



MINUTES

Tuesday, October 1, 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

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

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, Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS:

4. CLOSED SESSION:

a. Conference with Legal Counsel: Anticipated Litigation (Govt. Code § 54956.9(d)(4)), 1 case. Based on existing facts and circumstances, the City Council has decided to initiate or is deciding whether to initiate litigation.

b. Conference with Legal Counsel, Existing Litigation (Govt. Code § 54956.9(d)(1)) 3 case(s):

(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.

- b. (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
- c. Real Property Negotiation (Govt. Code Section 54956.8)
 - i. Property: APN 031-251-005
Negotiating Party: TBD
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: Council met on the three items listed for Closed Session and there was no reportable action taken.

5. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)
6. **SPECIAL PRESENTATIONS:**
 - a. Code Enforcement Officer Appreciation Week
 - b. Breast Cancer Awareness Month
 - c. Interim Inc Presentation
7. **COUNCIL AND STAFF ANNOUNCEMENTS:**
 - Fire Chief McCoun – Showed Council and the public a special Marina Fire Department Breast Cancer t-shirt that will be sold during the Marina Fire Department Open House on October 8th from 4:00-7:00pm at 208 Palm Avenue. Proceeds from the sale of the t-shirts will go directly to the Breast cancer Assistance group of Monterey County.
 - Recreation Director Willer – Announced starting next week will be the MPUSD School Fall Break, the youths grade K-5th can be dropped off at the Marina Teen Center at 8:00am and can be picked up at the Marina Youth Center by 6:00 pm. The Teen Center will be opened from 2:00-6:00pm for teens. Current October events: October 24th-December 10th is the Youth Indoor Hockey League. On October 27th will be our Howl-O-Ween event at Vince DiMaggio Park from 11:00am-2:00PM for those who like to dress-up their dogs. On October 31st is Fright Night for the Youths and Teens. Youth Fright Night is from 6:00-8:00 pm at the Community Center and the Teen Fright Night is from 6:30-9:30 pm at the Los Arboles Upper Field.
 - Mayor Pro Tem Visscher – Announced October 19th and 20th and October 26th and 27th the Marina Equestrian Center will have its Haunted House from Noon-5:00pm.
 - Council Member McAdams – Commented on the street slurry project and informed the public they can contact the Public Works department by emailing streets@cityofmarina.org and to go to city's website to view the pavement management plan where the streets are listed in alphabetical order and what street is being done. Announced free Covid test are being given out and delivered by the USPS. To get your go to: www.covidtests.gov.
 - Mayor Delgado – Commented on the 39 streets that had been slurry-sealed. Announced on October 12th at the Marina Library is the next Dad's Read event from 10:00am-Noon; on October 13th will be the monthly volunteer clean-up along Lapis Road and Del Monte from 10:00am-Noon.

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.*
 - Kathy Biala, speaking as member of the public – Showed pictures of the current state of the city's facilities and urged a yes vote on Measure U.
 - Mia Nguyen – Commented on the renewal of the Museum Handcar Technology's lease and what the city has done to help support this business going forward. Commented on the pictures presented by Kathy Biala. Asked what other options are available is the bond does not pass.

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 105351-105417, totaling \$477,828.39
 - b. **MINUTES:** *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) September 17, 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. 2024-107**, allocating 5.2 acre-feet per year of unallocated water in the former Fort Ord area to: 1) city-led projects and 2) marina kai apartments (interim, inc. project located at 605 bayonet circle). *(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. 2024-108**, awarding a construction contract for the City of Marina Buildings Blight Removal 2024 Project to Randazzo Enterprises of Castroville, CA for the total base bid in the amount of \$1,273,647.00; and authorizing the City Manager to execute contract documents, subject to final review and approval by the City Attorney; and authorizing the City Manager or designee to expend up to an additional 10% of the contract amount for potential construction contingencies and to execute all construction change orders on behalf of the City. *(Not a Project under CEQA per Article 20, Section 15378)*

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: None

Council Member McCarthy made comments on agenda item 10f(1)

Mayor Pro Tem Visscher noted a typo on agenda item 10b(1), page 4 under 14b changing can to can't.

Council Member McAdams made comments on agenda item 10f(1).

Mayor Delgado made comments on agenda item 10g(1)

BIALA/DEGADO: TO APPROVE THE CONSENT AGENDA. 5-0-0-0 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.*
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 briefing by Felipe Melchor, ReGen on Odor Study and other matters. **(30-Minutes)**

Public Comments:

- Greg Simmons – Commented on the presentation by GM Melchor and stated the orders have been active since 2016. Noted prior management of the ReGen kept passing the buck saying it was not their problem. Pleased to hear the study positively identified 3 odor resources.

Noted in the last 2 years the odors have gone down some. Commented on the propose contract with Keith Day Company.

- Grace Silva-Santella – Stated she had filed many complaints over the years regarding the odors and agrees they have become much better. MBARD has been very responsive to the calls coming in. Concerned about a 25-year lease and believes with the building out of Marina Station a 10–15-year lease would be better.

- b. Adopting Resolution No. 2024-, receiving a presentation for the Del Monte Boulevard & Reservation Road Intersection Improvements Project; and providing input and approval of final concept design; and authorizing Call for Bids for the Del Monte Boulevard & Reservation Road Operational & Safety Improvements Project. **(30-Minutes)**

Public Comments:

- Grace Silva-Santella – Hoped to have an in-person workshop at the Bill Ring Corner to help people get a better understanding of what's proposed here. Doesn't understand how the road diet that's happening further south, why it's going back to 4-lanes when reaching Reservation and Del Monte. The righthand lane by Bill Ring Circle is challenging when turning onto Del Monte. Spoke about wheelchair timing at Reservation/Del Monte and asked about making the island more aesthetically pleasing and making it a safe place if those who can't make it all the way across the road. Asked for an explanation of the ADA Plan. Existing flashing pedestrian crossing is not sufficient.
- Jeff Markham – Concerned about the lighting area and lane markings around the train tracks, people really can't see when they start queuing up into the lanes. Asked about the maintenance of the striping

Council provided input on: No Right-turn on Red; corner blisters, bike capacity lane at stoplights; remove the dash/Green bike striping and make them solid, going into the blisters bring revisions to the Public Works Commission and TAMC Bicycle and Pedestrian Committee; look at the streetlights on the 2 western corners of Del Monte and come back and show you what it looks like at nighttime and safety islands

- c. Adopting **Resolution No. 2024-109**, approving a Professional Services Agreement with EMC Planning Group, Inc. (EMC) for the preparation of a phased vegetation removal and maintenance plan (Phase I) and long-range management plan (Phase II) for Locke-Paddon Park (LPP). Vegetation removal and management includes permitting and regulatory compliance and consistency with the Monterey Peninsula Regional Parks District's (District) LPP Master Plan. **(15-Minutes)**

Public Comments:

- Grace Silva-Santella – really excited we're moving forward with this and thank you very much. Hopes we get a yes, from you all
- Jeff Markham – Thanked staff for acting on this matter of the cleanup of the overgrowth of vegetation at Locke Paddon. State this was the #1 concern of the citizen report give to council in August. In favor of approving this agreement. Asked about the choice of using EMC and their expertise in this area. Commented on the scope of work outlined and asked if it was specific to the pond itself, or whether that was the overall park maintenance plan.

BIALA/MCCARTHY: TO ADOPT RESOLUTION NO. 2024-109, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH EMC PLANNING GROUP, INC. (EMC) FOR THE PREPARATION OF A PHASED VEGETATION REMOVAL AND MAINTENANCE PLAN (PHASE I) AND LONG-RANGE MANAGEMENT PLAN (PHASE II) FOR LOCKE-PADDON PARK (LPP). VEGETATION REMOVAL AND MANAGEMENT INCLUDES PERMITTING AND REGULATORY COMPLIANCE AND CONSISTENCY WITH THE MONTEREY PENINSULA REGIONAL PARKS DISTRICT'S (DISTRICT) LPP MASTER PLAN; AUTHORIZE THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF CITY WITH EMC SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY 5-0-0-0 Motion Passes

- d. ~~Receive status update on Hilltop Park. (30 Minutes)~~
- e. ~~Receive a brief informational update on the status of the Mobile Vending Ordinance adopted on December 5, 2023. No action is required at this time. (15 Minutes)~~
- f. ~~Receive update on City Infrastructure Needs. (30 Minutes)~~
- 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 10:23 p.m.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor