



AGENDA

Thursday, November 6, 2025

6:00 P.M. Open Session

SPECIAL MEETING CITY COUNCIL

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.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina's website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Marina website www.cityofmarina.org subject to City staff's ability to post the documents before the meeting.

VISION STATEMENT

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

MISSION STATEMENT

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

LAND ACKNOWLEDGEMENT

The City recognizes that it was founded and is built upon the traditional homelands and villages first inhabited by the Indigenous Peoples of this region - the Esselen and their ancestors and allies - and honors these members of the community, both past and present.

NOTICE IS HEREBY GIVEN that a special meeting of the City Council of the City of Marina is hereby called by the Presiding Officer and/or the majority of the City Council.

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)

Jennifer McAdams, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair
Liesbeth Visscher, Mayor/Chair Bruce C. Delgado
3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
4. OTHER ACTION:
 - a. Adopting Resolution No. 2025-, authorizing the release of a Request for Proposals (RFP) with proposed labor standards to qualified firms for Construction Manager-At-Risk Services for the Recreation and Aquatics Center.
5. ADJOURNMENT:

CERTIFICATION

I, Anita Sharp, Deputy City Clerk, of the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at City Hall and Council Chambers Bulletin Board at 211 Hillcrest Avenue, Monterey County Library Marina Branch at 190 Seaside Circle, City Bulletin Board at the corner of Reservation Road and Del Monte Boulevard on or before 2:00 p.m., Wednesday, November 5, 2025.

ANITA SHARP, DEPUTY CITY CLERK

City Council, Airport Commission and Redevelopment Agency meetings are recorded on tape and available for public review and listening at the Office of the City Clerk and kept for a period of 90 days after the formal approval of MINUTES.

City Council meetings may be viewed live on the meeting night and at 12:30 p.m. and 3:00 p.m. on Cable Channel 25 on the Sunday following the Regular City Council meeting date. In addition, Council meetings can be viewed at 6:30 p.m. every Monday, Tuesday and Wednesday. For more information about viewing the Council Meetings on Channel 25, you may contact Access Monterey Peninsula directly at 831-333-1267.

Agenda items and staff reports are public record and are available for public review on the City's website (www.cityofmarina.org), at the Monterey County Marina Library Branch at 190 Seaside Circle and at the Office of the City Clerk at 211 Hillcrest Avenue, Marina between the hours of 10:00 a.m. 5:00 p.m., on the Monday preceding the meeting.

Supplemental materials received after the close of the final agenda and through noon on the day of the scheduled meeting will be available for public review at the City Clerk's Office during regular office

hours and in a 'Supplemental Binder' at the meeting.

ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. Meetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@cityofmarina.org. Requests must be made at least **48 hours** in advance of the meeting.

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 6, 2025

**CITY COUNCIL TO CONSIDER ADOPTING RESOLUTION NO. 2025-,
AUTHORIZING THE RELEASE OF A REQUEST FOR PROPOSALS
WITH PROPOSED LABOR STANDARDS TO QUALIFIED FIRMS FOR
CONSTRUCTION MANAGER-AT-RISK SERVICES FOR THE
RECREATION AND AQUATICS CENTER PROJECT**

REQUEST: It is requested that the City Council:

1. Adopt Resolution 2025-, authorizing the release of a Request for Proposals (RFP) with the proposed labor standards detailed in **EXHIBIT A** to qualified firms for Construction Manager-At-Risk Services for the Recreation and Aquatics Center.

BACKGROUND:

The City of Marina has been actively working to repurpose the former Fort Ord facilities into a modern Recreation & Aquatics Center to serve the community's diverse recreational needs. The project has involved extensive community engagement, with multiple public meetings conducted to gather input on design and functionality. Based on community feedback, staff and COAR Design Group have advanced the architectural and structural plans, which are currently approximately 65% complete.

To effectively manage costs and mitigate financial risks associated with a large-scale construction project, staff and COAR identified the **Construction Manager-At-Risk (CMAR)** delivery method. This approach involves a construction manager serving as both a consultant during the design phase and as the general contractor during construction, operating under a guaranteed maximum price (GMP). This method fosters early collaboration, improves cost control, and is well-suited for complex projects such as this.

At the September 3rd City Council meeting, staff presented the CMAR plan, received approval to pursue the method, and was directed to return with language for labor standards to be included in the RFP. Staff reviewed various proposals, including the Carpenters Union's suggested standards, and expanded the scope to encompass all trades, requiring payment of applicable prevailing wages and adherence to apprenticeship standards. These standards also incorporate health care contributions aligned with AB 2011.

Following the October 21, 2025, City Council meeting—where further discussion was requested—the staff engaged stakeholders, including the Carpenters Union, to refine the labor standards. These revisions, reflected in **EXHIBIT A**, seek to balance fair labor practices with project flexibility and broad participation.

ANALYSIS:

The goal of this staff report is to provide both legal and practical explanations with respect to the requested changes to the standards presented to the City. On November 3, 2025, City Staff, Special Counsel, and City Attorney spoke with representatives of the Carpenters regarding their proposal. During that conversation, we emphasized the City's goal to encourage as much participation by contractors as possible to obtain the highest quality construction at a competitive price.

As you may know, the project is subject to the California's prevailing wage requirements set forth under Labor Code Section 1720 et seq., ("PWS"). The PWS is a comprehensive regulatory and enforcement statute that requires that all workers on public works projects be paid the general prevailing rate of per diem wages determined by the Director of the Department of Industrial Relations (DIR) for the specific type of work performed and location. The PWS mandates that the total hourly compensation, including basic hourly rates and fringe benefits such as health insurance and pensions are included in the rate established by the DIR. A contractor may meet its requirements under the PWS by providing the entire prevailing wage (except the training contribution) through a payroll check or by providing the basic hourly rate and fringe benefits equal to the prevailing wage.

Projects that require compliance with the PWS eliminates many contractors by itself for a variety of reasons. For other contractors, the flexibility of providing fringe benefits or paying the equivalent of the fringe benefits directly to the worker provides flexibility. For example, some employees may already have medical coverage through their spouse and prefer to elect to receive all the prevailing wage, including fringe benefits on the employees' paycheck. Other times, some contractors elect to have fringe benefits to avoid having the payroll and workers comp insurance applied to the fringe benefits. Because of the advantage to avoid payroll taxes on the fringe benefit portion, many contractors elect to provide fringe benefits to their employees.

For this reason, staff believes the decision should be left to the individual contractor. To incentivize contractors to provide medical, the council could consider providing points to prospective bidders who make the commitment to provide a minimum level of medical coverage.

The PWS also includes the apprenticeship requirements under California law. The legislature established the Shelly-Maloney Apprentice Labor Standards Act of 1939, which created the California Apprenticeship Council. The California Apprenticeship Council regulates and approves construction apprenticeship programs both union and nonunion in California. Only apprentices registered and indentured in an approved program may be employed on a California public works project. Staff believes that allowing participation by as many approved apprenticeship programs as possible on this project will increase the employment of apprentices and contractor participation. The Carpenters' proposal eliminates many of the approved apprenticeship programs, which constrains the employment of apprentices.

Finally, the PWS contains a comprehensive enforcement mechanism to ensure that all workers are paid the correct prevailing wage and requires detailed record keeping and submission of certified payroll reports. In addition the CMAR will employ its own labor compliance program to ensure that all workers are paid correctly. For this reason, staff does not recommend adding any further prequalification or enforcement requirements.

Based on the above, Staff recommends labor standards for the Recreation and Aquatics Center project include the following key provisions:

- **Prevailing Wage:** All workers employed on the project shall be paid at least the general prevailing wage for their respective trades and geographic area, as determined by the Department of Industrial Relations. Apprentices registered in approved programs may be paid at the apprentice prevailing wage.
- **Apprenticeship:** Contractors shall participate in approved apprenticeship programs maintained by the State of California's Division of Apprenticeship Standards, ensuring compliance through project completion.

- **Health Care:** Contractors are encouraged to contribute toward employer-sponsored health insurance, with expenditures credited toward prevailing wage requirements. This aligns with AB 2011 standards, requiring contributions that cover health care costs equivalent to a Covered California Platinum plan for two adults and dependents.
- **Enforcement:** Contractors or CMAR firms shall implement robust programs to ensure ongoing compliance with these labor standards throughout the project.

Recent stakeholder engagement—including discussions with the Carpenters Union—has affirmed the City’s commitment to fostering open dialogue and maximizing contractor participation. Staff believes these standards will promote fair wages, support workforce development, ensure compliance with state law, and provide the City with legally enforceable mechanisms to oversee project labor practices. This approach aligns with the City’s objectives for transparency, quality, and cost control.

FISCAL IMPACT:

Implementing these labor standards ensures the Project’s financial predictability through the use of the Guaranteed Maximum Price (GMP) delivery method while protecting fair wages and benefits for workers. While stricter labor standards may influence bidding prices, they contribute to the long-term costs efficiency by reducing potential labor disputes, turnover, and associated delays.

The standards support the stewardship of public funds by encouraging fair labor practices and maintaining a skilled workforce. The resolution’s approval will facilitate the procurement process, enable the timely initiation of construction, and align the project with city’s goals of fair, sustainable, and community-oriented development.

EXHIBITS:

Exhibit A – Draft Labor Standards – Recreation and Aquatics Center

Ismael Hernandez
Public Works Director
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2025-

RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE RELEASE OF A
REQUEST FOR PROPOSALS TO QUALIFIED FIRMS FOR CONSTRUCTION
MANAGER-AT-RISK SERVICES FOR THE RECREATION AND AQUATICS
CENTER PROJECT

WHEREAS, the City of Marina has been actively working to develop a Recreation & Aquatics Center to serve its community, with design development currently at approximately 65%; and

WHEREAS, extensive community input has informed the ongoing design and planning process; and

WHEREAS, staff has identified the Construction Manager at Risk (CMAR) delivery method as the most effective means to control costs, enhance collaboration, and ensure project success for this large-scale project; and

WHEREAS, the City Council approved the use of the CMAR method and directed staff to develop labor standards to include in the upcoming Request for Proposals (RFP) process; and

WHEREAS, staff has reviewed proposed labor standards to ensure compliance with prevailing wage laws, apprenticeship requirements, and recent health benefit standards, as detailed in the staff report and Exhibit A; and

WHEREAS, the proposed labor standards promote fair wages, local workforce development, and ensure quality craft labor for the project;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby authorize release of an RFP with the proposed labor standards detailed in Exhibit A to qualified firms for Construction Manager-At-Risk services for the Recreation and Aquatics Center.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 21st day of October 2025, by the following vote:

AYES: COUNCIL MEMBERS: Visscher, McCarthy, McAdams, Biala, Delgado

NOES: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

City Council of the City of Marina

Labor Standards for the Recreation and Aquatics Center

The Recreation and Aquatics Center (“Projects”), shall include a commitment that any construction contractor or construction manager at risk (CMAR) performing work will include the following:

Prevailing Wage:

All employees employed in the execution of the Projects shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1720 et seq of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate. Pursuant to Section 1776 of the Labor Code, payroll records must be maintained, verified, and made available for inspection and copying as provided in that section.

Apprenticeship:

For every apprenticeable craft, each construction contractor employing journeyman shall participate in an Apprenticeship Program approved by the State of California, Division of Apprenticeship Standards in compliance with Section 1777.5 of the Labor Code. Contractors shall maintain compliance with this provision until Project completion.

Health Care:

The City encourages each contractor employing employees to make employer contributions toward the purchase of employer-provided health care insurance coverage for each such employee performing work on the Project. If prevailing wage is a requirement on the Project, qualified expenditures shall be credited toward compliance with prevailing wage payment requirements with Section 1773.1 of the Labor Code.

Enforcement:

Any proposal for the Recreation and Aquatics Center shall include a provision detailing that the construction contractor or CMAR shall be responsible for implementing a program to ensure enforcement of these provisions.