



MINUTES

Tuesday, September 19, 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, Mayor Pro-Tem/Vice Chair Cristina Medina Dirksen,

MEMBERS ABSENT: Kathy Biala (Excused), Mayor/Chair Bruce C. Delgado (Excused)

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS: None

4. CLOSED SESSION:

- a. Property: Tarmac Area, 3200 Imjin Road, Marina, CA
Negotiating Party: Joby Aero Inc.
Negotiator(s): City Manager
Terms: Price and Terms
- b. Property: APN: 031-201-005-000 and APN: 031-251-018
Negotiating Party: KATMO Seaside 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: The council met tonight in closed session on just one item 4(b) regarding property APN 03120100500 and 031-25-1018, as to that item direction was provided and there was no reportable action taken. The second item 4(a) was not considered by Council tonight for a lack of quorum.

5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)**6. SPECIAL PRESENTATIONS:**

- a. National Recovery Month Proclamation, Sun Street Center
- b. Unexpected Business, Jong Gil Lee, Ryu Hojin and the Entire Team of the Korean Reality Show Proclamations
- c. Annual Fire Department Open House
- d. Below Market Rate Housing Lottery

7. COUNCIL AND STAFF ANNOUNCEMENTS:

Council Member Visscher – Announced MST will start the bus service between Salinas and Gilroy on October 19, 2023, doing four roundtrip a day.

Council Member McCarthy – Monday was an unveiling of a utility box wrap done by Marina Youth Arts at California Ave and Marina Heights Dr that honors Lenore Masterson. Spoke about the Lead Me Home Summit run by Seaside Coalition of Homeless Service Providers.

Mayor ProTem Medina Dirksen – Spoke about the Joby Aero program called Girls in Aviation, which exposes them to STEM careers, science careers and possibility of careers in in aviation.

Andrea Willer – Announced on Saturday, September 23rd at Gloria Jean Tate Park in conjunction with the pump track is a movie about mountain biking, the culture of mountain biking and the language of mountain biking. The event starts at 5:30 p.m. and the movie will start around 7:30 p.m.

- 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.

- Chandler Roland – Spoke about the MST Surf Line Project and his request for ridership number for bus line 20 for 2022 and 2023 from MST directly with a response that they don't retain passenger data. Stated this project will destroy the 6-miles of environmental landscape and asked Council to reject MST's proposal.
- Tommy Bolea – Spoke about California giving grants of up to \$250,000 to cities and counties and governments, but one for churches or non-profits. Deadline to apply is October 28, 2023.
- Grace Silva-Santella – Express appreciation to Council Member McCarthy for the conversation about the project Room Key in the Country Inn on September 12th. Hope's council will thoroughly investigate what happened and find out what the problem was, and why the problems happened, why it became so dangerous, and negative for the city of Marina.

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 103113- 103185, totaling \$1,209,293.93.

b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*

(1) September 6, 2023, Regular City Council Meeting

(2) September 12, 2023, Adjourned Regular City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS:

(1) Adopting **Resolution No. 2023-92**, approving advertising and calling for bids for the City of Marina General Building Improvements On-Call Contract 2023.

f. ADOPTION OF RESOLUTIONS:

- (1) Adopting **Resolution No. 2023-93**, authorizing the purchase of 4 Motorola Mobile Radios and necessary accessories.
- (2) Adopting **Resolution No. 2023-94**, authorizing the City Manager to purchase pollution and legal liability (PLL) insurance coverage level of \$ 1 million dollars.

g. APPROVAL OF AGREEMENTS: None

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE): None

k. FUNDING & BUDGET MATTERS:

- (1) Adopting **Resolution No. 2023-95**, approving the allocation of \$55,655.14 for emergency fire sprinkler system repairs at 721 Neeson Road, Building 533.

l. APPROVE ORDINANCES (WAIVE SECOND READING): None

m. APPROVE APPOINTMENTS:

- (1) Appointing to Recreation & Cultural Services Commission: Lisa Rike and Mia Nguyen. 2-seats expiring February 2026.

Council Member McCarthy a question for item: 10m(1), asked if the city received more than two applications for the Recreation Commission.

VISSCHER/MCCARTHY: THAT WE APPROVE THE CONSENT AGENDA WITH CORRECTIONS TO AGENDA ITEMS 10b(1) AND 10k(1). 3-0-2(Biala, Delgado)- 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. Council consider introduction of **Ordinance No. 2023-11**, adopting amendments to the ordinance for Marina Municipal Code Chapter 12.25 entitled "Skate Park Facility Rules and Regulations" to include rules and regulations for the Pump Track.

Public Comments: None received.

MCCARTHY/VISSCHER: THAT WE INTRODUCE THE ORDINANCE WITH THE STAFF'S CLARIFICATIONS ON WHAT'S ALLOWED AT THE PUMP TRACK AND TO COME BACK FOR THE SECOND READING. 3-0-2(Biala, Delgado)-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. Adopting **Resolution No. 2023-96**, approving a Lease Agreement between the City of Marina and New Cingular Wireless PCS, LLC for construction and operation of a telecommunications facility on city owned property at the northwest corner of California and 3rd Avenue.

Public Comments:

- Tommy Bolea – Commented on 5G, 6G, the need for more towers and Marina known for no cell service. Noted the cell tower need to fit into the area and not look like a tower.
- Jeff Markham – Asked if the existing cell tower by the Equestrian Center and HAM station would ne coming down and if the existing tenants would move to the new cell location.
- Tom Clark – Stated the cell tower was not being placed in the correct area, it's double the height of any of the trees. Believes AT&T should be responsible for proposing alternate sites. Believes smaller towers should be placed throughout Marina.
- Mia Nguyen – Agrees the cell tower does not match its surroundings. Hopes the council will take into consideration the homeowners who purchased the surrounding homes. Stated phone cell technology will go to satellite so towers will no longer be needed.
- Denise Turley – Commented on the windmill style cell tower at the corner of Blanco and Davis Rd.

VISSCHER/MEDINA DIRKSEN: TO ADOPT RESOLUTION NO. 2023-96, APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF MARINA AND NEW CINGULAR WIRELESS PCS, LLC FOR CONSTRUCTION AND OPERATION OF A TELECOMMUNICATIONS FACILITY ON CITY-OWNED PROPERTY AT THE NORTHWEST CORNER OF CALIFORNIA AVENUE AND 3RD AVENUE WITH THE CORRECTIONS AS NOTED BY THE CITY ATTORNEY:

- a. **CITY IS NOT OBLIGATED TO IMPROVE A ROAD FOR ACCESS.**
- b. **MAINTENANCE OF LANDSCAPING REQUIREMENT DOESN'T EXTEND THROUGHOUT THE PROPERTY.**
- c. **ADDING THE NOTIFICATION REQUIREMENT FROM THE TENANT TO THE CITY OF ANY CLAIMS IT SHOULD BE A PROMPT NOTIFICATION.**
- d. **MORE CLARITY AROUND RESTORING THE PROPERTY TO THE ORIGINAL CONDITION.**
- e. **MAKING SURE THAT THERE ARE REMEDIES FOR FAILURE TO MAINTAIN THE FACILITIES.**

AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT ON BEHALF OF THE CITY, SUBJECT TO FINAL REVIEW AND APPROVAL BY CITY ATTORNEY. 3-0-2(Biala, Delgado)-0 Motion Passes

- b. Receive information from Team CivX on Facilities Bond Measure.

Public Comments:

- Mia Nguyen – Asked how many people responded to the survey and what part of the city they lived in? Noted fire safety was important now due to increase residency. Voters need to be well informed of what they are voting for.
- Jeff Markham – Stated there was lot of confusion about the specifics of exactly what's being proposed, specifically where the potential building would be constructed. Asked about the impact fees for the Marina Station project. Public education isn't going to be all that effective until a taxpayer knows exactly what's being proposed.
- Tommy Bolea – Commented on there being a lot of residents on fixed incomes and can't afford more taxes. Suggested purchasing the entire lot at 3056 Del Monte and using that for City Hall and Fire; and also suggested selling off more Fort Ord lands.
- Grace Silva-Santella – Found the presentation fascinating. Appreciated the conversation from council members stressing that this is not just about fire safety but important critical issues that we have here in Marina. Commented that to get the voters to pass a bond you need more details with the locations and schematics for the new buildings.

Council discussed: financial breakdown of housing fees received from property taxes and sales tax; past record inflation; contents of educational material to go to voters, possible location of new facilities, duration of bonds, educational material language and potential election dates.

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 9:40 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Cristina Medina Dirksen, Mayor Pro Tem