



ACTION MINUTES

Tuesday, May 20, 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

TELECONFERENCE LOCATION: ¹

1004 Saga St.
Glendora, California 91741

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:
4. CLOSED SESSION:
 - a. Conference with Legal Counsel, Existing Litigation (§ 54956.9(d)) (2 cases)
 - i. *City of Marina, et. al. v. California Coastal Commission, et al.*, 22-CV004063, Monterey Superior Court
 - ii. *Application of California-American Water Company (U210W)*, Application 21-11-024, California Public Utilities Commission

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

City Attorney Ortega reported out Closed Session: Council provided direction, and no reportable action was taken.

5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
6. SPECIAL PRESENTATIONS:
 - a. Asian American and Pacific Islander Heritage Month Proclamation
 - b. Simmon Bull Presentation
7. COUNCIL AND STAFF ANNOUNCEMENTS:
 - Councilmember McAdams announced the community members are invited to purchase personalized fence pickets for \$35 to be engraved and installed at our future Inclusive Park. Invited the public to join the Pride Flag raising at 12:00 pm on Sunday, June 1st, at the corner of Reservation Road and Del Monte Boulevard.
 - Mayor Delgado thanked the American Legion Post 694 for holding the Teachers Appreciation Dinner each year. Announced this Thursday and every Thursday throughout the year, rain or shine, from 5.30 till 7pm volunteer with watering, weeding and general maintenance at Hilltop Park.
 - Mayor Pro Tem Visscher announced that TAMC workshop on traffic safety, tomorrow at Vince DiMaggio Park from 5:30-7:00pm
 - Recreation Director, Willer announced on June 7, 2025, from 11:00am-1:00pm that there will be the Windy Hill Park Grand Opening.
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.*
 - Nina Beattie commented on the prescribed burn to take place on the former Fort Ord and the hazardous fumes generated from the toxins in the ground. Encourage the public to petition the EPA to stop these prescribed burns.
 - Denise Turley enjoyed the short video by Simon Bull and is excited about his artwork.
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 106852-106960, totaling \$1,393,717.89.
 - b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) May 6, Regular City Council Meeting
 - c. CLAIMS AGAINST THE CITY:
 - (1) Staff recommend that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Cynthia Wills for a claim received on May 6, 2025.
 - 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. 2025-39**, approving the GANN Appropriations Limit for Fiscal Year 2025-26.
 - (2) Adopting **Resolution No. 2025-40**, approving a new records retention schedule for the Administration and Human Resources departments and repealing portions of previous resolution 2020-08.
 - g. APPROVAL OF AGREEMENTS: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) Adopting **Resolution No. 2025-41**, accepting the Grant of Avigation Easement affecting Phases 1 and 2 of Marina Station Development Project Subdivision; and authorizing the City Clerk to execute the Grant of Avigation Easement Agreement, on behalf of the City, subject to final review and approval by the City Attorney.
 - (2) Adopting **Resolution No. 2025-42**, approving a Public Improvement Agreement for Marina Station Phases 1 and 2 between the City of Marina and Marina Station Phases I and 2 LLC, a Delaware limited liability company; and authorizing the City Manager to execute the Public Improvement Agreement on behalf of the City subject to final review and approval by the City Attorney.
 - (3) Adopting **Resolution No. 2025-43**, approving the Public Improvement Agreement for Phase 3 Offsite Roadway Improvements between the City of Marina and Shea Homes, LP, (“Developer”); and authorizing the City Manager to execute the Public Improvement Agreement on behalf of City subject to final review and approval by the City Attorney.

- (4) Adopting Resolution No. 2025-, approving an agreement with Denise Duffy and Associates to implement a monitoring plan for Hilltop Park within Phase 2 East of University Village in an amount not to exceed \$24,000; and discussion to dissolve the Hilltop Park Ad Hoc Committee.
Tabled by Mayor Delgado.
- (5) Adopting **Resolution No. 2025-44**, consenting to a sublease between Light & Motion Industries and Simon Bull, an individual, d/b/a Simon Bull Studio, of a portion of the space leased by Light & Motion Industries pursuant to a lease agreement between Light & Motion Industries and the City of Marina dated March 25, 2013, as amended.
- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
- i. MAPS:
 - (1) Adopting **Resolution No. 2025-45**, approving the Phases 1 and 2 Final Map for Marina Station Development Project Subdivision; and consider authorizing the City Clerk to certify the Final Map on behalf of the City subject to final review and approval by the City Attorney.
- j. REPORTS: (RECEIVE AND FILE):
 - (1) Monterey-Salinas Transit May 12, 2025, Board Meeting Highlights.
 - (2) 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 March 31, 2025.
 - (3) Receiving City of Marina Third Quarter Budget Report – Fiscal Year 2024/25, which represents the quarter ended March 31, 2025; and consider receiving the HdL City of Marina Sales Tax Update for the period from October – December 2024
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING):
 - (1) Read by Title Only and adopting **Ordinance No. 2025-04**, amending Title 15 of the Marina Municipal Code by adding Chapter 15.07, the State Fire Hazard Severity Zone map.
 - (2) Read by Title Only and adopting **Ordinance No. 2025-05**, amending Title 15, Chapter 15. 32 entitled “Adoption of the California Fire Code (CFC), Section 15.32.890, Subsection 5609.1.4-r of the Marina Municipal Code.
- m. APPROVE APPOINTMENTS: None

Councilmember McAdams had comments on agenda item 10j(3).

Mayor Delgado Had comments on agenda items 10g(1), 10g(2) and 10i(1). Requested to table agenda item 10g(4) to a later meeting.

Councilmember Biala had comments on agenda item 10j(3).

BIALA/MCADAMS: TO APPROVE THE CONSENT AGENDA MINUS 10g(4). 5-0-0-0
Motino Passes by Roll Call Vote

Councilmember McCarthy announced that he needed to leave the meeting at 9:00 pm and suggested the Council rearrange the agenda so he and the council hear and vote on agenda item 13a.

The City Council agreed to hear agenda items 13a and 13b before the public hearing items.

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. Open public hearing and take testimony from the public; consider adopting **Resolution No. 2025-46**, confirming diagram, assessment and ordering levy of \$182.42 for FY 2025-26 assessment for Seabreeze Landscape Maintenance Assessment District, and; authorize the City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2025.

Public Comments: None received

MCADAMS/VISSCHER: TO OPEN THE PUBLIC HEARING, TAKE TESTIMONY FROM THE PUBLIC; AND ADOPTING RESOLUTION NO. 2025-46, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$182.42 FOR FY 2025-26 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZE THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO AUGUST 1, 2025. 4-0-1(McCarthy)-0 Motion Passes by Roll Call Vote

- b. Open public hearing and take testimony from the public; consider adopting **Resolution No. 2025-47**, confirming diagram, assessment and ordering levy of \$77.14 for FY 2025-26 assessment for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District, and; authorize the City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2025.

Public Comments: None received

VISSCHER/MCADAMS: TO OPEN PUBLIC THE PUBLIC HEARING, TAKE TESTIMONY FROM THE PUBLIC; AND ADOPTING RESOLUTION NO. 2025-47, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$77.14 FOR FY 2025-26 ASSESSMENT FOR THE MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZE THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO AUGUST 1, 2025. 4-0-1(McCarthy)-0 Motion Passes by Roll Call Vote

- c. Opening a public hearing and introducing by title only **Ordinance No. 2025-06**, renewing Ordinance No. 2022-02, Marina Municipal Code Chapter 9.26 "Military Equipment Use".

Public Comments:

- Fred Nelson see's the nature of this ordinances as an opportunity to leverage our budget and our resources to protect our immigrant population from ice and DHS. Would like to see this ordinance expanded to include language against cooperation with those.

BIALA/MCADAMS: TO OPEN THE PUBLIC HEARING AND INTRODUCE by title ONLY ORDINANCE NO. 2025-06, RENEWING ORDINANCE NO. 2022-02, MARINA MUNICIPAL CODE CHAPTER 9.26 "MILITARY EQUIPMENT USE". 4-0-1(McCarthy)-0 Motion Passes by Roll Call Vote

- d. Open a public hearing and consider introducing **Ordinance No. 2025-07**, amending the Zoning Code (Title 17); and adopting **Resolution No. 2025-48** amending Section 5.7.2 of the 2000 General Plan, both to implement Program 2.4 of the Housing Element; and find that the recommended action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3).

Public Comments: None received

BIALA/MCADAMS: TO OPEN A PUBLIC HEARING AND INTRODUCING ORDINANCE NO. 2025-07 AMENDING THE ZONING CODE (TITLE 17); AND ADOPTING RESOLUTION NO. 2025-48, AMENDING SECTION 5.7.2 OF THE 2000 GENERAL PLAN, BOTH TO IMPLEMENT PROGRAM 2.4 OF THE HOUSING ELEMENT AND FIND THAT THE RECOMMENDED ACTION IS EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES SECTION 15061(B)(3). 4-0-1(McCarthy)-0 Motion Passes by Roll Call Vote

- e. Open a public hearing; and receive a report and presentation regarding City vacancies, recruitment and retention efforts, including any presentation from the City's represented bargaining groups, pursuant to California Government Code Section 3502.3.

Public Comments:

- Chris Johnson commented on the increased growth of the city. Current sworn officers. The need for additional officers to help cover those on leave, vacations etc. Low pay incentives for Marina. POA supports the Police Chiefs budget proposals for the new fiscal year.
- Alyson Hunter spoke about the MMEA, and out of 10 positions, only 6 are filled right now. Emphasize the need to fill the two engineering positions as the top priority. These vacancies are holding up work being completed on city projects and private projects.

The Council discussed total employees, police officer recruitment, recruitment of all vacant positions and timelines of the recruitments.

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. 2025-49**, approving a sales tax revenue sharing agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to assist in covering high site development and construction costs associated with developing a Mercedes-Benz automobile dealership in Marina

Public Comments: None received

The city council discussed the business name to be used for Marina location, keeping track of the conditions of the agreement and payments being made, location of the business, views from the highway, concerns with site and architectural reviews, lighting, possible impacts on CDEC Hill hotel, accurate computer simulation showing trees, shrubs and gateway signage. Finances coming into the city over a 5-to-7-year period.

BIALA/DELGADO: TO APPROVE RESOLUTION NO. 2025-49, APPROVING A SALES TAX REVENUE SHARING AGREEMENT BETWEEN THE CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE, MBMCA LLC, TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY, WITH THE FOLLOWING CONDITIONS:

- a. **THE CITY COUNCIL SHALL HAVE FINAL APPROVAL AFTER REVIEW FROM THE TREE COMMITTEE AND THE PLANNING COMMISSION FOR SITE PLAN AND ARCHITECTURAL DESIGN REVIEW;**
- b. **THAT THE DEALERSHIP PRODUCE AN ACCURATE COMPUTER SIMULATION VIDEO PRIOR TO PLANNING COMMISSION REVIEW;**
- c. **THAT ANY GATEWAY SIGN BE CONSISTENT WITH CITY MONUMENT DESIGN REQUIREMENTS AND THAT ANY DEALERSHIP SIGNAGE REFER TO “MERCEDES OF MARINA”;**
- d. **THAT THE PROPOSED LIGHTING FOR THE DEALERSHIP SITE MINIMIZES IMPACT TO THE NIGHT SKY;**
- e. **TO CONSIDER FUTURE SPECIFIC AGREEMENT AMENDMENTS SUBJECT TO MUTUAL AGREEMENT BY CITY AND DEVELOPER; AND**
- f. **IMPLEMENT PREFERENCE FOR LOCAL HIRES WHEN FEASIBLE.**

5-0-0-0 Motion Passes by Roll Call Vote

- a. Receiving a presentation regarding the status of the City’s City-Wide Incidental Take Permit (ITP) for Monterey Gilia and Fort Ord Habitat Management Plan Compliance Projects; and providing input on a conceptual realignment of the proposed Del Monte Boulevard/2nd Avenue Extension; and adopting Resolution No. 2025-, approving change orders to amend the existing project agreements with Denise Duffy & Associates, Inc. to extend the timeframe for both contracts and include additional services in the ITP contract.

Public Comments:

- Denise Turley asked about the legality of possessing a Tiger Salamander.

The City Council discussed getting more understanding of the Western Burrowing Owl, the Crotch bumblebees, and a tiger salamander as new endangered species and including them in future ITP permits. Direct access bike/pedestrian path to shopping from Del Monte to the dunes in alternatives to Del Monte 2nd Avenue Extension. Approval of Dept. of Fish and Wildlife Airport area. Consistency with the General Plan. Salinas Avenue site. Mitigation strategies for development areas. Concerns about the realignment of 2nd Avenue to Crescent Street.

BIALA/VISSCHER: THAT WE RECEIVED THE PRESENTATION REGARDING THE STATUS OF THE CITY'S CITY-WIDE INCIDENTAL TAKE PERMIT (ITP) FOR MONTEREY GILIA AND FORT ORD HABITAT MANAGEMENT PLAN COMPLIANCE PROJECTS; AND PROVIDING INPUT ON A CONCEPTUAL REALIGNMENT OF THE PROPOSED DEL MONTE BOULEVARD/2ND AVENUE EXTENSION TO INCLUDE ALTERNATIVE EVALUATION OF A FORTAG LIKE PEDESTRIAN BIKE EXTENSION FROM 2ND AVENUE TO DEL MONTE BLVD; AND EVALUATE PRESTON PARK ALTERNATIVE DUE TO SAND GILIA ISSUES; AND THAT CONNECTOR ROADS NOT EMPTY INTO RESIDENTIAL STREETS. 3-1(Delgado)-0-0. Substitute Motion Passes by Roll Call Vote.

- b. ~~Consider adopting Resolution No. 2025, approving the 2025 Engineering and Traffic Survey with recommended speed limits; and authorize a budget appropriation of \$10,000 of Gas Tax/Street Fund for signs and supplies; and authorize the Finance Director to make necessary accounting and budgetary entries; and consider introducing Ordinance No. 2025, for first reading by title only and waive further reading, amending Section 10.60.010 "Speed Limits Established" of Chapter 10.60 "Speed Limits" of Title 10 "Vehicles and Traffic" to adopt *prima facie* speed limits pursuant to an engineering and traffic survey and the California Vehicle Code (CVC). Continued to June 3, 2025~~
- c. ~~Adopting Resolution No. 2025, approving the purchase of a fully equipped RAVO R5 ISERIES Compact Diesel Street Sweeper from our Sourcewell Contractor. Continued to June 3, 2025~~

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 11:16 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Liesbeth Visscher, Mayor Pro Tem