



MINUTES

Wednesday, January 17, 2024

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: Brian McCarthy, Kathy Biala, Cristina Medina Dirksen, Mayor Pro-Tem/Vice Chair Liesbeth Visscher

MEMBERS ABSENT: Mayor/Chair Bruce C. Delgado (Excused)
3. PUBLIC COMMENT ON CLOSED SESSION ITEMS: None
4. CLOSED SESSION: **None**

5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
6. SPECIAL PRESENTATIONS:
 - a. Introduction of Juan Perez, Jr., Maintenance Superintendent.
7. COUNCIL AND STAFF ANNOUNCEMENTS:
 - Council Member McCarthy – Announced the following: January 19, 2024, Community Human Services will have a Pilot Shelter presentation from 10:00am-4:00pm; on January 18th Washington, DC is holding a menthol funeral.
 - Council Member Medina Dirksen – Announced on January 29, 2024, from 6:30 pm to 9:00 pm at the Rocky Han Community Center. Also announced she is resigning from the City Council effective January 28, 2024.
 - City Manager Long – Commented on Council Member Medina Dirksen’s resignation and provided a brief explanation on the process of filling a council seat vacancy.
 - Assistant City Manager Mogensen – Provided an update on the Below Market Rate (BMR) Program and the Terracina Apartments.
 - Recreation Director Willer – Announced current recreation activities.
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 – Commented on the MST Surf Line Project and that California Coastal Commission might grant approval of the project.
 - Wendy Root-Askew, County Supervisor Dist. 4 – Provided the Council and public with an update on what she has been doing during her term in office.
 - Jenny McAdams – Thanked Council Member Medina Dirksen for everything she has done while serving the citizens of Marina.
 - John Panoli, MPC Vice President of Academic Affairs – Invited Council and the public to two public workshops on Shape MPC’s Future. Topic 1: Mission, Vision, Values - to be held Feb 2nd, Feb 6th and Feb 7th Topic 2: Marina Education Center Planning – to be held on Feb 21st, Feb 23rd and Feb 27th. for more information: www.mpc.edu/shapeMPC
 - Alex Miller – Thanked Council Member Medina Dirksen for everything she has done while serving the citizens of Marina.
 - Jeff Uchida – Thanked Council Member Medina Dirksen for everything she has done while serving the citizens of Marina.
 - Doug Yount – Thanked Council Member Medina Dirksen for service and continued support for the community.
 - Nancy Fortman – Commented on the clock used for timing public comments, asked if it could be smaller.

- David Kong – Thanked Council Member Medina Dirksen for her time on the Council and wished her luck in her future endeavors.

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 103737-103893, totaling \$1,024,551.64.
Accounts Payable Successor Agency Check Number 119, totaling \$2,881.25.

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

- (1) December 19, 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: *(Not a Project under CEQA per Article 20, Section 15378)*

- (1) Adopting **Resolution No. 2024-01**, authorizing the City Manager to execute an amendment to the benefits and salary schedule for Police Officer Trainee, and authorizing adjustments to the City's Salary Schedule and Compensation Plan. *(This item is exempt from environmental review per §15378 of the CEQA guidelines).*
- (2) Adopting **Resolution No. 2024-02**, receiving and accepting donations from the Sea Haven Fund of the Community Foundation for Monterey County. *(This item is exempt from environmental review per §15378 of the CEQA guidelines)*

g. APPROVAL OF AGREEMENTS: *(Not a Project under CEQA per Article 20, Section 15378)*

- (1) ~~Adopting Resolution No. 2024, approving an agreement with Taygeta Scientific, Inc. for consulting services in connection with cyber security services. *(This item is exempt from environmental review per §15378 of the CEQA guidelines).*~~ **Pulled by Council Member Biala, becomes Agenda Item 13f**
- (2) ~~Adopting Resolution No. 2024, approving a renewed agreement with TechRx for Information Technology consulting services. *(This item is exempt from environmental review per §15378 of the CEQA guidelines).*~~ **Pulled by Council Member Biala, becomes Agenda Item 13g**

- 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 adopting **Ordinance No. 2024-01**, amending the Marina Municipal Code, Section 2.04.010 regarding the City Council meeting time. *(This item is exempt from environmental review per §15378 of the CEQA guidelines).*

- m. APPROVE APPOINTMENTS: None

Council Member Biala requested to pull agenda items 10g(1) and 10g(2).

MCCARTHY/BIALA: TO APPROVE THE CONSENT AGENDA MINUS 10g(1) AND 10g(2). 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. Receive a presentation on the City's Coastal Hazards and Sea Level Rise (Hazards) Local Coastal Program (LCP) amendment, receive any comments from the public, adopt Council Resolution No. 2024-, affirming conformance with the Coastal Act, and direct the City Manager to submit the amendment to the Coastal Commission for certification. ***To be continued to a date uncertain.***
- 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. 2024-03**, receiving the \$1,000,000 disbursement from the State of California Department of Aging through the office of Senator Laird for the Marina Senior Center; *(This item is exempt from environmental review per §15378 of the CEQA guidelines)*

Public Comment: None received.

BIALA/MCCARTHY: TO ADOPT RESOLUTION NO. 2024-03, RECEIVING THE \$1,000,000 DISBURSEMENT FROM THE STATE OF CALIFORNIA DEPARTMENT OF AGING THROUGH THE OFFICE OF SENATOR LAIRD FOR THE MARINA SENIOR CENTER. 4-0-1(Delgado)-0 Motion Passes

- b. Update from California State University Monterey Bay (CSUMB) President Dr. Vania Quiñones on CSUMB activities and programs. ***Item Postponed***

- c. Adopting **Resolution No. 2024-04**, approving a Resolution of Support for the Lead Me Home 5-Year Plan Update by The Coalition of Homeless Service Providers. *(This item is exempt from environmental review per §15378 of the CEQA guidelines)*

Public Comments: None received.

BIALA/MEDINA DIRKSEN: TO ADOPT RESOLUTION NO. 2024-04, APPROVING A RESOLUTION OF SUPPORT FOR THE LEAD ME HOME 5-YEAR PLAN UPDATE BY THE COALITION OF HOMELESS SERVICE PROVIDERS. 4-0-1(Delgado)-0 Motion Passes

- d. Adopting **Resolution No. 2024-05**, authorizing execution of Employee Contract Amendment No. 2 with Layne Long, City Manager. *(This item is exempt from environmental review per §15378 of the CEQA guidelines)*

Public Comments: None received.

BIALA/MCCARTHY: TO ADOPT RESOLUTION NO. 2024-05, AUTHORIZING EXECUTION OF EMPLOYEE CONTRACT AMENDMENT NO. 2 WITH LAYNE LONG, CITY MANAGER. 4-0-1(Delgado)-0 Motion Passes

- e. City Council to consider options regarding “Public Comment” section of the agenda.

City Council discussed moving Public Comments and agreed to table this item until a full council was present to make a formal decision.

- f. Adopting **Resolution No. 2024-06**, approving an agreement with Taygeta Scientific, Inc. for consulting services in connection with cyber security services. *(This item is exempt from environmental review per §15378 of the CEQA guidelines).* ***Pulled by Council Member Biala, was Agenda Item 10g(1)***

Council Member Biala asked about expanding the Non-Discrimination Clause in the agreement to be more substantial.

Public Comments: None received.

BIALA/MEDINA DIRKSEN: TO ADOPT RESOLUTION NO. 2024-06, APPROVING AN AGREEMENT WITH TAYGETA SCIENTIFIC, INC. FOR CONSULTING SERVICES IN CONNECTION WITH CYBER SECURITY SERVICES; WITH THE CONDITION OF THE NON-DISCRIMINATION CLAUSE TO INCLUDE THE FOLLOWING:

(A) DURING THE PERFORMANCE OF THIS AGREEMENT THE CONTRACTOR SHALL COMPLY WITH THE APPLICABLE NONDISCRIMINATION AND AFFIRMATIVE ACTION PROVISIONS OF THE LAWS OF THE UNITED STATES OF AMERICA, THE STATE OF CALIFORNIA AND THE CITY. IN PERFORMING THIS AGREEMENT, CONTRACTOR SHALL NOT DISCRIMINATE, HARASS, OR ALLOW HARASSMENT, AGAINST ANY EMPLOYEE OR APPLICANT FOR EMPLOYMENT BECAUSE OF SEX, RACE, COLOR, ANCESTRY, RELIGIOUS CREED, NATIONAL ORIGIN, PHYSICAL DISABILITY (INCLUDING HIV AND AIDS), MEDICAL CONDITION (INCLUDING CANCER), AGE, MARITAL STATUS, DENIAL OF FAMILY AND MEDICAL CARE LEAVE AND DENIAL

OF PREGNANCY DISABILITY LEAVE. CONTRACTOR SHALL GIVE WRITTEN NOTICE OF ITS OBLIGATIONS UNDER THIS CLAUSE TO LABOR ORGANIZATIONS WITH WHICH IT HAS A COLLECTIVE BARGAINING OR OTHER AGREEMENT; AND

(B) CONTRACTOR SHALL INCLUDE THE NONDISCRIMINATION AND COMPLIANCE PROVISIONS OF THIS SECTION IN ALL SUBCONTRACTS.

AND UNDER CONFLICTS OF INTEREST, TO PUT IN SHALL NOT ACQUIRE ANY INTEREST DIRECTLY OR INDIRECTLY; AND CORRECT PRONOUNS THROUGHOUT THE DOCUMENT.

4-0-1(Delgado)-0 Motion Passes

- g. Adopting **Resolution No. 2024-07**, approving a renewed agreement with TechRx for Information Technology consulting services. *(This item is exempt from environmental review per §15378 of the CEQA guidelines).* ***Pulled by Council Member Biala, was Agenda Item 10g(2)***

Public Comments: None received.

BIALA/MEDINA DIRKSEN: TO ADOPT RESOLUTION NO. 2024-07, APPROVING A RENEWED AGREEMENT WITH TECHRX FOR INFORMATION TECHNOLOGY CONSULTING SERVICES; WITH THE CONDITION OF THE NON-DISCRIMINATION CLAUSE TO INCLUDE THE FOLLOWING:

(A) DURING THE PERFORMANCE OF THIS AGREEMENT THE CONTRACTOR SHALL COMPLY WITH THE APPLICABLE NONDISCRIMINATION AND AFFIRMATIVE ACTION PROVISIONS OF THE LAWS OF THE UNITED STATES OF AMERICA, THE STATE OF CALIFORNIA AND THE CITY. IN PERFORMING THIS AGREEMENT, CONTRACTOR SHALL NOT DISCRIMINATE, HARASS, OR ALLOW HARASSMENT, AGAINST ANY EMPLOYEE OR APPLICANT FOR EMPLOYMENT BECAUSE OF SEX, RACE, COLOR, ANCESTRY, RELIGIOUS CREED, NATIONAL ORIGIN, PHYSICAL DISABILITY (INCLUDING HIV AND AIDS), MEDICAL CONDITION (INCLUDING CANCER), AGE, MARITAL STATUS, DENIAL OF FAMILY AND MEDICAL CARE LEAVE AND DENIAL OF PREGNANCY DISABILITY LEAVE. CONTRACTOR SHALL GIVE WRITTEN NOTICE OF ITS OBLIGATIONS UNDER THIS CLAUSE TO LABOR ORGANIZATIONS WITH WHICH IT HAS A COLLECTIVE BARGAINING OR OTHER AGREEMENT; AND

(B) CONTRACTOR SHALL INCLUDE THE NONDISCRIMINATION AND COMPLIANCE PROVISIONS OF THIS SECTION IN ALL SUBCONTRACTS.

AND UNDER CONFLICTS OF INTEREST, TO PUT IN SHALL NOT ACQUIRE ANY INTEREST DIRECTLY OR INDIRECTLY; AND TO CORRECT PRONOUNS THROUGHOUT THE DOCUMENT.

4-0-1(Delgado)-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).

Council Member McCarthy provided updates on AMBAG and the League of California Cities Policy Committee.

- 15. ADJOURNMENT: The meeting adjourned at 8:59 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Liesbeth Visscher, Mayor Pro Tem