an updated list of projects for Fiscal Year 2023-24 funded by SB 1: The Road Repair and Accountability Act of 2017.

Public Comments: None received.

BIALA/MEDINA DIRKSEN: THAT WE ADOPT ADOPTING RESOLUTION NO. 2023-, ADOPTING AN UPDATED LIST OF PROJECTS FOR FISCAL YEAR 2023-24 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017. Ayes 5, Noes 0, Abstain 0, Absent 0 Motion Passes by Roll Call Vote

- c. Adopting Resolution No. 2023-, amending the Rules and Procedures for the Conduct of Meetings.

The City Council discussed the proposed changes/amendments to the Rules and Procedures for Conduct of Meetings.

Public Comments:

- Denise Turley – Commented on Zoom meeting participants not muting themselves after they have spoken.

MCCARTHY/DELGADO: THAT WE ADOPT THE RESOLUTION FURTHER AMENDING THE RULES OR PROCEDURES FOR THE CONDUCT OF MEETINGS WITH THE AMENDMENTS:

1. THAT WE DO NOT ADDRESS NUMBER 7, COUNCIL CORRESPONDENTS AT THIS TIME.
2. THAT WE DEVELOP A MINUTE VIDEO RECORDS, RETENTION POLICY.

3. THAT WE IDENTIFY IN OUR PUBLIC COMMENTS SECTION THAT PUBLIC COMMENT IS WELCOMED BY ANY MEANS NOT DISRUPTED TO THE MEETING.
4. THAT THE ADJOURNMENT EXTENSION BE ITEM BASED INSTEAD OF TIME BASED
5. THAT THE ACTION MINUTES INCLUDE THE NAME AND TOPIC OF DISCUSSION.
6. COUNCIL BE ALLOWED TO SPEAK UP TO 5-MINUTES, WITH A NON-INTERRUPTIVE TIMEKEEPING METHOD MEANS OR SOMETHING. Ayes 5, Noes 0, Abstain 0, Absent 0 Motion Passes by Roll Call Vote

d. ~~Amending “Exhibit A” to Resolution No. 2022-158, approving Mayor’s 2023 recommendation for Mayor Pro Tem and City Council member assignments to various Committees/Commissions/Boards.~~ *Pulled by Mayor Pro Tem Medina Dirksen, was agenda item 10m(1) – Continued to July 5, 2023*

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 10:55 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor