



MINUTES

Tuesday, October 17, 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,

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

2. PUBLIC COMMENTS ON CLOSED SESSION:

- Kim Keller – Commented on Closed Session Item 4a, Las Animas Concrete.

4. CLOSED SESSION:

- a. Property: Los Animas Concrete, 499 9th Street, Marina, CA
Negotiating Party: Paul J. Bruno
Negotiator(s): City Manager
Terms: Price and Terms
- b. Property: Desert Star Systems, 3261 Imjin Road, Portion of Building 518, Marina, CA
Negotiating Party: Marco Flagg
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 two items listed. Council gave direction and no reportable action was taken.

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

- a. Smoke Alarm Presentation

7. COUNCIL AND STAFF ANNOUNCEMENTS:

Council Member McCarthy – Attended the fire department open house this week. Attended the AMBAG meeting last week, interesting statistic on the regional growth forecast.

Mayor Pro Tem Medina Dirksen – Announced a Lead Me Home Summit will be taking place this Thursday to address homelessness. Commented on the new branding for See Monterey by the Monterey County Convention and Visitor Bureau.

Council Member Visscher – Commented on the welcome reception for Sister City Namwon, South Korea delegates arranged by Council Member Biala.

Council Member Biala – Announced Namwon was here from October 12-15, 2023. We had 2 sets of receptions and took them on a tour of Marina, did the Handcars and went to the Monterey Aquarium. Spoke about the student exchange program with Friendship Izunokuni, Japan first of 3 during the academic year and there were 6 Japanese students and 6 American students from Marina High.

Public Works Director Brian McMinn – Announced on Wednesday, October 28th starting at 3:00pm will be a public workshop on the downtown streetscape and landscaping onlong Del Monte Blvd. and Reservation Rd. making it more inviting to pedestrians, bicycles and business activities.

Assistant City Manager, Matt Mogensen – Provided a brief update on the Below Market Rate (BMR) Housing Lottery that took place on October 16, 2023, and the next steps for program.

Mayor Pro Tem Medina Dirksen announced a change to the consent agenda, item 10g(1) will not include the MOU's for the Police Officer's Association or the Unrepresented Confidential Employees.

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.*

- Kim Keller, Teamster 890 – Commented on Las Animas Concrete.
- Rubin Perez – Here to plead to keep Las Animas open. Expressed reasons why the concrete plant should remain open.
- Jeff Dee – Spoke about Las Animas Concrete being a “mom & pop” run by family members. Hoping something and be worked out and asked Council to reconsider closing this business.
- Fransisco Rodriguez – Monterey Bay Central Labor Council and here to support our fellow workers. Encouraged council and staff to continue to work with Las Animas.
- Anthony Cicados – Here is support of Las Animas Concrete indicated closing them will have a domino effect on local families. Asked to keep the facility open.
- Michelle Bacon – Commented on a situation that took place at the Marina Equestrian Center related to the condition of the horses.
- Chandler Roland – Commented on the MST Surf Line Project and asked Council to reject the project.

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 103264-103345, totaling \$982,974.59.

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

(1) October 3, 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: None
- g. APPROVAL OF AGREEMENTS:
 - (1) Adopting **Resolution No. 2023-100**, adopting an MOU between the City and the Utility Workers Union of America (UWUA), the Mid-Management Employees Association (MMEA), Marina Police Officers' Association (MPOA), Unrepresented and Confidential employees. *CEQA: Not a Project per CEQA Guidelines Section 15378.*
- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS:
 - (1) Adopting **Resolution No. 2023-101**, accepting the completion of the Gloria Jean-Tate Park Site Improvements and Pump Track Project. *(not a project as defined by the California Environmental Quality Act (CEQA)).*
 - (2) Adopting **Resolution No. 2023-102**, accepting the completion of the California Avenue Pedestrian Crossing Installation Project. *(not a project as defined by the California Environmental Quality Act (CEQA)).*
- 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 adopting **Ordinance No. 2023-12**, amending the Marina Municipal Code Section 17.48.130, Affordable Housing Overlay, to be consistent with recent legal precedent. CEQA: Mitigated Negative Declaration adopted 2/7/2023; No further environmental review required per CEQA Guidelines Section 15162
 - (2) Read by Title Only and adopting **Ordinance No. 2023-13**, adding Chapter 15.60 regarding a Moratorium on cutting reconstructed or slurry sealed streets in in the City of Marina. *(Not a Project under CEQA per Article 20, Section 15378)*
- m. APPROVE APPOINTMENTS: None

BIALA/MCCARTHY: TO APPROVE THE CONSENT AGENDA WITH MODIFICATIONS TO 10g(1) OMITTING THE MOU'S FOR THE POLICE OFFICERS ASSOCIATION AND THE UNREPRESENTATIVE-CONFIDENTIAL EMPLOYEES. 4-0-1(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. Open a public hearing and consider introducing and reading by title only and waiving further reading of Ordinance 2023-, adopting a new Chapter 17.68 to the Marina Municipal Code (MMC) pertaining to Temporary Use Permits. *The proposed amendments are exempt from CEQA per Sections 15304(e) and 155378(b)(5).*

Mayor Pro Tem Medina Dirksen opened the public hearing for comments: None received.

BIALA/VISSCHER: TO INTRODUCE AND READING BY TITLE ONLY, WAIVING FURTHER READING OF ORDINANCE 2023-, ADOPTING A NEW CHAPTER 17.68 TO THE MARINA MUNICIPAL CODE (MMC) PERTAINING TO TEMPORARY USE PERMITS. 4-0-1(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. 2023-103**, receiving Marina Police Department's 2023 Annual Military Equipment Report. CEQA: *Not a Project per CEQA Guidelines Section 15378*

Public Comments: None received.

MCCARTHY/BIALA: TO ADOPT RESOLUTION NO. 2023-, RECEIVING MARINA POLICE DEPARTMENT'S 2023 ANNUAL MILITARY EQUIPMENT REPORT. 4-0-1(Delgado)-0 Motion passes.

- b. Adopting **Resolution No. 2023-104**, approving Amendment No. 7 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 Program. CEQA: *Not a Project per CEQA Guidelines Section 15378*

VISSCHER/MCCARTHY: TO ADOPT RESOLUTION NO. 2023-104, APPROVING AMENDMENT NO. 7 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 PROGRAM; AND FOR STAFF TO WORK WITH SAVE THE WHALES ON THEIR PUBLIC OUTREACH BEFORE DISSEMINATION FOR FINAL COMMENTS AND SUGGESTIONS; AND THAT THE WATER QUALITY RESULTS OF THE VERNAL POND STUDY EITHER COME BACK TO US EITHER IN WRITTEN FORMAT OR IF STAFF WOULD LIKE TO PROVIDE SOME INTERPRETATION WITHIN THE NEXT COUPLE MONTHS. 4-0-1(Delgado)-0 Motion Passes

- c. City Manager update on Consolidated Project List and other City projects. CEQA: *Not a Project per CEQA Guidelines Section 15378*

City Manager Long provided a verbal update on the top 30 of the city's Consolidated Project List.

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 9:50 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Cristina Medina Dirksen
Mayor Pro Tem