



MINUTES

Tuesday, July 2, 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**

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: Jenny McAdams, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado
3. PUBLIC COMMENT ON CLOSED SESSION ITEMS:
4. CLOSED SESSION: None
5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

6. **SPECIAL PRESENTATIONS:**

- a. **Introduction of New Employees**
 - i. Timothy Collins, Recreation Specialist
 - ii. Tori Hannah, Finance Director
- b. **Proclamations**
 - i. Supporting the Rights of Children
 - ii. Parks and Rec Month
- c. **Presentations**
 - i. Police Firework Enforcement Presentation
 - ii. 3CE Annual Presentation

7. **COUNCIL AND STAFF ANNOUNCEMENTS:**

- Councilmember Biala – Announced the Izumokuni delegation from Japan will be in Marina from July 16-19, 2024. There will be a reception on July 16, 2024, at 5:00pm and then a special city council meeting at 5:30pm where introductions will be made a video will be shared.
- Councilmember McAdams – Attended the Police Department swearing and promotion ceremony on June 28, 2024.
- Mayor Pro Tem Visscher – Announced MST has their youth summer bus passes available for ages 18yrs and under for \$38.00.
- Mayor Delgado – Announced on July 20th from 9:00am-1:00pm Blue Zones project, Monterey County is going to be helping Citizens for Sustainable Marina plant a lot of plants in the library parking lot in one of the parking lot islands. Thanked the Community Development staff for helping in the field trip to Hilltop Park.

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.*

- Grace Silva-Santella – Announced on July 13, 2024, at 2:30 p.m. at the Marina Library the Friends of the Marine Library, Marina Tree and Garden Club, and the Monterey Audubon Society will be showing a documentary called All that Breeze.
- John Sanders – Made comments about the June 18th council meeting where the city manager mentioned the purchase of a ladder truck. Asked what was the cost of the ladder truck and when will it be delivered and where will it be housed?
- Denise Turley – Commented on the non-emergency dispatch number that has now gone to AI and the need to be on a cell phone to send a text to them. Noted if you're not able to answer their question in 3-4 seconds the phone call drops.

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 104692-104790, totaling \$857,991.54.
 - b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) June 18, 2024, Regular City Council Meeting
 - (2) June 24, 2024, Special City Council Meeting
 - c. CLAIMS AGAINST THE CITY: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) Staff recommends that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Comcast (Project Resources Group) for a claim received on March 1, 2024.
 - 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. 2024-75**, confirming levy of a special tax for the City of Marina Community Facilities District No. 2007-2 (Locke Paddon) for Fiscal Year 2024-2025 as authorized by Ordinance No. 2007-09; and consider adopting **Resolution No. 2024-76**, certifying City of Marina compliance with State law (Proposition 218) with respect to levying of special taxes for the City of Marina Community Facilities District No. 2007-2 for Fiscal Year 2024-2025 as authorized by Ordinance No. 2007-09. *(Not a Project under CEQA per Article 20, Section 15378)*
 - (2) Adopting **Resolution No. 2024-77**, confirming levy of the special tax for the City of Marina Community Facilities District No. 2015-1 (The Dunes) for Fiscal Year 2024-25 as authorized by Ordinance No. 2015-03; and adopting **Resolution No. 2024-78**, certifying City of Marina compliance with State law (Proposition 218) with respect to a special tax for the City of Marina Community Facilities District No. 2015-1 as authorized by Ordinance No. 2015-03 for Fiscal Year 2024-25. *(Not a Project under CEQA per Article 20, Section 15378)*

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

- (1) Adopting **Resolution No. 2024-79**, approving a lease between the City of Marina, and Bay Area Environmental Research Institute (BAERI) for a portion of the property located at 3262 Imjin Road (Building 515) six weeks at the Marina Municipal Airport. *(Not a Project under CEQA per Article 20, Section 15378)*
- (2) Adopting **Resolution No. 2024-80**, approving a Reimbursement Agreement regarding the Community Facilities District No. 2024-1 (“The Dunes West Side Services CFD”). *(Not a Project under CEQA per Article 20, Section 15378)*
- (3) Adopting **Resolution No. 2024-81**, approving Amendment No. 2 to the Agreement between City of Marina and New Image Landscape Company of Fremont, California, to extend the amended contract for two years and increase the compensation payable to the Contractor by \$31,344.00 annually. *(Not a Project under CEQA per Article 20, Section 15378)*
- (4) Adopting **Resolution No. 2024-82**, approving a network distribution equipment site joint use and access agreement with The Internet Store, Inc., a California corporation, d/b/a Cruzio for the joint use and lease of a City properties to establish a wireless broadband internet network for Marina residents and businesses. *(Not a Project under CEQA per Article 20, Section 15378)*
- (5) Adopting **Resolution No. 2024-83**, authorizing the City Manager to enter into a purchase and sale agreement to acquire the property located at 306 Reservation Road, City of Marina, APN 032-173-006-000 (the “Property”) for a purchase price not to exceed \$294,549, subject to any deductions due to deferred maintenance and other transaction costs; and consent to the sale and transfer of the Property to the City of Marina and to issue a Certificate of Acceptance as set forth in California Government Code Section 27281, evidencing such consent. *(Not a Project under CEQA per Article 20, Section 15378)*

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: Nonei. MAPS: Nonej. REPORTS: (RECEIVE AND FILE):

- (1) Adopting **Resolution No. 2024-84**, receive and file the City’s Annual Audit for the period ending June 30, 2023; and receive and file the City’s Annual Single Audit Report for the period ending June 30, 2023; and receive and file the City of Marina Auditor Governance Letter (SAS 114) and Management Letter (SAS 115) for the fiscal year ending June 30, 2023. *(Not a Project under CEQA per Article 20, Section 15378)*

k. FUNDING & BUDGET MATTERS: Nonel. APPROVE ORDINANCES (WAIVE SECOND READING): Nonem. APPROVE APPOINTMENTS: None

Mayor Pro Tem Visscher recused herself from voting on agenda items 10f(2) and 10g(2) due to conflicts of interest.

Councilmember McAdams commented on agenda items 10g(3) and 10j(1)

Councilmember Biala commented on agenda item 10j(1)

Mayor Delgado commented on agenda item 10g(2)

DELGADO/BIALA: TO APPROVE THE CONSENT AGENDA MINUS 10f(2) AND 10g(2). 5-0-0-0 Motion Passes

MCADAMS/MCCARTHY: TO APPROVE AGENDA ITEMS 10f(2) AND 10g(2). 4-0-0-0 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 to open a public hearing and consider adopting **Ordinance No. 2024-07**, amending the Marina Municipal Code Title 2 (Administration and Personnel) to update terminology in the Code for inclusivity: replacing "councilman" with "councilmember"; and find that the action is not a project under CEQA.

Mayor opened the public hearing for comments: None received.

BIALA/MCADAMS: TO INTRODUCE ORDINANCE NO. 2024-07, AMENDING THE MARINA MUNICIPAL CODE TITLE 2 (ADMINISTRATION AND PERSONNEL) TO UPDATE TERMINOLOGY IN THE CODE FOR INCLUSIVITY: REPLACING "COUNCILMAN" WITH "COUNCILMEMBER"; AND FIND THAT THE ACTION IS NOT A PROJECT UNDER CEQA. 5-0-0-0 Motion Passes by Roll Call Vote

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 report regarding recommended updates to the Monterey Peninsula Region Park District Master Plan and Design Development Report for Locke-Paddon Wetland Park and provide direction to the City Manager.

Public Comments: The following people spoke in favor of supporting an Asian Garden at Locke Paddon Park: Troy Ishikawa, Joy Passado, Tuyen Nguyen, John Rondez, Christina Rondez, Kaytwon, Yongsoo Oh, May Dongo, John Eugenio, David Kong, Mia Nguyen

- Grace Silva-Santella – Commented that the Asian Garden should go through a public process just as the MLK statue did. Suggested creating an advisory committee. Spoke about maintenance of the park.
- Jeff Markham – Commented on the 2005 agreement the landscape maintenance specifications and noted that the city has not really lived up to much of what's required there. Glad the lake is going to be addressed. Suggested visiting Chinese Cultural Garden in San Jose.

- Cristina Medina Dirksen – Commented about previous speakers, glad they spoke up. Stated Asian Garden has potential at Locke Paddon. The city should work with parks district on cleanup of lake.
- Greg Simons – Agrees there should be a process on planning for this Asian Garden, help in transparency. Asked if there was any consideration for open space in Marina's 2040 plan for Locke Paddon.

MCADAMS/DELGADO: TO ASK

- (1) **CITY ATTORNEY CITY MANAGER, REEVALUATE THE LEASE WITH MPRPD ESPECIALLY THE MAINTENANCE PORTION OF THE LEASE.**
- (2) **SEEK ACCEPTANCE OF THE MASTER PLAN, THROUGH CITY MANAGER PRESENTATION AT THE DISTRICT. BOARD MEETING AND. CALL OUT THE ASIAN GARDEN AND THE OTHER IMPROVEMENTS THAT HAVE ALREADY BEEN MADE.**
- (3) **AFTER THE NPRPD BOARD MEETING THAT WE, THE CITY CONCEPTUALIZE THE NEXT STEPS FOR THE ASIAN GARDEN.**
- (4) **THE CITY MANAGER REQUEST A JOINT SESSION WITH THEIR AGENCY.**
- (5) **CITY MANAGER OPEN DISCUSSION ABOUT THE RESERVATION ROAD CONNECTION TO THE PARK THAT DOESN'T EXIST WITH NOW THAT WE TELL HIM WE WANT THIS, AND TO TALK TO US ABOUT MATCHING RESOURCES.**
- (6) **ASKED THE CITY MANAGER TO REVIEW THE NOTES AND THE MAINTENANCE PLAN SPECS**

5-0-0-0 Motion Passes

- b. Receive presentation from FM3 Presentation on Bond on public opinion survey for the proposed GO Bond ballot measure; and provide direction to staff. *(Not a Project under CEQA per Article 20, Section 15378)*

Public Comments:

- John Sanders – Opposes the potential bond measure due to poor public engagement, vague information, misleading information, and missing information.
- Grace Silva-Santella – Commented on the proposed hypothetical Bond Ballot question to the public. Spoke about the Marina Library Bond measure and the process that happened. Suggested creating a bond advisory committee.
- Mia Nguyen – Spoke about why they moved to Marina. Commented about utility bills are increasing and to add a bond to the property tax will make living here unaffordable. Would like to see specific details on how bond monies will be spent before making a decision.
- Jeff Markham – Commented on developers not contributing more to the core infrastructure of Marina. There is a lot of assets within the city that could be leveraged to help fund some of the infrastructure.
- Denise Turley – Uncertain about the consultants' facts. Not sure this measure if placed on the ballot would pass.

VISSCHER/MCCARTHY: PRESENTATION FROM FM3 PRESENTATION ON BOND ON PUBLIC OPINION SURVEY FOR THE PROPOSED GO BOND BALLOT MEASURE; AND ASK STAFF TO PROVIDE A LIST, A SIMPLE LIST WITH THE

FACILITIES AND EXPECTED COST, BUT ALSO EXPECTED COST FOR IF WE DO NOT BUILD A NEW CIVIC CENTER, WHAT NEEDS TO BE PUT IN LIKE COUNCILMEMBER BIAL HAS BEEN SAYING. HOW MUCH DO WE NEED TO SPEND ON? GETTING THESE BUILDINGS UP TO CODE. 4-1(Delgado)-0-0 Motion Passes

- c. Adopting **Resolution No. 2024-85**, determining that the public interest and necessity demand the construction of certain municipal improvements and making findings relating thereto. *(Not a Project under CEQA per Article 20, Section 15378)*

Public Comments: None received.

MCADAMS/BIALA: TO ADOPT RESOLUTION NO. 2024-, 86, DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY DEMAND THE CONSTRUCTION OF CERTAIN MUNICIPAL IMPROVEMENTS AND MAKING FINDINGS RELATING THERETO. 5-0-0-0 Motion Passes

- d. Open a public hearing and **introduce Ordinance No. 2024-08**, establishing the City of Marina Special District Financing Code as Chapter 3.35 of the City of Marina Municipal Code. *(Not a Project under CEQA per Article 20, Section 15378)*

Public Comments: None received

BIALA/DELGADO: TO INTRODUCE ORDINANCE NO. 2024-08, ESTABLISHING THE CITY OF MARINA SPECIAL DISTRICT FINANCING CODE AS CHAPTER 3.35 OF THE CITY OF MARINA MUNICIPAL CODE. 5-0-0-0 Motion Passes by Roll Call Vote

- e. Adopting **Resolution No. 2024-86**, receiving the Fee Study Update; adopting the new Master Fee Schedule and implement adjustments effective September 1, 2024 *(Not a Project under CEQA per Article 20, Section 15378)*

Public Comments: None received

DELGADO/BIALA: TO ADOPT RESOLUTION NO. 2024-86, receiving the Fee Study Update; adopting the new Master Fee Schedule and implement adjustments effective September 1, 2024. 5-0-0-0 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 was adjourned at 12:15 A.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor