



ACTION MINUTES

Tuesday, April 1, 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**

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, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado

3. **PUBLIC COMMENT ON CLOSED SESSION ITEMS:**

- Carol Eng commented on the time factor for the Las Animas and the noise associated with their business. Urges the Council to uphold Marina MMC laws and deny any future lease with Las Animas.
- Marie Weiner discouraging the residents cannot get help with the Las Animas issues. Spoke about zoning requiring a lease. Urges city to tell Las Animas there will be no lease.

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. Real Property Negotiation (Govt. Code Section 54956.8)
 - i. 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 on the items listed on the closed session agenda. For item 4c that will be coming to open session on April 15th.

- 5. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)
- 6. **SPECIAL PRESENTATIONS:**
 - a. Resilient Monterey County Presentation by Lesley Solano Alonso (McAdams)
 - b. Library Week Proclamation
 - c. Fire Hazard Map Presentation
- 7. **COUNCIL AND STAFF ANNOUNCEMENTS:**
 - Doug McCoun showed the Council a new badge for the Fire Department that will be issued out tomorrow commemorating Marina's 50th Anniversary.
 - Andrea Willer announced April 4th at 4:00pm is the Gloria Jean Tate Park groundbreaking; April 12th is Marina Earth Day at Locke Paddon Park starting at 10:00am-2:00pm; April 14th at 6:30pm. is Design Day for the Inclusive Playground being held at the Rocky Han Community Center; April 19th Springtime Family Fun Egg Hunt and Pancake Breakfast; April 26th at 1:00pm at the Aquatic Sports Center location will be the community engagement kickoff party for the Aquatics and Sports Center project.
 - Randy Hopkins McCoun showed the Council a new badge for the Police Department that will be issued out tomorrow commemorating Marina's 50th Anniversary
 - Councilmember McCarthy attended CivicWell Policy Member Committee and the League of California Cities (LCC) Policy Committee meetings. SB79 would allow transit agencies to build anything on their land. There's a huge impact there to the city marina. I like to see the city take a position on that.
 - Councilmember Biala informed the public that 10 people representing Marina to our sister city in Izanukuni, Japan. Will provide a slide presentation of the visit at a future meeting.
 - Mayor Delgado commented on the lack of graffiti and trash in Tokyo for such a large city.

- Councilmember McAdams thanked Mayor Delgado, Mayor Pro Tem Visscher and Councilmember Biala for taking the time for representing Marina to Japan.
- Mayor Pro Tem Visscher enjoyed the public transportation. Noted that no city funds were used for this trip.
- 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.*
- Tyler French fought to obtain a new conditional use permit with the understanding that we would have three more years to operate and one year to vacate. Noted video footage of trucks running stop signs are not affiliated with Las Animas. Shocked that the council would even consider reneging on the promise of three years and one year to vacate. We've done everything we were asked and now we're asking you to stand by your word.
- LaVisha announced May 3rd is Kite Day at Marina Vista from 11:00-3:00. All is invited to attend. We've teamed up with Marina Youth Arts.
- Fred Nelson appreciated the budget workshop. Commented on the continued Strategic Planning Retreat and the PIO, the city should hire multiple people for this job, get a wider variety of perspectives and skill sets. Commented on Locke Paddon Park safety protection and revitalizing the downtown area.
- Juanitino Lopez, the city agreed last year to extend the Las Animas lease. Expressed concerns and frustration regarding the council's decision to reverse its commitment. Asked about opening a new road from the plant directly to Imjin.
- Jeff D. noted the increased noise is not just from Las Animas. Trucks from the construction zone are a key factor to the noise. Invited staff/council to come sit during the peak traffic hours and just watch. Asked council to reconsider.
- Denise Turley made comments about damage to her vehicle from one of Las Animas's trucks and the lack of professionalism when confronting them with it. Suggested the mediation between the residents and Las Animas. Commented on the Community Input Budget Sessions.
- Brad Imamura thanked the council for holding the community input meetings on the budget. Enjoyed the presentation on Resilient Monterey County. Asked if there would be a summary of the trip to Japan. Comment on the vote to increase council salaries.
- Carol Eng Opposes any future lease with Las Animas. Trucks are breaking the rules of the MMC on noise, running stop signs. The city is required to enforce its own laws.
- Adrian Mora spoke about working/driving for Las Animas. Commented on previous speaker complaint about car damage. Asked the Council to reconsider and give Las Animas more time to figure things out.
- James Lockman spoke about the services Las Animas provides during emergencies when infrastructures go down or concrete is needed to sure up trestles or levees. Hopes we can work together.

Mayor Delgado announced the Consent Agenda would be moved to the end of Other Action.

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: 106436-106630, totaling \$2,929,024.12.
Accounts Payable Successor Agency EFT Number #130, totaling \$2,783.75.
 - b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) March 18, 2025, Regular City Council Meeting
 - (2) March 7-8, 2025, Special 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. 2025-18**, accepting the Housing Element Annual Progress Report for calendar year 2024 and authorizing staff to submit the report to the Governor's Office of Planning and Research and the California Department of Housing and Community Development (State HCD); and find that the action is exempt from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) and 15378(b).
 - g. APPROVAL OF AGREEMENTS: None
 - h. ACCEPTANCE OF PUBLIC IMPROVEMENTS:
 - (1) Adopt **Resolution No. 2025-19**, accepting the completion of the City of Marina Buildings Blight Removal 2024 Project; and authorizing the filing of a Notice of Completion (NOC) with the Monterey County Recorder's Office.
 - i. MAPS: None
 - j. REPORTS: (RECEIVE AND FILE):
 - (1) Monterey-Salinas Transit March 10, 2025, Board Meeting Highlights.
 - (2) Receive report related to CivicWell Policy Makers Conference.

(3) Receive County of Monterey Sixth Cycle Housing Element Informational Update.

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

(1) Read by Title Only and adopting **Ordinance No. 2025-03**, amending Title 17, Article 6, 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 pertaining to the Administration of this Title. Finding this action is exempt from environmental review pursuant to Section 15061(B)(3) of the CEQA Guidelines.

m. APPROVE APPOINTMENTS: None

MCCARTHY/MCADAMS: TO APPROVE THE CONSENT AGENDA MINUS 10L(1). 5-0-0-0 Motion Passes

DELGADO/VISSCHER TO APPROVE AGENDA ITEM 10L(1). 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.*
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. PG&E Report on Winter Power Outages.

Public Comments:

- Adam Pinterest stated that during the power outage some residents were without power for 4 days. Commented that compensation from PG&E amounted to \$25. Stated the PG&E website is confusing and has misinformation about any kind of compensation for the outage.
- Fred Nelson was without power for 3 days and now putting together a solar system for his home.
- Jeff Markham thanked the council for the presentation, it's a good look at what we can do not only with PG&E but with other utility providers. pointed out that the repair times were not provided or inaccurate in terms of what the restore times.
- Denise Turley spoke about not having power for 3 ½ days. Noted it was the fifth outage but definitely the worst one. Commented on the reimbursement process of PG&E. Asked what PG&E is doing about Providing a list of things that we could have that would help give us.

The council discussed the length of the outage, what the cause was and what residents could do in the future to prepare for the next time. Talked about PG&E residential reimbursements and why none for commercial businesses. Generator rebate programs. Resource center/location for charging phones/tablets etc...). Trimming of dying/diseased trees near substation.

- b. Adopting **Resolution No. 2025-20**, authorizing the City Manager to execute a Public Improvement and Reimbursement Agreement with Shae Homes Limited Partnership for the rehabilitation of the Marina Arts Village.

Public Comments:

- Lilly read a statement about the history of Fort Ord and what it meant to her family. Asked the council to preserve the history of Marina that Fort Ord helped to create.
- Dan Landrum stated building needs a proper structural assessment before a decision should be made. Money in the budget to move forward with soliciting an engineer and putting out RFP.
- Kevin Dayton made a comment about the consent agenda relating to blight removal notice of completion. Suggested, the council move forward on this so that it doesn't sit there as a potential target for a fire or some other bad thing to happen.
- Adam Pinterest thinks the history of Fort Ord is well preserved in many ways. Believes there are some ways to showcase it that doesn't require a lot of taxpayer money for an entire building. Supports alternative #5.
- Mike Moeller expressed concerns regarding an art village project concept that was drawn up 20-25 years ago. Commented on East Garrison's Arts Village project that's been in limbo for decades. City monies should be redirected to projects currently in need.
- Unknown – The building's location would be a wonderful gateway to draw people to Marina, draw people to the history. Commented about John Steinbeck and Cannery Row.
- Fred Nelson Spoke about working in local museums and having the buildings around add a touch of local history and showcased our local art and culture.
- Angie Landrum, excited to learn the city is considering developing an art village. The location is convenient for local marina residents and it's ideal for tourists. Hopes council will look to the future of what this site could be and preserve it for future generations.
- Grace Silva-Santella stated the city should be using the monies to get the chapel completed so it could be turned into a small music and art venue, or get the Aquatic & Sports Center completed, help with the revitalization of the downtown.
- Doug McArdle wanted to correct or go on the record relative to one of the comments that had come up earlier about structural integrity/structural review. A full structural review has been completed, and we will have an ongoing structural consultant should we decide to go forward with this work.
- Brad Imamura asked if the city/taxpayers really need this? Can the City/taxpayers afford it? Can the City maintain the upkeep? Supports alternate #5.
- Denise Turley asked if this building is part of what was supposed to be extra space surrounding the theater for public events. If favor of fixing the church and pool.
- Jeff Markham expressed his concerns that the unknowns on the project are really too great. There are many projects in play in Marina, do we really need to take this on? Spoke about the

TAMC property and the unknowns. The best thing to do is to demolish these buildings and expend our resources elsewhere.

- Manny this particular dwelling or building is an eyesore of blight, hazardous and it's potentially a fire hazard. The option of demolition is good, and it saves the city money if it's going to be fully funded by Shea.
- Dusan Tatomirovic spoke about how Marina is continuing to grow with all the new homes coming in. Spoke about the culture and how it should not be dismissed. Spending millions on the building is worth it in the long run if it provides cultural spaces.
- Susan agrees we should not use taxpayers' dollars on this project. We're not in the commercial space business. We can use the money for improvements elsewhere within the city. Demolition is the best way to go.
- Mike Kennedy is in favor of option five to demolish the existing building. If there's a need for some sort of arts village in the future, then build it then.

The council discussed the city funds and how they could be used. Lifespan of the building if it were to be stabilized. Security of building. Cost of future maintenance of structure. Roof estimate. Reducing size of structure from 60,000 sqft. to 36,000 sqft. All the alternatives listed in the staff report.

MCCARTHY/VISSCHER: THAT WE ADOPT RESOLUTION 2025-20, AUTHORIZING THE CITY MANAGER TO EXECUTE A PUBLIC IMPROVEMENT REIMBURSEMENT AGREEMENT WITH SHEA HOMES FOR THE REHABILITATION OF THE MARINA ARTS VILLAGE USING OPTION NUMBER FOUR AS SPELLED OUT IN THE STAFF REPORT AND GIVE DIRECTION TO CITY MANAGER ON COUNCIL'S PREFERRED ALTERNATIVE TO INCLUDE THE AGREEMENT AND AUTHORIZATION FOR ADDITIONAL FUNDING FOR AN AMOUNT CERTAIN FROM THE UNALLOCATED GENERAL FUND BALANCE IF NEEDED. 4-1(Biala)-0-0. Motion Passes

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 11:10 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor