



ACTION MINUTES

Tuesday, March 4, 2025

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 AND MARINA
GROUNDWATER SUSTAINABILITY 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:** The meeting was called to order at 5:00 P.M.
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, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado

MEMBERS ABSENT: Kathy Biala (Excused)

3. **PUBLIC COMMENT ON CLOSED SESSION ITEMS:**
 - Min Chan – Asked if the city new that Las Animas’s is willing to pay for a new road to their site. Commented on sensitive surrounding areas, commented on the November 2024 CUP.
 - Tom Zahiralis – Opposes any long-term lease for Las Animas Concrete. Commented on the noise and safety issues.
 - Carol Eng – Commented on the letter sent earlier to council regarding the noise from Las Animas Trucks and safety issues. Opposes new lease for Las Animas.
 - Felicia – Expressed concerns with the air pollution, noise and safety with Las Animas Concrete. Requesting that Las Animas lease be denied due to these safety concerns.
 - Tom Lubowe – Opposes any new lease with Las Animas due to it creating an unsafe environment.

4. **CLOSED SESSION:**

- a. Conference with Legal Counsel, Existing Litigation (§ 54956.9(d)(1)) 4 cases:
 - i. *Smith, Jeremiah R. v. City of Marina*, [et.al](#), 5:22-cv-07308-VKD, United States District Court, Northern District of California.
 - ii. *City of Marina v. Museum of Handcar Technology, et al.*, 24-CV-005126, Monterey Superior Court
 - iii. *TAMC v. City of Marina, Museum of Handcar Technology, et al.*, 24-CV-005108, Monterey Superior Court
 - iv. *Museum of Handcar Technology v. TAMC and City of Marina*, 5:24CV-08598-EKL, United States District Court, Northern District of California
- b. Conference with Legal Counsel: Anticipated Litigation (Govt. Code § 54956.9(d)(2)), 1 potential case(s). Based on existing facts and circumstances, there is significant exposure to litigation
- c. Conference with Legal Counsel: Anticipated Litigation (Govt. Code § 54956.9(d)(3)), 1 potential case(s). Based on existing facts and circumstances, the City Council is meeting to decide whether a closed session is authorized pursuant to Govt. Code § 54956.9(d)(2).
- d. Real Property Negotiation (Govt. Code Section 54956.8)
 - i. Property: Commercial Property at Southwest corner of Del Monte Blvd and Palm Ave. (APN: 031-303-038 a portion)
Negotiating Party: Dave How
Negotiator(s): City Manager
Terms: Price and Terms
 - ii. Property: Lease with MPUSD for portion of Los Arboles Middle School
Negotiating Party: Monterey Peninsula Unified School District
Negotiator(s): City Manager
Terms: Price and Terms
 - iii. Property: 499 9th Street, Marina, CA APN: 860-004-696-000
Negotiating Party: Las Animas Concrete & Building Supply Inc
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 provided direction, but no action was taken. Council will reconvene to Closed Session after the conclusion of Open Session.

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

6. **SPECIAL PRESENTATIONS:**

- a. Red Cross Month Proclamation
- b. Introduction of Chris Harris, Senior Building Inspector

7. COUNCIL AND STAFF ANNOUNCEMENTS:

- City Manager Long announced that on Friday March 7, 2025, from 6:00pm-9:00pm and Saturday March 8, 2025, from 9:00am-Noon is the Strategic Planning and Priority Setting Retreat. On March 29, 2025 from 2:00-4:00pm will be a community session to give input into the budget. A survey will be sent to the public to get input into the budget.
- Councilmember McAdams announced through April 12, 2025, the Marina County Free Libraries is holding their annual Prom Dress Donation Drive. For more information call (831) 883-7507
- Mayor Delgado announced on April 12, 2025 is Marina's Earth Day and Dad Reads at the Marina Library.

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.*

- Carol Eng commented on a letter sent to the council requesting the denial of a future lease with Las Animas.
- John Sanders requested that agenda item 10l(1) be pulled from the agenda and returned to the council for future deliberation and revision. Supports a low increase in salary for the council.
- Karl expressed concerns about Las Animas and associated vehicles driving along California Ave. Opposes renewal of any lease with Las Animas.

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 106330-106435, totaling \$1,321,295.15.
Accounts Payable Successor Agency EFT #116, totaling \$3,895.00.

- b. MINUTES: (Not a Project under CEQA per Article 20, Section 15378)
 - (1) February 19, 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. 2025-15**, authorizing the City Manager to submit a Plan Amendment to the City's Permanent Local Housing Allocation (PLHA) grant.
- g. APPROVAL OF AGREEMENTS: (Not a Project under CEQA per Article 20, Section 15378)
 - (1) Adopting **Resolution No. 2025-16**, approving Amendment No.2 to the agreement between the City of Marina and Harris and Associates, Inc. of Salinas, California, to provide construction management services for the Imjin Parkway Improvement Project.
- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS:
 - (1) Adopting **Resolution No. 2025-17**, accepting the Public Improvements as shown on the approved Veterans Transition Center (VTC) "Lightfighter Village" Improvement Plans.
- i. MAPS: None
- j. REPORTS: (RECEIVE AND FILE):
 - (1) Community Human Services, February 20, 2025, Board Meeting Highlights.
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING):
 - (1) Read by Title Only and adopting **Ordinance No. 2025-02**, amending Ordinances Nos. 90-8, 86-6, 85-3, and 79-12 to revise the compensation for Mayor and Councilmembers. ***Pulled by Mayor Delgado, becomes agenda item 13b***
- m. APPROVE APPOINTMENTS: None

Mayor Delgado pulled agenda item 10l(1) for further discussion.

Mayor Pro Tem had a question on agenda item 10h(1)

Council Member McAdams requested that agenda item 10g(1) be voted on separately so she could vote no.

DELGADO/VISSCHER: TO APPROVE THE CONSENT AGENDA MINUS 10g(1) AND 10l(1). 4-0-0-0 Motion Passes

10g(1)

DELGADO/VISSCHER: TO ADOPT RESOLUTION NO. 2025-16, APPROVING AMENDMENT NO.2 TO THE AGREEMENT BETWEEN THE CITY OF MARINA AND HARRIS AND ASSOCIATES, INC. OF SALINAS, CALIFORNIA, TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR THE IMJIN PARKWAY IMPROVEMENT PROJECT. 3-1(McAdams)-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. Consider introducing Ordinance No. 2025-, amending Title 17, Article 6 pertaining to Extension, Appeal, and Staff Transparency, by adding new Sections 17.59 and 17.69, and amending Sections 17.56, 17.58, 17.60, and 17.70 of the Marina Municipal Code. Finding this action is exempt from environmental review pursuant to Section 15061(B)(3) of the CEQA Guidelines.

Public Comments:

- Tom Lubowe is concerned that raising the bar for appeals for people not involved in the process cannot appeal is not fair. Director should not have discretion to what constitutes a great public impact.
- Carol Eng opposes the repeal of MMC Sections 17.56, 17.58 and 17.60. Current appeal fees at too high. Commented on the director's discretion, it's wrong.

The council discussed a call-up provision, statement of errors, director's discretion should have guidance/criteria or a checklist, appeal fee waivers,

DELGADO/MCCARTHY: TO INTRODUCE ORDINANCE NO. 2025-, AMENDING TITLE 17, ARTICLE 6 PERTAINING TO EXTENSION, APPEAL, AND STAFF TRANSPARENCY, BY ADDING NEW SECTIONS 17.59 AND 17.69, AND AMENDING SECTIONS 17.56, 17.58, 17.60, AND 17.70 OF THE MARINA MUNICIPAL CODE. FINDING THIS ACTION IS EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES; AND DIRECT STAFF WITHIN 90-DAYS TO COME BACK WITH SOME CONSIDERATION LANGUAGE OF A CALL-UP PROVISION ALSO BEING ADDED TO THE APPROPRIATE SECTION. 4-0-0-0 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. 2025-, receiving an update on the Marina Aquatic & Sports Complex (CIP# QLF 2004) and approving the schematic design and estimated cost of \$41.4 million.

Public Comments:

- Doug Yount the conceptual design is impressive and will be an asset to the city. Asked if the city would work with MCP and Shae as a development partner in this facility on exterior colors and materials so that there's continuity with the overall dunes project. Spoke about historical commemoration to honor Fort Ord. Consider naming the facility the Siegrist Aquatic and Sports Complex.

The Council discussed possibly using photos of current graffiti in pool area on one of the walls, entrance to second floor walking track, bicycle parking, possible public workshops early April for input on use, more lighting, pull-out bleachers, more art on walls, solar, security, kid drop-off areas, joint meeting with Recreation Commission. Impact of new tariffs and coming back to council if roadblocks pop up.

- b. Read by Title Only and adopting **Ordinance No. 2025-02**, amending Ordinances Nos. 90-8, 86-6, 85-3, and 79-12 to revise the compensation for Mayor and Councilmembers. ***Pulled by Mayor Delgado, was agenda item 10l(1)***

Mayor Delgado was wanting to discuss the possibility of changing the dollar amount to \$1000 per month for Mayor and \$850 per month for the Council.

Delgado/ : That we reset, increase the salary of mayor to one thousand and reset, increase the salary stipend of City Council to eight hundred-fifty with no health benefits transparent maximum cap. Motion dies for a lack of Second

MCCARTHY/MCADAMS: TO ADOPT ORDINANCE NO. 2025-02, AMENDING ORDINANCES NOS. 90-8, 86-6, 85-3, AND 79-12 TO REVISE THE COMPENSATION FOR MAYOR AND COUNCILMEMBERS 3-1(Delgado)-0-0 Motion Passes by Roll Call Vote

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 back into Closed Session at 9:27 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor