



MINUTES

Wednesday, February 21, 2024

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: Brian McCarthy (Remote), Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado
3. PUBLIC COMMENT ON CLOSED SESSION ITEMS: None received

4. CLOSED SESSION:

- a. Conference with Legal Counsel, Existing Litigation (§ 54956.9(d)) 3 cases:
 - (1) *City of Marina, et al. vs. Nemeth, Karla, et al.*, Monterey County Superior Court Case No. 19CV005270.
 - (2) *California-American Water Company v. All Persons Interested in the Validity of the City of Marina et al.*, Monterey County Superior Court Case No. 20CV002436.
 - (3) *City of Marina, et al. v. All Persons Interested in the Validity of the Monterey County Groundwater Sustainability Plan*, Monterey County Superior Court Case No. 21CV000493.
- b. Conference with Legal Counsel: Anticipated Litigation, (Government Code Section 54956.9(d)(4)) Number of Cases: 2
- c. Performance Evaluation of Public Employee, Unrepresented Employee (CA Govt. Code Section 54957(b)(1) – City Manager

6:30 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

City Attorney Ortega reports out Closed Session: With respect to item A in closed session, directions were provided, and action was taken. With respect to item B, direction was provided that litigation should be initiated. And with respect to item C. No action was taken.

Council Member McCarthy requested to participate in the Council meeting under AB2449, due to family emergency.

DELGADO/BIALA: TO APPROVE THE REMOTE ATTENDANCE FOR COUNCIL MEMBER MCCARTHY. 3-0-0-0. Motion Passes

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

6. SPECIAL PRESENTATIONS:

- a. Proclamations
 - i. Black History Month
 - ii. Brian McMinn
- b. Certificate of Appreciation
 - i. Steve Russo
 - ii. Richard Cox
- c. Introduction of Fire Division Chiefs
 - i. Mark Sweeney
 - ii. Anthony Goncalves
- d. Introduction of new Firefighters
 - i. Kevin Seaver
 - ii. Ivo Jimenez
 - iii. Chris Bell

7. COUNCIL AND STAFF ANNOUNCEMENTS:

- Mayor Pro Tem Visscher – Announced on February 25, 2024, MST will have a booth at the Marina farmers market from 10:00am-2:00pm.
- Mayor Delgado – Announced on March 2nd from 10:00am-2:00pm planting event at Hilltop Park on the Dunes. April 13th is the 18th Annual Earthy Day at Locke Paddon Park from 9:00am-1:00pm.
- Recreation Director Willer – Announced two new programs. March 15th will be the 2nd Kids Night Out at the Community Center from 6:00-9:00pm, kids will enjoy a night full of games, food and will build a Leprechaun Trap! Spring Break Camp will be March 18th - 29th, 2024 from 8:00 am to 6:00 pm, Monday to Friday. Drop off will be at the Marina Teen Center starting at 8:00 am and pick up at the Marina Youth Center) no later than 6:00 pm.
- City Manager Long – Announced a Special City Council meeting on Wednesday, February 28, 2024, at 7:00pm the council will be interviewing applicants to fill the vacant council position.

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.*

- Nancy Amadeo – Announced that Marina In Motion would like to present a check in the amount of \$9,058 to be used for agenda item 10f(5), to cover the cost of a bronze Dolphin going into the first roundabout on Imjin.
- Grace Sivla-Santella – Commented on Brian McMinn's retirement and missing to working that's going to take place on the medians and the library irrigation system. Expressed appreciation to Steve Russo for the year he spent as interim police chief.

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 104004-104076, totaling \$649,915.25.
Accounts Payable Successor Agency Check Number: 120, totaling \$79.27.

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

- (1) February 6, 2024, 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. 2024-14**, ordering the City Engineer to prepare and to file a report related to maintenance of the Cypress Cove II Landscape Maintenance Assessment District for Fiscal Year 2024-2025.
(This item is exempt from environmental review per §15378 of the CEQA guidelines)
- (2) Adopting **Resolution No. 2024-15**, ordering the City Engineer to prepare and to file a report related to maintenance of the Seabreeze Landscape Maintenance Assessment District for Fiscal Year 2024-2025.
(This item is exempt from environmental review per §15378 of the CEQA guidelines)
- (3) Adopting **Resolution No. 2024-16**, ordering the City Engineer to prepare and to file a report related to maintenance of the Monterey Bay Estates Lighting and Landscape Maintenance Assessment District for Fiscal Year 2024-2025. *(This item is exempt from environmental review per §15378 of the CEQA guidelines)*
- (4) Adopting **Resolution No. 2024-17**, accepting \$30,000.00 grant from the National Fitness Campaign; and appropriating the funding to the Dunes City Park budget; and allocating an additional \$240,000 from the Dunes City Park Development Budget. *(This item is exempt from environmental review per §15378 of the CEQA guidelines)*
- (5) Adopting **Resolution No. 2024-18**, accepting \$9,058 in cash donation from Marina in Motion for the completion and placement of a dolphin sculpture in honor of Mike and Candy Owen with any remaining funds to be used in future public art projects. *(This item is exempt from environmental review per §15378 of the CEQA guidelines)*

g. APPROVAL OF AGREEMENTS:

- (1) Adopting **Resolution No. 2024-19**, approving the creation of a utility easement on City property (City Corporation Yard, 2660 5th Avenue).
(This item is exempt from environmental review per §15378 of the CEQA guidelines)

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): None

m. APPROVE APPOINTMENTS:

- (1) Appointing to Planning Commission: Jenny McAdams, Audra Walton, and Galia Baron. 3-seats expiring February 2026 *(This item is exempt from environmental review per §15378 of the CEQA guidelines)*

BIALA/VISSCHER: TO ACCEPT THE, THE CONSENT AGENDA WITH THE EXCEPTION OF ADDING TO THE RESOLUTION ON 10f(5) “FUTURE OR EXISTING PUBLIC ART PROJECTS”. 4-0-0-0 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.*
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 a presentation from the City’s General Plan Update (GP2045) consultant, Raimi+Associates, on progress made to date, review and confirm the Vision and Guiding Principles for the GP2045 update created by the GPAC with feedback from the general public, staff, and the Planning Commission and provide comments on these items. *(This item is exempt from environmental review per §15378 of the CEQA guidelines).*

The council received the presentation and discussed annexation of East Garrison and CSUMB East Campus property, sustainability, climate change, diversity. Discussed the language in the draft vision and guiding principles.

Public Comments:

- Cristina Medina Dirksen – Asked about diversity inclusion, Beach Road zoning and airport runway expansion.

DELGADO/BIALA: THAT HAVING RECEIVED THIS REPORT TONIGHT THAT WE WOULD LIKE TO APPOINT COUNCILMEMBER BIALA AND MAYOR DELGADO TO A SUBCOMMITTEE TO REVIEW AND COME BACK TO COUNCIL AND STAFF WITH THEIR UPDATED/REVISED VISION STATEMENT AND REVISED GUIDING PRINCIPLES WITHIN 3 WEEKS OF TODAY OR BY MARCH 13TH. 3-0-1(McCarthy)-0 Motion Passes.

- b. Receive presentation update on Consolidated Project List and other City projects. CEQA: *Not a Project per CEQA Guidelines Section 15378)*

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).

Mayor Pro Tem Visscher attended TAMC Bicycle Pedestrian Advisory Committee meeting and noted that she would miss three of their meetings this year and asked about appointing an alternate. Commented on the 15-minute parking restriction at the MST Transit area and asked what can be done to fix this so people can park and ride.

15. ADJOURNMENT: The meeting adjourned at 10:47 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor