



MINUTES

Tuesday, June 4, 2019

5:30 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 AND SUCCESSOR AGENCY OF THE
FORMER MARINA REDEVELOPMENT AGENCY**

Council Chambers
211 Hillcrest Avenue
Marina, California

1. CALL TO ORDER
2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, and Successor Agency of the Former Redevelopment Agency Members)

MEMBERS PRESENT: Lisa Berkley, Adam Urrutia, Frank O’Connell, Mayor Pro-Tem/Vice Chair, Gail Morton, Mayor/Chair Bruce C. Delgado
3. CLOSED SESSION: *As permitted by Government Code Section 54956 et seq., the (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, and Redevelopment Agency Members) may adjourn to a Closed or Executive Session to consider specific matters dealing with litigation, certain personnel matters, property negotiations or to confer with the City’s Meyers-Milias-Brown Act representative.*
 - a. Conference with Legal Counsel, two cases of existing litigation pursuant to paragraph (1) of subdivision (d) of CA Govt. Code Section 54956.9: (1) City of Marina v. Public Utilities Commission of the State of California, Respondent California American Water Company et al. California Supreme Court Case S S253585; (2) Marina Community Partners LLC v. Fort Ord Reuse Authority, Monterey Superior Court Case 18CV000871.”
 - b. Conference with Legal Counsel-anticipated litigation- initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 – One potential case.
 - c. Labor Negotiations
 - i. Marina Employee Association
 - ii. Marina Professional Fire Fighters Association
 - iii. Marina Public Safety Managers Association

City Negotiators: Layne P. Long, City Manager and Employee Relations Officer

6:40 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

Deborah Mall, Assistant City Attorney reported out Closed Session: City Council went into Closed Session at 5:30pm. Three matters were heard. 3a(2) Marina Community Partners LLC v. Fort Ord Reuse Authority and direction was given to legal counsel and no reportable action was taken. 3b anticipated litigation- initiation of litigation, Council gave direction to initiate in an action and additional particulars will be disclosed upon inquiry after the action has formally been commenced. The last heard was Labor Negotiations, one of the parties was discussed and direction was given to negotiators and the City Council may go back into Closed Session after this meeting to continue with Labor Negotiations.

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

5. **SPECIAL PRESENTATIONS:**

a **Compassionate City Presentation**

b **Recreation Announcements**

6. **SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR:** *Any member of the Public or the City Council may make an announcement of special events or meetings of interest as information to Council and Public. Any member of the public may comment on any matter within the City Council's jurisdiction which is not on the agenda. Please state your name for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on a future agenda. City Council members or City staff may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of four (4) minutes. 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.*

- Elizabeth Billingsley – Commented on the fact that there were no flags put up during Memorial Day Weekend of Memorial Day and wanted to know why. Who is responsible for putting up the flags? Took it upon herself to locate the flags and noticed they were in bad shape. We have 30 American Flags in bad shape. Suggested that the City purchase new flags to be placed along Reservation Road and Del Monte Blvd like we have done in the past. Spoke with the Commander of the VFW and they are going to have a meeting and bring it up to his group to donate some funds to help replace the American flags. Also spoke with the Commander of Post 694 about donation of funds and hopefully the City can buy some flags and put them back up again. June 14th is Flag Day and we aren't going to have any flags up. Then the 4th of July is coming. Please think about purchasing new flags.
- Kathy Biala – Have not heard of any serious discussion during the budget meeting about a new Civic Center or permanent City Hall. our 43-year old portables will not suffice in to our long-term future or short-term for that matter. Wondered if our city could be thinking now about ow we will begin to plan for our Civic Center. Where will it be, how we will finance it, should we be considering a bond referendum for funding? Would like to see some beginning discussions about this. We must start somewhere. Thanked Council Member Berkley for her presentation. How do we implement this? It's very unclear.
- Paula Pelot – Sorry that public was not allowed the opportunity to ask questions on Council Member Berkley presentation, but we can also go to the website, compassionatecities.org and look at what some other city's have done. Pointed out that today is the 100th Anniversary of the 19th Amendment and people are wearing yellow roses because Tennessee was the last to finally

pass the it through their legislation and they wore yellow roses. Those against it wore red roses.

- Wes Clark, Marina Trading Company – We are a prospective applicant for a cannabis dispensary. Hit a small speedbump in the application with regard to Neighborhood Compatibility portion in our business plan where we have to reach out to everyone within a 250-foot radius, give them our contact information and ask for consent from the landowners. We have a total of 53 parcels in a 250-foot radius for us and two parcels are owned by the City of Marina. City staff and the City Attorney indicated that they cannot sign the consent form, which I respect their decision to do so but what I can't have happen is that these parcels count against us. If there is a person bidding for a license that 100% support and we missed two will that be counted against us? What I'm asking for is for us to have a discussion about all the parcels that the City owns be excluded from all the scoring matrixes to be fair to every applicant that HdL will be scoring.
- Grace Silva-Santella – Made comments that there has been no American Flag posted at the Marina Library since it was built. The Friends of the Marina Library agreed to spend \$533.00 to put in solar lighting panels and buy a new flag and Public Works will be installing it. Here is a nonprofit that's stepping up to the plate to make sure that we acknowledge and honor our history. Was always moved by the display of flags on Reservation Road, Del Monte Avenue and the personal flag in the neighborhood. Agrees with Liz and hopes the City will step up to the plate. If the Downtown Vitalization Plan is talking about honoring our ethnic history I hope that we will respect and honor our military history.
- Christina Medina-Dirksen – Appreciates Council Member Berkley's presentation. Commented on economic compassion and gave a kudo's to Terry Siegrist because trying to figure out what you're going to do with your kids during the summer is a mind boggling, expensive endeavor. A regular week at camp can run a person anywhere between \$200-\$400 depending on what kind of experience you can give your child and unfortunately excludes a lot of people with low economic means. So, when we see what camps are available through the city, though very low-priced point some of them even free the Friends of the Marina Library was able to partner with the city to provide a free photography camp for our students. It's limited to 12 students and costs about \$4,000 or less for the week. It's open to all children between the ages of 12-18, taught by a professional photographer with fieldtrips. In the future hopes city has the funds to make it possible for these programs to grow. Announced that this weekend Friends of the Marina Library is having a free concert where Red Beans & Rice will be playing. On Sunday Guitars not Guns and a band of students (Rosewood) will be playing. Book Sale Saturday and Sunday from 10:00am-4:00pm. Free Lunch Day on Fridays for 18-years and under.
- Mike Owen – Commented on the possibility of streamlining the process for Tree Committee applicants/applications for current tree committee members. Has the City Manager spoken to the Community Development staff on the process? If not, will it be noticed so that I could be aware if it was going to be discussed at the commission? If nothing is being done is that just because staff was incorrect in the beginning that it's really not up to the council, it just resides with the staff to decide whether or not to try and expedite the process?
- Council Member O'Connell – Announced that MST has reduced bus passes for youths ages 18-under to \$38.00 for the summer. For more information you can contact www.MST.org or call them directly. It's a great deal for the youths and gets you around the community.
- Mayor Pro-Tem Morton – June 14th FORA meeting at 2:00pm at Carpenter Hall, 920 2nd Avenue, discussion on Transition Plan Implementation agreement. These are the agreements that each jurisdiction will be executing as to what responsibilities we are taking on when FORA sunsets. Hopes to see city staff at the meeting as well.

- Mayor Delgado – Thanked the volunteers we had show up on May 25th and June 1st to do a native plant garden at the Marina High School. Thanks to Monterey Regional Waste Management District for donating the 10-cubicyards of chips, GreenWaste Recovery for delivering them and Marina Subway for donating the sandwiches on both days for the volunteers. Also thanked Marina High School faculty and students for supporting it. Every Wednesday at 5:30pm volunteers are encouraged to join us at the Oak Woodland Restoration Project at Locke Paddon Park/Marina Library area. Saturday, June 29th from 10:00am-Noon will be our monthly cleanup of Lapis Road/Del Monte Blvd. Commented on AT&T/US Open coming and wanted to let people know that we have banners that can we put up welcoming golf aficionados to Marina, concerned that if we don't put up the banners Marina will do zero in conjunction with this very large event.

7. 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. 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 the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda for Successor Agency to the former Marina Redevelopment Agency and placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

8. CONSENT AGENDA: *Background information has been provided to the City Council, Airport Commission, Marina Abrams B Non-Profit Corporation, and Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine. 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 the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda and placed at the end of Other Action Items.*

a. ACCOUNTS PAYABLE:

- (1) Accounts Payable Check Numbers 92393-92491, totaling \$195,330.27
Wire transfers from Checking and Payroll for April 2019 totaling: \$422,739.06

b. MINUTES:

- (1) May 7, 2019, Regular City Council Meeting
- (2) May 21, 2019, Regular City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS:

- (1) City Council consider adopting **Resolution No. 2019-56**, approving advertising and call for bids for the 2019 Citywide Street Repair Project.

f. ADOPTION OF RESOLUTIONS:

- (1) City Council to consider adopting **Resolution No. 2019-57**, fixing and levying a special tax for principal and interest payments and administrative costs on the city's 2015 General Obligation Refunding Bonds for fiscal year 2019-2020; and **Resolution No. 2019-58**, certifying compliance with state law (Proposition 218) with respect to special taxes for the 2015 General Obligation Refunding Bonds tax levy for fiscal year 2019-2020.

- (2) City Council consider adopting **Resolution No. 2019-59**, Certifying City of Marina compliance with State law (Proposition 218) with respect to special assessment for Cypress Cove II Landscape Maintenance Assessment District for FY 2019-20.
- (3) City Council consider adopting **Resolution No. 2019-60**, certifying City of Marina compliance with State law (Proposition 218) with respect to special assessment for Seabreeze Landscape Maintenance Assessment District for FY 2019-20.
- (4) City Council consider adopting **Resolution No. 2019-61**, certifying City of Marina compliance with State law (Proposition 218) with respect to special assessment for Monterey Bay Estates Landscape Maintenance Assessment District for FY 2019-20.

- g. APPROVAL OF AGREEMENTS: None
- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
- i. MAPS: None
- j. REPORTS: (RECEIVE AND FILE): None
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None

Council Member O’Connell requested to pull agenda item 8b(2) to vote on separately so he could abstain.

Council Member Urrutia noted a correction for 8b(1) where his phone number is listed wrong

DELGADO/BERKLEY: TO APPROVE THE CONSENT AGENDA MINUS 8b(2) AND CORRECTION TO 8b(1) AS NOTED BY COUNCIL MEMBER URRUTIA. 5-0-0-0 Motion Passes

DELGADO/URRUTIA: TO APPROVE AGENDA ITEM 8b(1). 4-0-1(O’Connell)-0 Motion Passes.

9. PUBLIC HEARINGS:

- a. City Council receiving presentation and open public hearing on the City’s draft Fiscal Year 2019/20 and 2020/21 Budget.

Eric Frost, Finance Director summarized staff report and presentation.

Council CIP Questions: after spending the \$800,000 proposed in 20-21 at the Equestrian Center what will be there? What will the \$800,000 get us? Salinas Avenue Widening, does FORA reimburse us at the end of the fiscal year of 19-20 or do we have to finish the entire project through 20-21? Have we had a reason to submit a reimbursement request to date on any project to FORA? Any problems? What do we do if FORA (a) does not get extended beyond June 2020 or that we enter into other agreements or FORA enters into other agreements committing the CFD to something else? Airport Building Restaurant proposed budget for 19-20 of \$45,000, am I to be assuming that this would mean that the restaurant would be finished and could be occupied? Will there be a ribbon cutting/grand opening? The Dunes Park, assumption of FORA funding the removal of barrack, what do we do, that we’re trying to move the park forward to receive Tatum’s Treehouse that we can count of FORA doing anything? How do we address this issue in this budget? Is the primary use of Gas Tax road

maintenance? Can we reduce our contribution either to the \$1.6 million per year by these \$130,000 or is there a good reason to maintain a positive fund balance in your Gas Tax? Is vehicle maintenance under Public Works? On page 43, between the 2019 amended budget and the 20-20 proposed budget in Salaries and Benefits there is an 11.4% cut proposed but did see a commensurate decrease in FTE's – is there a reason for that assumed reduction from \$150,623 to \$135,250?

Council General Fund Questions: \$4.6 million unallocated available general fund money, at the end of 2020-2021 it seems we could be using it by planning what to do with it like with Windy Hill Park needs restrooms, can we have a work session where we look at ways of allocating/planning for use of some of these funds? Can use the reserve funds to payoff Preston Park? Can we have a timeline of our priorities in the budget? When will this dashboard be completed and how do we make it accessible to council and the public? Parks Maintenance Worker – is this one worker going to maintain all the parks to a standard? What are we allocating for our park to make sure that Preston Park doesn't look like the picture on page 97? Are there any funds available for a more proactive better maintenance of our parks? What can we do to give that \$4.6 million some look for addressing those worst streets sooner? Page 27, General Fund Expenditures and then on Page 32, isn't some of that money going to be coming from the PEG account instead of the General Fund? Page 15, Summary of Transfers, is this money being transferred out? Page 14, Debt Service Fund, GO Refunding Bond, what do these numbers represent? Revenue coming in of \$469,000 in 2020-21 is that from the assessments on the properties? What happens to that money? What was the initial bond amount? Is there anything in this budget for rent stabilization or some other alternative to rent stabilization that we might set aside some funding to address? Where can we go from here regarding a civic center planning effort? Speed Cushion, what can we do to reduce speed on certain streets other than the Cadillac approach? What kind of funding and staff time does it take to launch such a program of analysis? What do you mean when stating that "personnel requests have not been addressed" in you slide? Are those personnel requests helpful to achieving the 50 goals that are in here? Should we be looking what those are, where those requests furthering the policy that was set by Council? Has there been any consideration in this budget to increase the Code Enforcement officer's time to the city? What about the School Resource Officer or something in place instead of that, is that somewhere in the budget for consideration? What would it take to increase the Code Enforcement reoccurring expenses? How many days a week in staff time would we have for Code Enforcement?

Public Comments:

- Kattie Castanya, United Way Monterey County – Requested that Council consider budgeting \$5,000 to help support the 2-1-1 Service provided to Monterey County residents.
- Grace Silva-Santella – Asked if there was anything budgeted for safe pedestrian crossing at the intersection of Reservation Rd & Del Monte Blvd. \$25,000 Del Monte Avenue median landscape demonstration, is that in there? If so, it's a waste of money. \$1.5 million for the roofing of the Arts Village building, has there been any assessment of how much in the years to come that whole project is going to cost and what revenue that project will generate? Has the city considered contracting out any park maintenance? Please remember the Library is a park and the landscape look terrible. When looking at park maintenance look at the weekends, you have no workers on the weekends. Love the recognition of more code enforcement.
- Jason Hicks – Gathered signature for the ballot measure and spoke with the neighbors specifically about the fire personnel and a second engine company. The city has grown. The call volume has grown and times where the city relies on mutual aid to cover the city. Does not think that we need a study. The past Fire Chief said we need people and the current Fire Chief saying we need people. I strongly recommend that you hire a second engine company.

- Christina Medina-Dirksen – Echo’s previous speakers’ comments. Also collected signature for the ballot measures and promised them that I would be here to make sure the priorities were for Fire, Streets, Recreation and agrees we don’t need a study to hold off any longer the need to adequately staff our fire department and the needs of public safety. Appreciates the roads will be taken care of but disagrees that the people who live on Flower Circle need to wait to the very end. Appreciates the conversation about park maintenance because we are on a deferred maintenance plan and advocating for another position in the next budget cycle or having a study session on it is critical. Restated that Police, Fire, Parks and Recreation and Street need to be our priority.
- Dawn Alva – Reiterated the staffing proposals but did not hearing anything about part-time special events person. If budgets are a statement of values I have been at both retreats for the last couple of years and getting our community together is very important. When people come to Marina your feeling of Marina is very important and those events bring a feeling of we want to be a community and together.

9:59 PM

MORTON/DELGADO: to continue the meeting to 10:10 PM. 4-0-1(O’Connell)-0 Motion Passes

Council Questions Continued: City Attorney Budget, Fund 150, 2018 Actuals \$260,000 – Does the figures in 2018-2019 include special counsel that we have? Where that additional money? Then it went up as high as \$306,000 in our year actual to date we’re above what’s budgeted. Is there line item or fund for our special counsel for all the litigation? What did we spend this year for special counsel? Where is the PR Firm costs and so we want to continue with them?

10. 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. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*
11. 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. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*

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).

12. COUNCIL & STAFF INFORMATIONAL REPORTS:
 - a. Monterey County Mayor’s Association [Mayor Bruce Delgado]
 - b. Council and staff opportunity to ask a question for clarification or make a brief report on his or her own activities as permitted by Government Code Section 54954.2.
13. ADJOURNMENT: The meeting adjourned at 10:15 pm

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor