



ACTION MINUTES

Wednesday, August 6, 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**

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, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado
3. PUBLIC COMMENT ON CLOSED SESSION ITEMS: None
4. CLOSED SESSION:
 - a. Conference with Legal Counsel: Anticipated Litigation (Govt. Code § 54956.9(d)(4)), 3 potential cases. City Council to consider initiation of litigation pursuant to Government Code § 54956.9(d)(4).
 - b. Conference with Legal Counsel: Existing Litigation (Govt. Code § 54956.9(d)(1)), 1 case.
 - i. *City of Marina, et. al. v. California Coastal Commission, et al.*, 22-CV-004063, Monterey Superior Court

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

City Attorney reported out Closed Session: with respect to item 4a, Council provided direction but there are no reportable decisions. With item 4b, on June 3rd, 2025, the City Council voted unanimously to authorize the filing of an appeal of the final decision in the matter of City of Marina v. California Coastal Commission, that is 22CV4063, conditioned on both the Marina Coast Water District and the Monterey Peninsula Water Management District also authorizing such appeal. On Monday, July 14, 2025, MCWD's Board of Directors authorized the filing of an appeal and on Monday, July 21, 2025, MPWMD's board of directors also authorized the filing of an appeal. Given Council's authority granted on June 3, 2025, and the condition for such authority having been satisfied a notice of appeal was filed on July 24, 2025, on behalf of the City, MCWD and MPWMD.

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

6. SPECIAL PRESENTATIONS:

- a. Introduction of new city staff
- b. Jeff Carr Proclamation
- c. Brian Whittiker Proclamation
- d. Imjin Pkwy & Roundabout Presentation
- e. Micro surfacing & Slurry Sealing Presentation

7. COUNCIL AND STAFF ANNOUNCEMENTS:

Andrea Diallo announced on September 20, 2025, the Marina Multi-Cultural Festival at Vince DiMaggio Par from 11:00am-3:00pm. Announced on October 18, 2025, is City of Marina 50th Anniversary from 12:00pm-4:00pm on Vista Del Camino.

Mayor Pro Tem Visscher announced on October 11, 2025, is Cars in the Park event at Vince DiMaggio Park.

Councilmember McAdams thanked the Marina Police Department and staff for putting on the National Night Out event on August 5th. Reminded the public that school has officially started and to watch out for children and to drive slowly.

Councilmember McCarthy commented that Access Monterey Peninsula (AMP) Board is in need of board members. If interested, please contact me or Access Monterey Peninsula.

Councilmember McCarty made a **motion to reconsider agenda item 13b from the July 1, 2025, council meeting**. Believe the motion in the minutes of July 1, 2025, did not reflect the intension of the council.

Councilmember McAdams, Seconded the motion to reconsider.

The City Council discussed the reasonings for the reconsider and voted. **2-3(Biala, Visscher, Delgado) -0. Motion to reconsider agenda item 13b from the July 1, 2025, council meeting failed.**

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.

- Reginald Badiny Spoke about being a multidog owner and provided council a paper on MMC Section 6.04.120 regarding Kennel and Dog Hospital Licenses and the new fees recently approved last year.
- Damian commented on the parking issues on northbound Del Monte Blvd past the Beach Road roundabout. Suggested marking that area angled parking spots.
- Mark Melendez commented on Locke Paddon Park and all the children who like participating in the outdoor activities around the library area.
- Nina Beety commented on the Army's scheduled control burn on BLM lands at the Fort Ord Superfund site. Asked Council and staff directors to petition the US EPA to stop this burn and put a permanent to the burns because of the health and environmental hazards.
- Denise Turley has been trying to send emails to Mayor Pro Tem Visscher, but they get bounced back saying the address is restricted. Might want to have that investigated. Also asked when staff gets up to speak to please state your name and department.

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 107238-107458, totaling \$6,441,452.75. Accounts Payable Successor Agency Check Number 133 and EFT 123-124, totaling \$6,280-05.

b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*

- ~~(1) June 24, 2025, Special City Council Meeting~~
- ~~(2) July 1, 2025, Regular City Council Meeting~~
- (3) July 18, 2025, Special City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS:

- (1) Adopting **Resolution No. 2025-84**, approving advertising and call for bids for the 2025 Citywide Street Repair: Phase 4 – Micro-surfacing & Slurry Seal Project.

f. ADOPTION OF RESOLUTIONS: *(Not a Project under CEQA per Article 20, Section 15378)*

- (1) Adopting **Resolution No. 2025-85**, authorizing the City Manager or City Manager's Designee to submit a Pro-housing Designation Program Application to the California Department of Housing and Community Development (HCD).
- (2) Adopting **Resolution No. 2025-86**, fixing and levying a special tax for principal and interest payments and administrative costs on the 2015 General Obligation Refunding Library Bonds for fiscal year 2025-2026; and consider adopting **Resolution No. 2025-87**, certifying compliance with State Law (Proposition 218) with respect to special taxes for the 2015 General Obligation Refunding Library Bonds Levy for Fiscal Year 2025-2026.
- (3) Adopting **Resolution No. 2025-88**, authorizing the application for funding under the Land and Water Conservation Fund (LWCF) program for the Baseball Field Expansion at Preston Park.
- (4) Adopting **Resolution No. 2025-89**, approving the purchase of one Prefabricated Restroom Facility from Public Restroom Company of Winden, NV, for \$298,453.00.
- (5) Adopting **Resolution No. 2025-90**, Approving the purchase and associated documentation for the acquisition of fifteen (15) additional Flock Falcon License Plate Recognition (LPR) cameras for the Marina Police Department, as an expansion of the existing contract with Flock Group, Inc.

g. APPROVAL OF AGREEMENTS: *(Not a Project under CEQA per Article 20, Section 15378)*

- (1) Adopting **Resolution No. 2025-91**, authorizing the City Manager to finalize and enter into an Expanded Learning Opportunities Agreement between the City of Marina (City) and Monterey Peninsula Unified School District (MPUSD).
- (2) Adopting **Resolution No. 2025-92**, authorizing the City Manager to execute a contract with Denise Duffy and Associates to provide biological consulting services in an amount not to exceed \$203,000 subject to final review and approval by the City Attorney.; and Authorizing the City Manager to enter into a reimbursement agreement with Ramco Enterprises for \$203,000.
- (3) Adopting **Resolution No. 2025-93**, authorizing the City Manager to execute a contract with SCI Consulting not to exceed \$60,000 to provide cannabis program application review, tax audits, compliance inspections, background checks, and subject matter expertise and technical support, subject to final review and approval by the City Attorney.

- (4) Adopting **Resolution No. 2025-94**, authorizing an agreement with Precision Concrete Cutting (PCC) for sidewalk inspection and trip hazard removal services to begin in early September 2025, in an amount not to exceed \$200,000.
- (5) Adopting **Resolution No. 2025-95**, authorizing a professional services agreement with Wallace Group of San Luis Obispo, CA for civil engineering and landscape architecture services in an amount not to exceed \$250,407.00 for the design of Phase 2 of the City Park at the Dunes.
- (6) Adopting **Resolution No. 2025-96**, authorizing an agreement with Phaidon International (U.S.) Inc. to conduct an executive recruitment for the position of City Engineer, in an amount not to exceed \$45,000.
- (7) Adopting **Resolution No. 2025-97**, Approving a Legal Services Agreement with Richard, Watson & Gershon to prosecute the City's appeal of the final decision in *City of Marina, et al., v. California Coastal Commission, et al.*, 22-CV-004063, Monterey Superior Court; and waiving any potential conflict of interest or conflict of interest and consenting to concurrent representation of the City of Marina, Marina Coast Water District, and the Monterey Peninsula Water District.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS:

- (1) Adopting **Resolution No. 2025-98**, accepting the 2024 Citywide Slurry Seal Project; and authorizing filing of Notice of Completion with Monterey County Recorder's Office.

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) League of California Cities June 13, 2025, Community Services Policy Committee Meeting Highlights.
- (2) Community Human Services June 26, 2025, Board Meeting Highlights.
- (3) Monterey-Salinas Transit July 14, 2025, Board Meeting Highlights.
- (4) 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 June 30, 2025.
- (5) Receiving the HdL City of Marina Sales Tax Update for the period from January – March 2025.

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

- (1) Read by Title Only and consider adopting **Ordinance No. 2025-12**, amending the Marina Municipal Code (MMC) Title 17 adding Section 17.04.305 (Garden Structures), Section 17.42.060 (Fences), and Chapter 17.55 (Staff Approvals and Procedures) and amending Sections 17.42.020 (Use Regulations), 17.42.055 (Height), and 17.42.070 (Yards) with corresponding updates to residential districts (17.06, 17.08, 17.10, and

17.12); and finding this action is exempt from environmental review per Section 15061(b)(3) of the CEQA Guidelines

m. APPROVE APPOINTMENTS: None

Councilmember McAdams requested to pull agenda item 10b(2) for separate vote. Questions for 10f(4) what is the time of completion? and 10h(1) Made a comment on 10g(1) appreciate commitment between City and MPUSD

Councilmember Biala requested to pull agenda item 10b(1) and 10b(2) for edits and clarifications.

Mayor Delgado requested to pull agenda item 10b(1) for edits on page 5, item 11a

Councilmember McCarthy had questions on 10f(5) asked if there were any complaints about the use of flock program? Asked if it's feasible to renegotiate with Flock on including certain detections? and 10g(4) asked if additional funds were recently approved or are we approving a contract for works that's already been done?

BIALA/VISSCHER: TO APPROVED THE CONSENT AGENDA MINUS 10b(1), 10b(2), 10f(4) and 10g(4). 5-0-0-0 Motion Passes

Agenda item: 10b(2)

Councilmember McAdams asked for more clarification on the motion for item 13b numbers 1-8

DELGADO/MCCARTHY: TO TABLE THIS ITEM OF 10b(2) THAT WE TABLE THIS ITEM, 10b2, AND ALLOW STAFF TO BRING IT BACK TO US. 5-0-0-0 Motion Passes

Agenda item: 10g(4)

Council discussed who is legally responsible for sidewalk repairs and how the city is taking a very different stance, cost-sharing program with residents

DELGADO/VISSCHER: TO APPROVE AGENDA ITEM 10g(4). 5-0-0-0 Motion Passes

Agenda Item: 10h(1)

Council discussed if inspections were done, asked if the contractor would be responsible for the damage to the road due to vehicles driving on it before it was ready.

DELGADO/VISSCHER: TO APPROVE AGENDA ITEM 10h(1). 5-0-0-0 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. Open public hearing and consider adopting **Resolution No. 2025-99**, amending the City's Master Fee Schedule to reflect adjustments by the Consumer Price Index (CPI) to reflect inflation, new fees, and certain other charges.

Mayor opened the public hearing for public comments: None received.

Council Discussed the final formatting of the schedule, global individual benefits of fees to the budget.

MCADAMS/BIALA: TO APPROVE RESOLUTION NO. 2025-99, AMENDING THE CITY'S MASTER FEE SCHEDULE TO REFLECT ADJUSTMENTS BY THE CONSUMER PRICE INDEX (CPI) TO REFLECT INFLATION, NEW FEES, AND CERTAIN OTHER CHARGES. 5-0-0-0 Motion Passes

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. Read by Title Only and adopting **Ordinance No. 2025-11**, 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 from June 24, 2025

City Attorney Ortega this item is a second reading, but it was pulled for discussion. Um, if there are any changes tonight to this ordinance, then that would constitute the first reading, and it would come back for a second reading, which would be on consent.

Comments on AB83 which allows the reduction of speeds in downtown areas. Asked if this is not adopted, can tickets be enforced? Noted, more speed limit signs could be posted or painted on the streets alerting drivers of the speed limit. Suggested caution speeds signs at roundabouts.

Public Comments: None received.

DELGADO/BIALA: TO APPROVE THE SECOND READING OF ORDINANCE NO. 2025-11, 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). 5-0-0-0 Motion Passes by Roll Call Vote

- b. Approving the appointment of two Council Members to serve as the City's Voting Delegate and Voting Delegate Alternate at the 2025 Annual League of California Cities Conference.

Public Comments: None received

DELGADO/BIALA: TO APPOINT COUNCILMEMBER JENNY MCADAMS AS THE PRIMARY VOTING MEMBER AND MAYOR PRO TEM LIESBETH VISSCHER AS THE ALTERNATE VOTING MEMBER. 5-0-0-0 Motion Passes

- c. Discussion on Strengthening the City's Short-Term Rental (STR) Program to Protect Neighborhood Integrity [McAdams] First-step in Two-step Process.

Councilmember McCarthy recused himself from this item.

Public Comments: None received

MCADAMS/BIALA: TO BRING THIS ITEM BACK AT A FUTURE MEETING TO DISCUSS ITEMS 1-4 OF THE STAFF REPORT AND OTHER ISSUES RELATING TO THE SHORT-TERM RENTAL PROGRAM. 4-0-0-0

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 was adjourned at 9:12 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor