



MINUTES

Tuesday, May 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: Jennifer McAdams, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher

MEMBERS ABSENT: Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS: None

4. CLOSED SESSION:**a. Real Property Negotiation (Govt. Code Section 54956.8)****i. Property: Tarmac Area, 3200 Imjin Road, Marina, CA**

Negotiating Party: Joby Aero Inc

Negotiator(s): City Manager

Terms: Price and Terms

ii. Property: Commercial Property at Southwest corner of Del Monte Blvd and Palm Ave. (APN: 031-303-038 a portion)

Negotiating Party: Dave Howell

Negotiator(s): City Manager

Terms: Price and Terms

iii. Property: 306 Reservation Road, Unit 6, Marina, CA 93933 (APN 032-173-006-000)
Negotiating Party: Christian Haun (Realtor)/John Lawson (owner of the property)

Negotiator(s): City Manager

Terms: Price and Terms

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

City Attorney reported out Closed Session: With regard to item 4a(iii), 306 Reservation Road, Unit 6 the City Council exercised the “option to purchase” and no other reportable action was taken.

5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)**6. SPECIAL PRESENTATIONS:****a. County Housing Element Opportunity Sites Presentation.****7. COUNCIL AND STAFF ANNOUNCEMENTS:**

- Council Member McAdams – Commented on school graduations taking place and spoke about the history of Memorial Day.
- Recreation Director Willer – Announced Multicultural Festival on June 1, 2024, at Vince Di Maggio Park from 11:00am-3:00pm. Announced May 31, 2024, last day of school and summer camp signups.
- Council Member McCarthy – Announced Marina’s 3rd annual Pride Flag raising ceremony on June 1st at 10:30am at the corner of Del Monte Blvd. and Reservation Rd. at the main flagpole.
- Council Member Biala – Announced Sister City Program delegates from Marina returned from Namwon South Korea and noted there will be a slide presentation at the June 4th council meeting of what we learned while there.

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.*

- Cristina Medina Dirksen – Commented on Chaparral Country Corporation.
- Christopher Wilmot – Asked about a memorial bench at the beach in honor of his father.
- Denise Turley – Commented on Imjin Widening project and no issues so far.
- Michelle B – Commented on Chaparral Country Corporation.

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 104495-104559, totaling \$1,245,577.99.
Accounts Payable Successor Agency Check Number 124, totaling \$3,000.00.

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

- (1) May 7, 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:** None

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

- (1) Adopting **Resolution No. 2024-47**, authorizing the City Manager, or his designee to enter into a standard voluntary agreement with the California Department of Toxic Substance Control and pay associated fees and approving advertising and call for bids for the city of marina buildings blight removal 2024 project.

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):**

m. **APPROVE APPOINTMENTS:** None

Mayor Pro Tem Visscher requested to vote on agenda item 10b(1) separately since she was not present during that meeting.

MCCARTHY/BIALA: TO APPROVE THE CONSENT AGENDA MINUS 10b(1). 4-0-1(Delgado)-0 Motion Passes

MCCARTHY/BIALA: TO APPROVE AGENDA ITEM 10b(1). 3-0-1(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. Council open a public hearing and consider adopting **Resolution No. 2024-48**, confirming diagram, assessment and ordering levy of \$180.78 for FY 2024-25 assessment for Cypress Cove II Landscape Maintenance Assessment District; and authorize City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2024. *(Not a Project under CEQA per Article 20, Section 15378)*

Mayor Opened public hearing for comments: None received.

MCADAMS/MCCARTHY: TO ADOPT RESOLUTION NO. 2024-48, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$180.78 FOR FY 2024-25 ASSESSMENT FOR CYPRESS COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; AND AUTHORIZE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO AUGUST 1, 2024. 4-0-1(Delgado)-0 Motion Passes.

- b. Council open a public hearing and consider adopting **Resolution No. 2024-49**, Confirming diagram, assessment and ordering levy of \$182.42 for FY 2024-25 assessment for Seabreeze Landscape Maintenance Assessment District; and authorize the City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2024. *(Not a Project under CEQA per Article 20, Section 15378)*

Mayor Opened public hearing for comments: None received.

MCCARTHY/BIALA: TO ADOPT RESOLUTION NO. 2024-49, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$182.42 FOR FY 2024-25 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; AND AUTHORIZE THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO AUGUST 1, 2024. 4-0-1(Delgado)-0 Motion Passes

- c. Council open a public hearing and consider adopting **Resolution No. 2024-50**, Confirming diagram, assessment and ordering levy of \$77.14 for FY 2024-25 assessment for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District; and authorize the City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2024. *(Not a Project under CEQA per Article 20, Section 15378)*

Mayor Opened public hearing for comments: None received.

BIALA/MCCARTHY: TO ADOPT RESOLUTION NO. 2024-50, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$77.14 FOR FY 2024-25 ASSESSMENT FOR MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; AND AUTHORIZE THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO AUGUST 1, 2024. 4-0-1(Delgado)-0 Motion Passes

- d. City Council to consider an Appeal of the Planning Commission's April 11, 2024, approval of Coastal Development Permit (CDP 23-0004) for the Monterey-Salinas Transit (MST) SURF! Busway and Rapid Transit (BRT) project. The Appeal is limited to the 0.37-acre portion of the TAMC right-of-way located in the City's Coastal permitting jurisdiction. The project is statutorily exempt from CEQA under SB 922, PRC § 21080.25(b). *Item continued to June 4, 2024.*

Mayor Opened public hearing for comments:

The following people spoke in support of the MST Project:

Kevin Date, Todd Muck, Michael Hernandez, Christopher Wilmot, Nickolas Crecker, Maryann Leffel, Wendy Root Askew, Mike LeBarre, Tonja Roos.

The following people spoke in opposition of the MST Project:

Howard Gustafson, Unknown person, Margaret Davis, Tommy Bolea

BIALA/MCCARTHY: TO TABLE/CONTINUED THIS ITEM AND DISCUSS IN CLOSED SESSION AND OPEN SESSION WITHIN THE 60-DAY TIMEFRAME. 4-0-1(Delgado)-0 Motion Passes

- e. City Council open public hearing and consider introduction of **Ordinance No. 2024-06**, modifying Title 17 (Zoning Ordinance) to implement Program 7.1 of the Housing Element. This action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA Guidelines.

Mayor Opened public hearing for comments: None received.

BIALA/MCADAMS: TO APPROVE THE INTRODUCTION OF ORDINANCE NO. 2024-06, MODIFYING TITLE 17 (ZONING ORDINANCE) TO IMPLEMENT PROGRAM 7.1 OF THE HOUSING ELEMENT. THIS ACTION IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES. 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. 2024-51**, amending the rate adjustment calculation of the franchise agreement with Green Waste Recovery utilizing a sector specific uniform percentage adjustment and approving maximum rates to be charged by Green Waste Recovery effective July 1, 2024, for collection of franchised solid waste, recycling, and organics. *(Not a Project under CEQA per Article 20, Section 15378)*

Public Comments: None received.

MCADAMS/BIALA: TO ADOPT RESOLUTION NO. 2024-51, AMENDING THE RATE ADJUSTMENT CALCULATION OF THE FRANCHISE AGREEMENT WITH GREEN WASTE RECOVERY UTILIZING A SECTOR SPECIFIC UNIFORM PERCENTAGE ADJUSTMENT AND APPROVING MAXIMUM RATES TO BE CHARGED BY GREEN WASTE RECOVERY EFFECTIVE JULY 1, 2024, FOR COLLECTION OF FRANCHISED SOLID WASTE, RECYCLING, AND ORGANICS. 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).

15. ADJOURNMENT: The meeting adjourned at 9:42 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Liesbeth Visscher, Mayor Pro Tem