



## MINUTES

Tuesday, October 15, 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**

**TELECONFERENCE LOCATION:** <sup>1</sup>

1004 Saga St.  
Glendora, California 91741  
and  
Hotel Maya, 700 Queensway Drive  
Long Beach, CA90802

**Zoom Meeting URL: <https://zoom.us/j/730251556>**

**Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556**

<sup>1</sup> Note: Pursuant to Government Code Section 54953(b), this meeting will include teleconference participation by Councilmember Jenny McAdams and Mayor Bruce C. Delgado from the address above. This Notice and Agenda will be posted at the teleconference location.

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 (Remote), Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado (Remote)
3. PUBLIC COMMENT ON CLOSED SESSION ITEMS:
4. CLOSED SESSION:
  - a. Conference with Legal Counsel: Existing Litigation (Govt. Code § 54956.9(d)(1)) 1 case(s): *City of Marina et al., Plaintiffs vs. California Coastal Commission, Defendant, et al.*, Monterey Superior Court Case No. 22CV004063

6:30 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION: City Attorney reported out Closed Session: No reportable action was taken.

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

6. SPECIAL PRESENTATIONS:

- a. Receive presentation on City Projects, Infrastructure and Impact Fees.
- b. Receive presentation on FY 23/24 Stormwater Program Annual Report.

7. COUNCIL AND STAFF ANNOUNCEMENTS:

- Andrea Willer – Announced on October 19<sup>th</sup> & 20<sup>th</sup> and October 26<sup>th</sup> & 27<sup>th</sup> from 12:00-5:00 pm the Marina Equestrian Center we will be hosting a haunted house costume contest, games, food, and more and its free to the community. On October 27<sup>th</sup> from 11:00am-2:00pm is the Howl-o-Ween Pet event at Vince DiMaggio Park. On October 31<sup>st</sup> we have our two traditional Halloween events, Youth Fright Night, which is up here at Rocky Hahn Community Center and in the parking lot from 6:00-8:00pm and then Team Fright Night, at Los Arboles Upper Field from 6:30-9:30pm.
- Council Member McCarthy – Commented on last week’s earthquake and noted there’s a app you can download to your phone called MyShake to get updates/notifications. Read the Land Acknowledgement that’s on all the city agendas in honor of Indigenous Peoples Day.
- Council Member McAdams – Thanked Recreation staff for all the Teen Center events. Commented on the Fire Department’s Open House and thanked event organizers and organization for their participation.

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.*

- Gretta Wong – Commented on her personal struggles as a homeowner on a fixed income and stated an additional tax on her property tax bill will hurt. Noted she is not the only homeowner in Marina on a fixed income that Measure U will affect.
- Steve Hanley – Asked Have any of the projections as to the three revenue sources that the city manager mentioned Taking into account future revenues. based on the sales of the property that are being built and have been built here, And the fact that those revenues are going to increase your tax base because of Props 13's transition of setting new assess valuations on the resales of those properties, not what Shea's been building? Have you taken into account the effects of Prop 19?
- Nancy Amadeo – Spoke about Marina Rotary’s Cars in Park event that was held last weekend. Wanted to thank the Public Works Department for their quick response when told that the waste receptacles that were ordered had not been delivered yet. Within a couple of hours the Public Works department had them delivered.
- Lisa Reinheimer – Passed out a flyer both in English and in Spanish announcing a new routing of the line 61, which goes through now Central Marina. Thanked staff and the city for incorporating MST's comments into the downtown specific plan. Noted MST was granted

a clean California grant and we used that money to rejuvenate our Marina Transit Exchange. Provided a progress report on the MST Surf Project.

- Denise Turley – Asked if there is an early voting ballot box physically attached to the teen center and if there are more in Marina.
- John Sanders – Asked staff, does the city have a punch list of the top 10 or 20 most essential building repairs? Does it have cost estimates for these repairs? If you have this kind of punch list, will you provide this list to the public? will you allocate funds from the city's budget surplus to work on these essential repairs? Are there reports that Seaside will not close the Presidio of Monterey Annex fire station. Will the city reestablish an agreement with Seaside to provide fire support for South Marina?

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 105418-105512, totaling \$1,819,879.77  
Accounts Payable Successor Agency EFT 107-108, totaling \$2,038.68

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

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

(1) Adopting **Resolution No. 2024-110**, approving the designation of a portion of city properties as shown on the Phase 2 West Final Map as 6<sup>th</sup> and 7<sup>th</sup> street right of way. *(Not a Project under CEQA per Article 20, Section 15378)*

(2) Adopting **Resolution No. 2024-111**, accepting the dedication of Public Improvements as shown on the approved Dunes (Formerly University Village) Improvement Plans and Final Map for Residential Phase 2 East (not including Hilltop Park); authorize the City Clerk to release bond securities, accept a warranty bond, and record acceptance with Monterey

County Recorder's Office. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)*

- (3) Adopting **Resolution No. 2024-112**, approving a request by the contracting parties of 104 Investments, LLC, Locans Investments, LLC, Wathen Castanos Peterson Homes, Inc., Wathen Castanos Peterson Coastal, LP, and Marina Developers, Inc., to release a portion of the performance security for public improvements in the Sea Haven Phase 4a area in the amount of \$3,351,867, accepting a substitute performance bond security of \$335,186.70 for remaining punch list items. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)*
- (4) Adopting **Resolution No. 2024-113**, authorizing the City Manager to enter into and execute an agreement to settle the following actions: *City of Marina, et al. v. County of Monterey, et al* (Case No. 19CV005270); *California-American Water Company v. All Persons Interested, et al.*, in Monterey County Superior Court (Case No. 20CV002436); *City of Marina, et al. v. All Persons Interested, et al.*, in Monterey County Superior Court (Case No. 21CV000493); and *City of Marina, et al. v. All Persons Interested, et al.*, in Monterey County Superior Court (Case No. 23CV001400) all pending in Monterey Superior Court

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

- (1) Adopting **Resolution No. 2024-114**, approving agreements between the city of Marina and M3 Environmental, LLC for on-call professional services in the disciplines of hazardous materials testing and monitoring. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)*
- (2) ~~Adopting Resolution No. 2024 , approving Amendment No. 8 to the agreement between City of Marina and Save The Whales Of Seaside, California, to provide professional services for the city of marina's storm water program, authorizing the finance director to make necessary accounting and budgetary entries, and authorizing the city manager to execute the agreement on behalf of the city subject to final review and approval by the city attorney. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)*~~ ***Pulled by Councilmember McCarthy, becomes agenda item 13e***
- (3) Adopting **Resolution No. 2024-115**, to authorize the City Manager to enter into an agreement with Pacific Gas & Electric for joint use of rights of way and easements related to the undergrounding of certain utilities within the project by Shea Homes Limited Partnership shown on "Tract 1566 The Dunes On Monterey Bay Phase 2 West" in the vicinity of 1st Avenue between 8th Street and 6th Street, City of Marina, subject to review and approval by the City Attorney.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) Accept letter to Transportation Agency for Monterey County requesting an extension of the lease with the Museum of Handcar Technologies.

k. FUNDING & BUDGET MATTERS: None

- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None

Councilmember Biala made comments on agenda item 10g(3)

Councilmember McCarthy had comments and questions on agenda items 10f(1), 10f(2), 10f(3), 10g(3) and requested to pull agenda item 10g(2).

Mayor Delgado had brief question for agenda item 10g(3)

Councilmember McAdams made comments on agenda item 10g(4)

Mayor Pro Tem Visscher had a brief question on agenda item 10j(1)

**MCADAMS/MCCARTHY: TO APPROVE THE CONSENT AGENDA MINUS AGENDA OTEM 10g(2). 5-0-0-0 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.*
  - a. City Council to hold a public hearing and continue such public hearing to November 6, 2024, regarding the establishment of the City of Marina Community Facilities District No. 2024-1 (The Dunes-West Side Services CFD), the levy of special taxes, and calling an election within the district.

Public hearing was opened for comments, none received.

**BIALA/MCCARTHY: TO CONTINUE THE PUBLICHEARING TO NOVEMBER 6, 2024. 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. Adopting **Resolution No. 2024-116**, certifying the Final Environmental Impact Report (FEIR), and adopt the mitigation monitoring program (MMRP), findings of fact, and statement of overriding considerations; and approve the Downtown Specific Plan, incorporating the revisions recommended by the Planning Commission in its September 12, 2024, resolution; and adopt General Plan Amendments (GPA 24-003) to the 2000 Marina General Plan to implement the Downtown Specific Plan; and adopt zoning text amendments to the Marina Municipal Code to implement the Downtown Specific Plan; and amend the Marina Zoning Map to incorporate by reference the zoning standards identified as Appendix A (Development Code) to the Downtown Specific Plan; and rescind City Council Motion 2008-111 regarding the preparation of a specific plan for individual projects in the downtown area.

**Public Comments:**

- Steve Hanley – Property owner in the downtown area and one of the nicest thing seen come together in a long time. Supports the passage of this item.
- Nancy Amadeo – Incredible opportunity to pass this tonight and move forward with downtown. The plan creates a walkable community. Commented on Habitat for Humanity building the affordable housing aspect. Hopes the Council will vote to approve this and create a destination in our own community.
- Brad Crosscheck – acquired a vacant piece of property 27 years ago at 435 Reservation Road and was one of the 26 groups that has come into the office and encouraged Guido to keep pushing forward. Encourages the council to bring this to fruition and hopefully enact the plan tonight.
- Matt Huerta, Monterey Bay Economic Partnership and Housing and Community Development Director – this is one of the best plans that we've seen, this one has incorporated quite a bit of the learning over the last few years and decades of feedback. We support and encourage your approval.
- Doug Yount – Spoke about the history of the downtown vitalization specific plan and good to hear that property owners and investors have participated in it. Talked about creating incentives.
- Bob Garrison – Works for Sierra Pacific Properties and congratulated the city on a wonderful plan and wanted to give our thanks to Guido who we've worked with over the last couple of years. Look forward to seeing the plan brought to fruition and encourage the council to approve the plan.
- Yuri Anderson – Read a statement from Supervisor Wendy Root Askew, who supports the project and asked that council approve what is being presented. Ms. Anderson spoke personally about the project and urged the council to approve the project. Had some initial concerns about the nonconforming language and were able to work through that with staff.
- Gabriel Sanders – Expressed his support for this plan. Watched it evolve over the years and watched Guido and his team work hard to make sure it matches up with the needs of the community's growth as well as state law requirements. Encourage the council to approve this plan with any of the recommended changes from the Planning Commission.
- Laura Davis, Deputy Director, LandWatch – We support the city's efforts to create more walkable, bikeable downtown areas that facilitate mixed-use development and connect neighborhoods with parks and trails and encourages the Council to approve the Plan. Stated the city would benefit from encouraging MCWD to prioritize the development of non-groundwater sources.
- Denise Turley – Asked if there was a way on the city's website to enter an address and see what is planned for that area.

9:58 PM motion made to continue the meeting to the completion of agenda item 11b by Councilmember McCarthy and seconded by Councilmember Biala, 5-0-0-0 Motion Passes by Roll Call Vote

**BIALA/MCCARTHY: THAT WE ADOPT RESOLUTION NO. 2024-116, THAT:**

1. CERTIFIES THE FINAL ENVIRONMENTAL IMPACT REPORT, AND ADOPTS THE MITIGATION MONITORING AND REPORTING PROGRAM, CEQA FINDINGS OF FACT, AND STATEMENT OF OVERRIDING CONSIDERATIONS PREPARED FOR THE DOWNTOWN SPECIFIC PLAN AND CORRESPONDING GENERAL PLAN AND MUNICIPAL CODE AMENDMENTS (SEE EXHIBIT B TO THIS RESOLUTION);
2. APPROVES THE DOWNTOWN SPECIFIC PLAN, INCORPORATING THE REVISIONS RECOMMENDED BY THE PLANNING COMMISSION IN ITS SEPTEMBER 12, 2024 RESOLUTION (PC 2024-21);
3. ADOPTS GENERAL PLAN AMENDMENTS (GPA 24-003) TO THE 2000 MARINA GENERAL PLAN TO IMPLEMENT THE DOWNTOWN SPECIFIC PLAN BY REMOVING GENERAL PLAN POLICIES 2.63.51 AND 2.41.6 FROM THE 2000 GENERAL PLAN, AMENDING THE LANGUAGE OF GENERAL PLAN POLICY 3.38.5 PER THE CORRESPONDING RECITAL HEREIN, AND AMENDING THE GENERAL PLAN'S LAND USE MAP PER THE CORRESPONDING RECITAL HEREIN
4. ADOPTS ZONING TEXT AMENDMENTS TO THE MARINA MUNICIPAL CODE TO IMPLEMENT THE DOWNTOWN SPECIFIC PLAN AS SET FORTH IN THE CORRESPONDING ORDINANCE INTRODUCED AND READ ON THE SAME DATE.
5. AMENDS THE MARINA ZONING MAP TO INCORPORATE BY REFERENCE THE ZONING STANDARDS IDENTIFIED AS APPENDIX A (DEVELOPMENT CODE) TO THE DOWNTOWN SPECIFIC PLAN.
6. RECOMMENDS MINOR EDITS TO THE NONCONFORMING SECTION AS IDENTIFIED ABOVE IN SECTION 7.6.2 OF THE DOWNTOWN SPECIFIC PLAN.
7. RESCINDS CITY COUNCIL MOTION 2008-111 REGARDING THE PREPARATION OF A SPECIFIC PLAN FOR INDIVIDUAL PROJECTS IN THE DOWNTOWN AREA.
8. DIRECTS STAFF TO MAKE MINOR MAP AMENDMENTS TO THE GIS INTERACTIVE MAP AND THE DOWNTOWN SPECIFIC PLAN
9. DIRECTS STAFF TO FILE A NOTICE OF DETERMINATION WITH FIVE (5) WORKING DAYS OF APPROVAL BY THE CITY COUNCIL WITH THE COUNTY CLERK.
10. DIRECTS STAFF TO STUDY IF A ROAD DIET IS FEASIBLE ALONG RESERVATION ROAD.
11. DIRECTS STAFF TO CLARIFY THE VEHICLES SALE AND VEHICLE RENTAL PROVISIONS WITHIN THE CORE BUSINESS DISTRICT.
12. REMOVES ADULT BUSINESSES FROM ALLOWED USES IN THE PLAN
13. ADDS A CROSS REFERENCE IN THE DESIGN STANDARDS (SECTION 4.1.3) TO APPENDIX B OF THE DOWNTOWN SPECIFIC PLAN.
14. INCORPORATES THE RECITALS SET FORTH ABOVE AS IF FULLY SET FORTH HEREIN.

- b. Adopting **Resolution No. 2024-117**, receiving a follow-up presentation and, providing approval of the final planting palette selection for the del monte boulevard median landscaping, phase 1 project.

Public Comments: None received.

**MCCARTHY/BIALA: TO ADOPT RESOLUTION NO. 2024-117, RECEIVING A FOLLOW-UP PRESENTATION AND, PROVIDING APPROVAL OF THE FINAL PLANTING PALETTE SELECTION FOR THE DEL MONTE BOULEVARD MEDIAN LANDSCAPING, PHASE 1 PROJECT. 5-0-0-0 Motion Passes by Roll Call Vote**

- ~~c. Receive informational update on the status of the Mobile Vending Ordinance adopted on December 5, 2023, and receive directions from city council. (30-Minutes)~~
- ~~d. Receive update on City Manager's SMART Goals (15-Minutes)~~
- e. Adopting Resolution No. 2024 , approving Amendment No. 8 to the agreement between City of Marina and Save The Whales Of Seaside, California, to provide professional services for the city of marina's storm water program, authorizing the finance director to make necessary accounting and budgetary entries, and authorizing the city manager to execute the agreement on behalf of the city subject to final review and approval by the city attorney. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)* ***Pulled by Councilmember McCarthy, was agenda item 10g(2)***

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 10:30 PM

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Anita Sharp, Deputy City Clerk

ATTEST:

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Bruce C. Delgado, Mayor