



MINUTES

Tuesday, December 3, 2024

5:00 P.M. Closed Session

6:00-6:30 Reception

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: 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. Public Employee Performance Evaluation, Unrepresented Employee (CA Govt. Code Section 54957(b)) – City Manager
- b. Public Employee Performance Evaluation, Unrepresented Employee (CA Govt. Code Section 54957(b)) – City Attorney
- c. 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

6:00-6:30 P.M. RECEPTION FOR VOLUNTEER COMMISSIONERS AND COUNCILMEMBERS-ELEC KATHY BIALA AND JENNY MCADAMS.

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

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

CANVASSING NOVEMBER 5, 2024 ELECTION

Consider adopting **Resolution No. 2024-132**, canvassing the November 5, 2024, General Municipal Election of the City of Marina.

MCCARTHY/VISSCHER: THAT WE ADOPT RESOLUTION NO. 2024-132, CANVASSING THE NOVEMBER 5, 2024, GENERAL MUNICIPAL ELECTION OF THE CITY OF MARINA. 5-0-0-0 Motion Passes

Swearing-in of District 2 City Councilmember-Elect Kathy Biala, by Mayor Delgado

Swearing-in of District 3 City Councilmember-Elect Jenny McAdams, Supervisor Wendy Root Askew

6. **SPECIAL PRESENTATIONS:**

- a. Commissioner Appreciation Certificates
 - i. Planning Commissioners: Audra Walton, Galia Baron, Glenn Woodson, Paul Cheng, Richard St. John, Surinder Rana, Victor Jacobsen.
 - ii. Public Works Commissioners: Jaime Schrabec, Joosik Choi, Stephen Rouland, Steve Hunt.
 - iii. Recreation & Cultural Services Commissioners: Lisa Rike, Mia Nugyen, Shawn Adams, Sheila Baker.

7. **COUNCIL AND STAFF ANNOUNCEMENTS:**

Andrea Willer – Provided council and the public December activities; introduced Teliah Bell as the new full-time youth program staff leader and Andrea “Drea” Diallo, as the new Recreation Manager.

Payor Pro-Tem Visscher – Announced the Winter Wrangler Fest at the Marina Equestrian Center on December 8, 2024, from 12:00-4:00pm.

Council Member McAdams – Announced Santa will be driving through the streets. Last Saturday the Marina Chamber of Commerce held a Holiday Market. Support local businesses.

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.*

- Tom Zahiralis – Commented on the noise pollution being created by Las Animas trucks along California Ave., cement trucks come down California Avenue from 6:00 a.m. until 5.30 p.m. daily except for Sunday. no warning or discussion about California Avenue reopening at Imjin. Requests that Las Animas lease not be renewed and that the month-to-month CUP be limited to at most 18 months.
- Carol Eng – Spoke about the Las Animas lease that is to come before council for approval and thinks that if a new road cannot be created for the trucks to get in and out of the cement factory, then the city should not grant a new lease. Asked if California Avenue between Imjin and 8th Street are being maintained under this dunes special tax collections? Is this segment of California Avenue Built to withstand the heavy loads of Los Animus trucks?
- Karl – Commented on the noise generated from the Las Animas truck along California Ave and the speeds in which they travel. Noted there is a safety issue as people bike and walk along that road. Asked if more speed signs or speed restrictions be installed. Likes the idea of a new access road for them.
- Min Chang – Commented on the speeds along California Ave and 4th Avenue. Noted these roads do not have enough clear signage.

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 105767-105838, totaling \$638,049.70
Accounts Payable Successor Agency Check 128 totaling \$3,070.00

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

(1) November 19, 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. 2024-133**, authorize executing a professional services agreement with US Digital Designs by Honeywell for the installation of a phoenix G2 Fire Station Alerting System *(Not a Project under CEQA per Article 20, Section 15378)*
- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
- i. MAPS: None
- j. REPORTS: (RECEIVE AND FILE):
 - (1) Consider receiving Investment Reports for the City of Marina, City of Marina as Successor Agency to the Marina Redevelopment Agency, and Preston Park Sustainable Community Non-Profit Corporation (PPSC-NPC) and Abrams B Non-Profit Corporation for the quarter ended September 30, 2024
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None

DELGADO/BIALA: 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. Adopting **Resolution No. 2024-134**, accepting Hilltop Park except the landscape area; and accepting the Landscape area subject to entering into an Improvement and Long-Term Maintenance Agreement; and approving an Improvement and Long-Term Maintenance Agreement defining Developers obligations during the maintenance period and finding the action is exempt from CEQA pursuant to Section 15061(B)(3) of the CEQA guidelines.

Public Comment:

- Fred Watson – Stated the package for this item was incomplete, Exhibit D was missing all the sub-exhibits mentioned in it. Was interested in sub-exhibit B “Scope of Work”. Not sure

what the developers' obligations are. Believes this item should be continued until the public can review the missing sub-exhibits. Commented on natives at 10% and bare ground at 90%.

- Stephen Lee – Volunteered at Hilltop Park for the past 2-years. Concerned about the bare ground coverage and the native coverage and to make sure that the new plants are watered well in order to get established. Would like to want to see the other areas brought up to that standard.

MCADAMS/MCCARTHY: THAT THE CITY OF MARINA DOES HEREBY INCORPORATE THE RECITALS AS IF FULLY SET FORTH HEREIN IN THEIR ENTIRETY:

- 1. FINDS THAT THE FOLLOWING ACTIONS ARE EXEMPT FROM CEQA PURSUANT TO SECTION 15061B3 OF THE CEQA GUIDELINES TO ACCEPTS HILL PARK ACCEPTS HILL PARK.**
- 2. ACCEPT THE LANDSCAPED AREA AS SHOWN IN EXHIBIT C AND ACCEPTS THE LANDSCAPE AREA SUBJECT TO THE CITY OF MARINA AND SHEA HOMES ENTERING INTO A SEPARATE IMPROVEMENT AND MAINTENANCE AGREEMENT, EXHIBIT D FOR HILLTOP PARK DEFINING CITY'S AND SHEA HOMES OBLIGATION DURING THE MAINTENANCE PERIOD.**
- 3. AUTHORIZES THE CITY MANAGER TO NEGOTIATE AND EXECUTE THE AGREEMENT SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY; AND**
- 4. DIRECT CITY STAFF TO MAKE APPROPRIATE STEPS TO PAY THE MARINA COAST WATER DISTRICT CAPACITY CHARGE FOR THE PARK. WHICH SHALL BE REIMBURSED TO THE CITY AFTER THREE YEARS AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES; AND**
 - a) CHANGE THE IRRIGATION IN THE AGREEMENT TO RECYCLED WATER ONLY AND OMIT THE POTABLE IRRIGATION WATER IRRIGATION.**
 - b) TO INCLUDE A VOLUNTEER ROLE IN THE MAINTENANCE PLAN WITH A CITY EXPERT OVERSIGHT**
 - c) CONSIDER THE NUMBER AND PLACEMENT OF IRRIGATION SPIGOTS TO BE INCLUDED IN THE MAINTENANCE PLAN.**
 - d) TO CONSIDER INFORMATIONAL AND EDUCATIONAL SIGNS IN THE PARK AND COME BACK TO COUNCIL ON THE REMOVAL OF EQUESTRIAN PRESENCE IN HILLTOP PARK.**
 - e) WE RECOMMEND A GOAL TO SUPPORT NATIVE MARITIME SPECIES AS MUCH AS POSSIBLE.**
 - f) THAT SHEEP SORREL BE ADDED TO THE LIST IN THE LANDSCAPE PLAN, WHICH IS EXHIBIT F.**
 - g) COMPLETE EXHIBIT D (TO INCLUDE ALL SUB-EXHIBITS MENTIONED IN EXH. D)**

5-0-0-0 Motion Passes

- b. Adopting **Resolution No. 2024-135**, approving the purchase of a cloud-based public works citizen relationship management (CRM) software platform from CivicPlus, and approving the purchase of an asset management/work order software system from Cityworks, with implementation services provided through Centricity.

Public Comments: None received

- c. Council receive presentation on AB413 Daylight Bill

City Council received presentation.

Public Comments: None received.

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 10:50 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor