



AGENDA

Tuesday, April 5, 2022

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**

Council Chambers
211 Hillcrest Avenue
Marina, California

Zoom Meeting URL: <https://zoom.us/j/730251556>

Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

In accordance with California Government Code §54953(e)(1)(A) and (C) and the Proclamation of a State of Emergency issued by Governor Newsom on March 4, 2020, under the provisions of Government Code §8625 related to the COVID-19 (coronavirus) pandemic, consistent with recommendations by State and local health officials regarding social distancing and in order to prevent an imminent risk to the health and safety of attendees as determined in Resolution 2022-34, public participation in City of Marina City Council public meetings shall be electronic only and without a physical location for public participation until the earlier of April 30, 2022, or such time as the City Council may adopt a resolution in accordance with Government Code §54953(e)(3). This meeting is being broadcast “live” on Access Media Productions (AMP) Community Television Cable 25 and on the City of Marina Channel and on the internet at <https://accessmediaproductions.org/>

PARTICIPATION

You may participate in the City Council meeting in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City’s home page at <https://cityofmarina.org/>. Attendees can make oral comments during the meeting by using the “Raise Your Hand” feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only. If you are unable to participate in real-time, you may email to marina@cityofmarina.org with the subject line “Public Comment Item#___” (insert the item number relevant to your comment) or “Public Comment – Non Agenda Item.” Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina’s website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Marina website www.cityofmarina.org subject to City staff’s ability to post the documents before the meeting

VISION STATEMENT

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

MISSION STATEMENT

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

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)

Cristina Medina Dirksen, David Burnett, Lisa Berkley, Mayor Pro-Tem/Vice Chair Kathy Biala, 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, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency) 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-Miliias-Brown Act representative.*

a. Property Negotiations

- i. Property: Storage 210 8Th Street, Marina, CA 93933
- Negotiating Party: Joby Aero, Inc
- Property Negotiator: City Manager
- Terms: Price and Terms

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

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

5. SPECIAL PRESENTATIONS:

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.*

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 99523-99665, totaling \$798,552.40
Accounts Payable for Successor Agency Check Number 83, totaling \$5,436.20
 - b. MINUTES:
 - (1) March 15, 2022, Regular City Council Meeting
 - (2) March 22, 2022, Special City Council Meeting
 - c. CLAIMS AGAINST THE CITY:
 - (1) City Council Rejection of Claim - staff recommends that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Brook Barclift for a claim received on February 9, 2022.
 - d. AWARD OF BID: None
 - e. CALL FOR BIDS: None
 - f. ADOPTION OF RESOLUTIONS: None
 - 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. INTRODUCE ORDINANCE (READ BY TITLE ONLY AND WAIVE FURTHER READING):
 - (1) Ordinance 2022-xx, an Ordinance of the City Council of the City of Marina, adopting a Military Equipment Policy and Adding Chapter 9.26 to Title 9 “Public Peace, Morals and Welfare” of the Marina Municipal Code to Adopt a Military Equipment Use Ordinance. [Introduction of the Ordinance to follow Item 9.a., Presentation on AB 481 Compliance and a Public Hearing.]

m. APPROVE APPOINTMENTS: None

9. PUBLIC HEARINGS:

- a. City Council to consider: (1) receiving a presentation on Marina Police Department compliance with AB 481, adding Section 7070 et seq. to the CA Government Code regarding funding, acquisition, and use of military equipment; and (2) opening a public hearing and receive public comment concerning amending Title 9 of the Marina Municipal Code adding Section 9.26 “Military Equipment Use Ordinance.”
- b. City Council open public hearing, take testimony from the public and consider adopting Resolution No. 2022-, confirming diagram, assessment and ordering levy of \$180.78 for FY 2022-23 assessment for Cypress Cove II Landscape Maintenance Assessment District; and authorize City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to August 1, 2022.
- c. City Council open public hearing, take testimony from the public and consider adopting Resolution No. 2022-, confirming diagram, assessment and ordering levy of \$182.42 for FY 2022-23 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, 2022.
- d. City Council open public hearing, take testimony from the public and consider adopting Resolution No. 2022-, confirming diagram, assessment and ordering levy of \$77.14 for FY 2022-23 assessment for 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, 2022.

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:

CERTIFICATION

I, Anita Sharp, Deputy City Clerk, of the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at City Hall and Council Chambers Bulletin Board at 211 Hillcrest Avenue, Monterey County Library Marina Branch at 190 Seaside Circle, City Bulletin Board at the corner of Reservation Road and Del Monte Boulevard on or before 6:30 p.m., Friday, April 1, 2022.

ANITA SHARP, DEPUTY CITY CLERK

City Council, Airport Commission and Redevelopment Agency meetings are recorded on tape and available for public review and listening at the Office of the City Clerk and kept for a period of 90 days after the formal approval of MINUTES.

City Council meetings may be viewed live on the meeting night and at 12:30 p.m. and 3:00 p.m. on Cable Channel 25 on the Sunday following the Regular City Council meeting date. In addition, Council meetings can be viewed at 6:30 p.m. every Monday, Tuesday and Wednesday. For more information about viewing the Council Meetings on Channel 25, you may contact Access Monterey Peninsula directly at 831-333-1267.

Agenda items and staff reports are public record and are available for public review on the City's website (www.cityofmarina.org), at the Monterey County Marina Library Branch at 190 Seaside Circle and at the Office of the City Clerk at 211 Hillcrest Avenue, Marina between the hours of 10:00 a.m. 5:00 p.m., on the Monday preceding the meeting.

Supplemental materials received after the close of the final agenda and through noon on the day of the scheduled meeting will be available for public review at the City Clerk's Office during regular office hours and in a 'Supplemental Binder' at the meeting.

Members of the public may receive the City Council, Airport Commission and Successor Agency of the Former Redevelopment Agency Agenda at a cost of \$55 per year or by providing a self-addressed, stamped envelope to the City Clerk. The Agenda is also available at no cost via email by notifying the City Clerk at marina@cityofmarina.org

*ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. meetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. to request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@cityofmarina.org. requests must be made at least **48 hours** in advance of the meeting.*

Upcoming 2022 Meetings of the City Council, Airport
Commission, Marina Abrams B Non-Profit Corporation, Preston
Park Sustainable Community Nonprofit Corporation, Successor
Agency of the Former Redevelopment Agency and Marina
Groundwater Sustainability Agency
Regular Meetings: 5:00 p.m. Closed Session;
6:30 p.m. Regular Open Sessions

Tuesday, April 19, 2022

***Wednesday, September 7, 2022**
Tuesday, September 20, 2022

Tuesday, May 3, 2022

****Thursday, October 6, 2022**

Tuesday, May 17, 2022

Tuesday, October 18, 2022

Tuesday, June 7, 2022

Tuesday, November 1, 2022

Tuesday, June 21, 2022

Tuesday, November 15, 2022

***Wednesday, July 6, 2022**

Tuesday, December 6, 2022

Tuesday, July 19, 2022

Tuesday, December 20, 2022

Tuesday, August 2, 2022

Tuesday, August 16, 2022

* Regular Meeting rescheduled due to Monday Holiday

** Regular Meeting rescheduled due to Religious Holiday

NOTE: Regular Meeting dates may be rescheduled by City Council only.

C I T Y H A L L 2 0 2 2 H O L I D A Y S
(City Hall Closed)

Memorial Day -----Monday, May 30, 2022
Independence Day (City Offices Closed) -----Monday, July 4, 2022
Labor Day -----Monday, September 5, 2022
Veterans Day -----Friday, November 11, 2022
Thanksgiving Day -----Thursday, November 24, 2022
Thanksgiving Break -----Friday, November 25, 2022
Winter Break -----Friday, December 23, 2022-Friday, December 30, 2022

2022 COMMISSION DATES

Upcoming 2022 Meetings of Design Review Board
3rd Wednesday of every month. Meetings are held at the Council Chambers at 6:30 P.M.
** = Change in location due to conflict with Council meeting

April 20, 2022

June 15, 2022

September 21, 2022

May 18, 2022

July 20, 2022

October 19, 2022

August 17, 2022

November 16, 2022

December 21, 2022

Upcoming 2022 Meetings of Economic Development Commission
3rd Thursday of every month. Meetings are held at the Council Chambers at 4:00 P.M.

April 21, 2022

June 16, 2022

September 15, 2022

May 19, 2022

July 21, 2022

October 20, 2022

August 18, 2022

November 17, 2022

December 15, 2022 (Cancelled)

Upcoming 2022 Meetings of Planning Commission
2nd and 4th Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

April 14, 2022	July 14, 2022	September 8, 2022
April 28, 2022	July 28, 2022	September 22, 2022
May 12, 2022	August 8, 2022	October 13, 2022
May 26, 2022	August 22, 2022	October 27, 2022
June 9, 2022		November 10, 2022
June 23, 2022		
		December 18, 2022

Upcoming 2022 Meetings of Public Works Commission
3rd Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

April 21, 2022	June 16, 2022	September 15, 2022
May 19, 2022	July 21, 2022	October 20, 2022
	August 18, 2022	November 17, 2022
		December 15, 2022

Upcoming 2022 Meetings of Recreation & Cultural Services Commission
1st Wednesday of every quarter month. Meetings are held at the Council Chambers at 6:30 P.M.

April 6, 2022	September 1, 2022	December 1, 2022
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Upcoming 2022 Meetings of Marina Tree Committee
2nd Wednesday of every quarter month as needed. Meetings are held at the Council Chambers at 6:30 P.M.

April 13, 2022	July 13, 2022	October 12, 2022
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Marina, CA LIVE

AP Check Register 03-18-22

Bank Account: 905 - Chase - Checking
Batch Date: 03/18/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: 905 - Chase - Checking						
Check	03/18/2022	99523	Accounts Payable	Access Monterey Peninsula		30,234.17
	Invoice		Date	Description		Amount
	12-31-21		03/10/2022	Qtr 2 - PEG		30,234.17
Check	03/18/2022	99524	Accounts Payable	Ace Hardware		105.43
	Invoice		Date	Description		Amount
	081440		03/10/2022	Toilet Repair - Teen Center		3.05
	081424		03/09/2022	Tool Bag		29.49
	081418		03/08/2022	Toilet Repair - Teen Center		10.91
	081415		03/08/2022	Keys		5.22
	081388		03/04/2022	Tools		37.11
	081357		03/02/2022	Safety Supplies		19.65
Check	03/18/2022	99525	Accounts Payable	Andersen's Lock & Safe, Inc.		996.22
	Invoice		Date	Description		Amount
	42005		03/04/2022	Replace Locks - 554 Box Hanger		996.22
Check	03/18/2022	99526	Accounts Payable	Andon Laundrymat Service		99.00
	Invoice		Date	Description		Amount
	4 Police		03/01/2022	Laundry services 03/01/2022		99.00
Check	03/18/2022	99527	Accounts Payable	Applied Real Estate Inspections		925.00
	Invoice		Date	Description		Amount
	22-89		03/04/2022	Mold Inspection - Council Chambers		925.00
Check	03/18/2022	99528	Accounts Payable	ARC Document Solutions		282.96
	Invoice		Date	Description		Amount
	2547901		02/22/2022	ARC Invoice - Feb 2022		282.96
Check	03/18/2022	99529	Accounts Payable	AT & T		18.51
	Invoice		Date	Description		Amount
	03-01-22		03/01/2022	Phone Service 03/01/2022		18.51
Check	03/18/2022	99530	Accounts Payable	AT & T		111.55
	Invoice		Date	Description		Amount

AP Check Register 03-18-22

Bank Account: 905 - Chase - Checking

Batch Date: 03/18/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	000017816962	02/28/2022		Phone Service for Fire Alarm System_B524		43.44
	000017816963	02/28/2022		Phone Service for Fire Alarm System_B533		43.44
	000017816968	02/28/2022		Phone Service for AWOS		24.67
	03/18/2022	99531	Accounts Payable	Bear Electrical Solutions, Inc.		250.00
	Invoice		Date	Description		Amount
Check	15098	02/28/2022		February Routine Maintenance		250.00
	03/18/2022	99532	Accounts Payable	Bound Tree Medical		644.59
	Invoice		Date	Description		Amount
	84437005	03/09/2022		Medical Supplies - Trauma oxygen bag & Disinfectant cleaner		644.59
Check	03/18/2022	99533	Accounts Payable	Burton's Fire, Inc.		14,675.68
	Invoice		Date	Description		Amount
	W 80150	01/25/2022		Truck Repair - Unit 5412 1998 Ferrara		14,675.68
	03/18/2022	99534	Accounts Payable	California State Controller's Office		2,575.83
	Invoice		Date	Description		Amount
Check	FAUD-00003136	03/01/2022		Annual Street Report 20/21		2,575.83
	03/18/2022	99535	Accounts Payable	California Towing & Transport		200.00
	Invoice		Date	Description		Amount
	201803	03/07/2022		Flat Change 03/07/2022		100.00
Check	201772	03/02/2022		Flat Change 03/02/2022		100.00
	03/18/2022	99536	Accounts Payable	Carmel Fire Protection Associates		400.00
	Invoice		Date	Description		Amount
	122074	03/03/2022		BP Plan review & Inspection for Target Remodel		200.00
Check	122073	03/03/2022		BP Plan review & inspection for Joby Paint Booth Foundation		200.00
	03/18/2022	99537	Accounts Payable	Cheryl Kent		480.00
	Invoice		Date	Description		Amount
	2022-30	03/03/2022		Code Enforcement Investigations		480.00
Check	03/18/2022	99538	Accounts Payable	Dave's Repair Service		180.00
	Invoice		Date	Description		Amount
	33725DG	03/03/2022		Monthly Site Inspection of Fuel Tanks		90.00

Marina, CA LIVE
AP Check Register 03-18-22
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 Batch Date: 03/18/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	336257DG		02/04/2022	Monthly Site Inspection of Fuel Tanks		90.00
	03/18/2022	99539	Accounts Payable	Don Chapin Company, Inc.		53,310.67
Check	65763		01/20/2022	Airport Capital Project - Storm Drainage Mitigation		53,310.67
	03/18/2022	99540	Accounts Payable	Ferguson Enterprise, Inc. # 1423		200.81
Check	9789822		02/25/2022	Toilet Repair _ Public Safety Building		200.81
	03/18/2022	99541	Accounts Payable	Gavilan Pest Control		172.00
Check	0144690		03/01/2022	Pest Control - 211 Hillcrest		82.00
	0144691		03/02/2022	Pest Control at Station 2		90.00
Check	03/18/2022	99542	Accounts Payable	George T. Powell		1,200.00
	03012022		03/01/2022	Parking Rental Fees		1,200.00
Check	03/18/2022	99543	Accounts Payable	Home Depot Credit Service		73.81
	03-08-22		03/08/2022	4 pairs Ear Muffs		73.81
Check	03/18/2022	99544	Accounts Payable	JAMS		952.00
	6081986		02/28/2022	Mediation Fee for W.C. LLC vs. Marina - February 2022		952.00
Check	03/18/2022	99545	Accounts Payable	Jobs Available		312.00
	2201007		01/07/2022	Assoc/Senior Planner Job Ad		312.00
Check	03/18/2022	99546	Accounts Payable	Language Line, LLC		150.27
	10460699		02/28/2022	Translation 02/28/022		150.27
Check	03/18/2022	99547	Accounts Payable	Mandell Municipal Counseling		87.00

Marina, CA LIVE

AP Check Register 03-18-22

Bank Account: 905 - Chase - Checking
Batch Date: 03/18/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	03-03-22			Professional Revenue Advise - Cypress Cove II - February 2022		87.00
	03/18/2022	99548	Accounts Payable	Marina Coast Water District		2,909.13
	Invoice		Date	Description		Amount
	014874000	022822	02/28/2022	289 12th Street 02/28/2022		130.85
	000056091	022822	02/28/2022	751 Neeson Road 02/28/2022		150.82
	000056015	030322	03/03/2022	Water Charges		60.52
	000056008	030322	03/03/2022	Water Charges		27.26
	000056014	030322	03/03/2022	Water Charges		772.22
	000056084	030322	03/03/2022	Water Charges		162.26
	000056030	030322	03/03/2022	Water Charges		36.77
	000056087	030322	03/03/2022	Water Charges		27.26
	000056098	030322	03/03/2022	Water Charges		50.60
	000056034	030322	03/03/2022	Water Charges		347.67
	000056086	030322	03/03/2022	Water Charges		27.26
	000056032	030322	03/03/2022	Water Charges		60.52
	000056011	030322	03/03/2022	Water Charges		1,027.86
	000056085	030322	03/03/2022	Water Charges		27.26
Check	03/18/2022	99549	Accounts Payable	Mark's Mobile Locksmith		310.00
	Invoice		Date	Description		Amount
	41318_SAJ8040		02/11/2022	Lower PD Door Repair		310.00
Check	03/18/2022	99550	Accounts Payable	Microsoft		1,660.86
	Invoice		Date	Description		Amount
	E070011Z53		03/11/2022	Citywide MS Office 365 - March 2022		5.00
	E070011UGU		03/11/2022	Citywide MS Office 365 - March 2022		48.00
	E070011Z1A		03/11/2022	Citywide MS Office 365 - March 2022		48.00
	E0700122SE		03/11/2022	Citywide MS Office 365 - March 2022		72.00
	E0700122SF		03/11/2022	Citywide MS Office 365 - March 2022		312.86
	E0700120XV		03/11/2022	Citywide MS Office 365 - March 2022		1,175.00
Check	03/18/2022	99551	Accounts Payable	Monterey County Convention & Visitors Bureau		21,218.67
	Invoice		Date	Description		Amount
	Dec 2021		03/10/2022	Dec 2021 TID		11,035.53

Marina, CA LIVE

AP Check Register 03-18-22

Bank Account: 905 - Chase - Checking
Batch Date: 03/18/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	Jan 2022	03/10/2022	99552	Accounts Payable	Jan 2022 TID	10,183.14
	03/18/2022	Invoice		Monterey County Department of Health		925.00
				Description		Amount
Check	12-02-21	12/02/2021	99553	Accounts Payable	SART October 2021	925.00
	03/18/2022	Invoice		Monterey County District Attorney		2,728.90
				Description		Amount
Check	03-03-22	03/03/2022	99554	Accounts Payable	Blood Alcohol Cost 2020/2021	2,728.90
	03/18/2022	Invoice		Monterey Tire Service		111.46
				Description		Amount
Check	1-104616	02/04/2022	99555	Accounts Payable	Tire Repair - 2014 Ford Fusion	86.73
	1-104744	02/14/2022			Tire Repair - 868	24.73
	03/18/2022	Invoice		MyFleetCenter - Wisconsin Quick Lube		133.53
				Description		Amount
Check	36754261	03/08/2022	99556	Accounts Payable	Oil Change - Unit 894	133.53
	03/18/2022	Invoice		Newton Bros. Tire & Auto		130.00
				Description		Amount
Check	431161	03/07/2022	99557	Accounts Payable	Break Repair - 894 PD	130.00
	03/18/2022	Invoice		Office Depot		328.36
				Description		Amount
Check	230438858001	03/01/2022	99558	Accounts Payable	Office Depot	141.13
	230438859001	02/28/2022			Office Depot	187.23
	03/18/2022	Invoice		Pacific Gas & Electric		479.58
				Description		Amount
Check	943-2.MAR22	03/10/2022	99559	Accounts Payable	PG&E - 6150212943-2	73.95
	148-6.MAR22	03/10/2022			PG&E - 5593414148-6	209.73
	582-7.MAR22	03/10/2022			PG&E - 8161432582-7	138.36
	353-7.MAR22	03/10/2022			PG&E - 9930567353-7	57.54
	03/18/2022	Invoice		Quill Corporation		381.19
				Description		Amount

AP Check Register 03-18-22

Bank Account: 905 - Chase - Checking

Batch Date: 03/18/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	23493569		03/03/2022	Office Supplies 03/03/2022		60.08
	23449256		03/01/2022	Office Supplies 03/01/2022		321.11
	03/18/2022	99560	Accounts Payable	Roto-Rooter Plumbers & Restoration		3,527.50
	Invoice		Date	Description		Amount
Check	674109336		03/02/2022	Undlog Drain Line - Public Safety		3,527.50
	03/18/2022	99561	Accounts Payable	Sara Steck Myers		5,730.00
	Invoice		Date	Description		Amount
Check	03-01-22		03/01/2022	Professional Services - MPWSP - February 2022		5,730.00
	03/18/2022	99562	Accounts Payable	SpeakWrite		111.99
	Invoice		Date	Description		Amount
Check	71c3d494		03/07/2022	Transcription 03/07/2022		111.99
	03/18/2022	99563	Accounts Payable	TK Elevator		1,390.19
	Invoice		Date	Description		Amount
Check	3006476888		03/01/2022	Elevator Maint. - Public Safety		1,390.19
	03/18/2022	99564	Accounts Payable	Tripepi, Smith & Associates, Inc.		11,158.00
	Invoice		Date	Description		Amount
Check	7681		03/09/2022	Redistricting Services - Final Milestone		11,158.00
	03/18/2022	99565	Accounts Payable	U.S. Bank Equipment Finance		216.32
	Invoice		Date	Description		Amount
Check	466301744		02/25/2022	CDD Copier Lease - March 2022		216.32
	03/18/2022	99566	Accounts Payable	Valley Trophies & Detectors		259.85
	Invoice		Date	Description		Amount
Check	84461		03/10/2022	Plaques 03/10/022		259.85
	03/18/2022	99567	Accounts Payable	Wallace Group, Inc.		10,111.75
	Invoice		Date	Description		Amount
Check	55679		02/21/2022	Airport Capital Project - Const Mgmt B533 Exterior Improvements		6,458.00
	55641		02/16/2022	Program Management - Airport Capital Projects		3,653.75
	03/18/2022	99568	Accounts Payable	William A. Thayer Construction, Inc		14,615.90

Marina, CA LIVE

AP Check Register 03-18-22

Bank Account: 905 - Chase - Checking
Batch Date: 03/18/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description		Amount
	02-14-22 A		02/14/2022	Thayer Construction: Install 4 Exterior Doors_B504		14,615.90
Check	03/18/2022	99569	Accounts Payable	Premier Access Insurance		2,970.60
	Invoice		Date	Description		Amount
	03-01-22		03/01/2022	101 - Dental EE+1*		4,991.34
	03-01-22.		03/01/2022	Dental Claim (03/2022)		(2,020.74)
Check	03/18/2022	99570	Accounts Payable	Vision Service Plan		1,824.80
	Invoice		Date	Description		Amount
	03-01-22		03/01/2022	103 - Vision EE*		1,711.50
	03-01-22.		03/01/2022	VSP Adjustment (03/2022)		113.30
EFT	03/18/2022	2153	Accounts Payable	Richard B. Standridge	121042882 / 8312012522	3,420.00
	Invoice		Date	Description		Amount
	22-05		03/11/2022	Services 02-28/03-10-22		3,420.00
905 Chase - Checking Totals:						\$195,291.08

Transactions: 49

Checks: 48 \$191,871.08
EFTs: 1 \$3,420.00

Marina, CA LIVE

AP Check Register 03-25-22

Bank Account: 905 - Chase - Checking

Batch Date: 03/25/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: 905 - Chase - Checking						
Check	03/25/2022	99571	Accounts Payable	Ace Hardware		535.94
Invoice						
	081331		02/28/2022	Misc. Maintenance Equipment		10.90
	081373		03/02/2022	B554_Key Copies		28.25
	081377		03/03/2022	Misc. Maintenance Equipment		25.11
	081380		03/03/2022	B520 - Repair of Conf. Room Sink Repair		35.77
	081413		03/08/2022	Misc. Maintenance Equipment		3.27
	081429		03/09/2022	Maintenance Supplies For Airport Shop		14.19
	081527		03/18/2022	554 Roof Top		18.56
	081521		03/18/2022	Park Signs Supplies		51.87
	081488		03/16/2022	Preston Park Scoreboards		76.44
	081494		03/16/2022	Preston Park Scoreboards		109.23
	081497		03/17/2022	Park Entry Signs		48.03
	081456		03/11/2022	Preston Park		22.90
	081452		03/11/2022	Preston Park		72.01
	081482		03/15/2022	Corp Yard		19.41
Check	03/25/2022	99572	Accounts Payable	Andersen's Lock & Safe, Inc.		891.56
Invoice						
	42001		03/02/2022	Replace Door Levers and Rekey_B554		891.56
Check	03/25/2022	99573	Accounts Payable	AT & T		225.29
Invoice						
	03-13-22		03/13/2022	AT&T 831-582-9957		225.29
Check	03/25/2022	99574	Accounts Payable	AT & T		425.49
Invoice						
	000017911946		03/13/2022	CALNET3-9391023436 (239-461-6578)		70.54
	000017919516		03/15/2022	CALNET3-9391023435 (237-267-6922)		184.16
	000017919492		03/15/2022	CALNET3-9391023490 (884-9568)		40.94
	000017919493		03/15/2022	CALNET3-9391023491 (884-9654)		83.56
	000017919487		03/15/2022	CALNET3-9391023485 (884-2573)		23.73
	000017919485		03/15/2022	CALNET3-9391023482 (884-0985)		22.56
Check	03/25/2022	99575	Accounts Payable	Bear Electrical Solutions, Inc.		510.00

Marina, CA LIVE
AP Check Register 03-25-22
 Bank Account: 905 - Chase - Checking
 Batch Date: 03/25/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice			Description		Amount
	14955			Ca Avenue construction setting-traffic light		510.00
Check	03/25/2022	99576	Accounts Payable	Big Creek Lumber		1,290.39
	Invoice			Description		Amount
	1677997			Misc building supplies		1,290.39
Check	03/25/2022	99577	Accounts Payable	Bound Tree Medical		489.54
	Invoice			Description		Amount
	84438976			Medical Supplies - Trauma Oxygen Deployment Bag		489.54
Check	03/25/2022	99578	Accounts Payable	Branch's Janitorial		2,235.00
	Invoice			Description		Amount
	228361			Janitorial Service - Police/Fire/Airport March 2022		2,235.00
Check	03/25/2022	99579	Accounts Payable	California Department of Justice		241.00
	Invoice			Description		Amount
	565102			Livescan		241.00
Check	03/25/2022	99580	Accounts Payable	California Fire Protection Inc.		1,150.00
	Invoice			Description		Amount
	20-12838			Replace PIV Activation Alarm Switches_B510		1,150.00
Check	03/25/2022	99581	Accounts Payable	Capitol Barricade, Inc.		446.01
	Invoice			Description		Amount
	142362			Street Signs - R4-7A		446.01
Check	03/25/2022	99582	Accounts Payable	Carmel Fire Protection Associates		800.00
	Invoice			Description		Amount
	122093			Plan review and inspection at Target Remodel		200.00
	122100			Plan review and final inspection at Joby Demising Wall		200.00
	122105			Plan review and inspection at Joby Paint Booth 13		200.00
	122107			Plan review and inspection for Home 2 Suites, 225 10th Street		200.00
Check	03/25/2022	99583	Accounts Payable	Cintas Corporation		81.05
	Invoice			Description		Amount
	4110397639			Mat Service-Police/Fire 03/18/2022		81.05

Marina, CA LIVE

AP Check Register 03-25-22

Bank Account: 905 - Chase - Checking

Batch Date: 03/25/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	03/25/2022	99584	Accounts Payable	CSG Consultants		945.00
	Invoice		Date	Description		Amount
	B220314		03/01/2022	Plan Review Master Plans Surf House		945.00
Check	03/25/2022	99585	Accounts Payable	Della Mora Heating, Inc.		456.30
	Invoice		Date	Description		Amount
	14798		03/01/2022	B529-Restaurant Bldg. - Inspect Furnaces & Install 2 Thermostats		456.30
Check	03/25/2022	99586	Accounts Payable	Directv		33.75
	Invoice		Date	Description		Amount
	050944442X220226		02/26/2022	TV Service for Pilot's Lounge		33.75
Check	03/25/2022	99587	Accounts Payable	Ferguson Enterprise, Inc. # 1423		30.49
	Invoice		Date	Description		Amount
	9800146		03/03/2022	B520 - Repair of Conf. Room Sink Repair		21.99
	9801131		03/03/2022	B520 - Repair of Conf. Room Sink Repair		8.50
Check	03/25/2022	99588	Accounts Payable	First Alarm		124.98
	Invoice		Date	Description		Amount
	669801		03/15/2022	Monitoring services at station 2 - 04/01/22 to 06/30/22		124.98
Check	03/25/2022	99589	Accounts Payable	Hinderliter, de Llamas & Associates		1,518.87
	Invoice		Date	Description		Amount
	SIN015137		03/02/2022	Sales Tax Jan-Mar22 & Audit Service		1,218.87
	SIN015447		03/15/2022	Sales Tax Transaction Tax Jan-Mar22		300.00
Check	03/25/2022	99590	Accounts Payable	Johnson Associates		54.57
	Invoice		Date	Description		Amount
	478557		03/03/2022	Misc. Maintenance Equipment for towing		54.57
Check	03/25/2022	99591	Accounts Payable	JR Fencing		2,200.00
	Invoice		Date	Description		Amount
	8600		03/11/2022	Baseball Field Gate Replacement - Preston Park		2,200.00
Check	03/25/2022	99592	Accounts Payable	Junk King Monterey Bay		650.00
	Invoice		Date	Description		Amount
	JK2244744		03/01/2022	B529_Removal of Unwanted Items		650.00

User: Monika Collier

Pages: 3 of 8

3/24/2022 9:38:16 AM

Marina, CA LIVE
AP Check Register 03-25-22
 Bank Account: 905 - Chase - Checking
 Batch Date: 03/25/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	03/25/2022	99593	Accounts Payable	L.N. Curtis & Sons		5,405.32
	Invoice		Date	Description		Amount
	INV575843		03/09/2022	Hurst Annual Servicing		2,457.90
	INV575191		03/08/2022	MAKO Annual Service		2,073.96
	INV575728		03/09/2022	Large Facepiece		753.83
	INV577346		03/15/2022	Structural Firefighting gloves		119.63
Check	03/25/2022	99594	Accounts Payable	Marina Coast Water District		4,794.45
	Invoice		Date	Description		Amount
	000056041.022822		02/28/2022	000056041 - 3260 Imjin Rd., Fire Station 2		276.90
	000056043.022822		02/28/2022	Water Service_B524		169.70
	000056044.022822		02/28/2022	Water Service_B520		183.86
	000056051.022822		02/28/2022	Water Service_B533		280.73
	000056092.022822		02/28/2022	Water Service_B527		1,193.46
	000056096.022822		02/28/2022	Water Service_B554		107.88
	000056097.022822		02/28/2022	Water Service_B507		467.25
	000057000.022822		02/28/2022	Water Service_B504		169.70
	000056025 031122		03/11/2022	Water Charges		69.16
	000056027 031122		03/11/2022	Water Charges		36.77
	000056007 031122		03/11/2022	Water Charges		89.02
	000056005 031122		03/11/2022	Water Charges		89.02
	000056024 031122		03/11/2022	Water Charges		89.02
	000056017 031122		03/11/2022	Water Charges		80.86
	000056018 031122		03/11/2022	Water Charges		136.66
	000056001 031122		03/11/2022	Water Charges		102.85
	000056021 031122		03/11/2022	Water Charges		40.42
	000056022 031122		03/11/2022	Water Charges		47.72
	000056020 031122		03/11/2022	Water Charges		107.37
	000056016 031122		03/11/2022	Water Charges		36.77
	000056019 031122		03/11/2022	Water Charges		1,019.33
Check	03/25/2022	99595	Accounts Payable	Mark43, Inc.		32,800.00
	Invoice		Date	Description		Amount
	INV0611		03/11/2022	Implementation 03/11/2022		32,800.00
Check	03/25/2022	99596	Accounts Payable	Monterey County Petroleum-Sturdy Oil Co.		7,849.63

Marina, CA LIVE
AP Check Register 03-25-22
 Bank Account: 905 - Chase - Checking
 Batch Date: 03/25/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	Invoice			Description		Amount
	28786A-IN		03/03/2022	Gasoline & Diesel		7,849.63
	03/25/2022	99597	Accounts Payable	Monterey Signs, Inc.		600.88
Check	Invoice			Description		Amount
	20662		02/25/2022	City of Marina Seal Logo		600.88
	03/25/2022	99598	Accounts Payable	MuttMitt - ZW USA Inc.		1,196.14
Check	Invoice			Description		Amount
	471510		03/17/2022	Mutt Mitts - Parks		1,196.14
	03/25/2022	99599	Accounts Payable	My Chevrolet		462.74
Check	Invoice			Description		Amount
	CVC5244527		03/08/2022	Vehicle Repair - Unit 812		462.74
	03/25/2022	99600	Accounts Payable	Newton Bros. Tire & Auto		130.00
Check	Invoice			Description		Amount
	431312		03/14/2022	Brake Repair - Unit 2020 Durango		130.00
	03/25/2022	99601	Accounts Payable	Office Depot		922.26
Check	Invoice			Description		Amount
	27206919001		02/18/2022	Office Supplies-Finance		136.76
	230495498001		03/10/2022	Office Supplies-Finance		835.42
Check	Invoice			Description		Amount
	186195128001		08/03/2021	Office Supplies-Finance		(49.92)
	03/25/2022	99602	Accounts Payable	Pacific Gas & Electric		5,096.26
Check	Invoice			Description		Amount
	085-2.MAR22		03/11/2022	PG&E - 5434906085-2		108.79
	720-0.MAR22		03/11/2022	PG&E - 0167505720-0		1,008.25
	562-0.MAR22		03/11/2022	PG&E - 4758891562-0		1,062.18
	202-3.MAR22		03/11/2022	PG&E - 6594070202-3		117.81
	608-2.MAR22		03/11/2022	Gas & Electric at Station 2		1,037.85
	210-0.MAR22		03/13/2022	PG&E - 3242976210-0		179.84
	851-0.MAR22		03/16/2022	PG&E - 3440977851-0		171.37
	827-8.MAR22		03/15/2022	PG&E - 0423929827-8		130.11
	535-3.MAR22		03/15/2022	PG&E - 6161832535-3		270.84

AP Check Register 03-25-22

Bank Account: 905 - Chase - Checking

Batch Date: 03/25/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	683-2.MAR22		03/18/2022	PG&E 6217294683-2		924.95
	533-8.MAR22		03/18/2022	PG&E - 2253666533-8		84.27
	03/25/2022	99603	Accounts Payable	Pinnacle Healthcare		202.00
	Invoice		Date	Description		Amount
Check	342470		03/11/2022	Pinnacle Healthcare - Pre Emp Px		202.00
	03/25/2022	99604	Accounts Payable	Police Bike Store		1,433.99
	Invoice		Date	Description		Amount
Check	114523		01/28/2022	Uniforms and Equipment		1,433.99
	03/25/2022	99605	Accounts Payable	Regional Government Services		47,238.00
	Invoice		Date	Description		Amount
	12999		12/31/2021	Joby Dec 2021		306.00
	12740		10/31/2021	Joby Oct 2021		1,071.00
	12742		09/30/2021	Joby Sept 2021		918.00
	12745		08/31/2021	Joby Aug 2021		967.50
	12937		12/31/2021	Contract Service - Dec 2021		336.75
	12852		11/30/2021	Contract Service - Nov 2021		1,604.25
	12744		09/30/2021	Contract Service - Sept 2021		612.00
	12741		10/31/2021	Contract Service - Quick Quack Oct 2021		1,065.75
	12743		09/30/2021	Contract Service - Quick Quack Sept 2021		9,830.25
	12746		08/31/2021	Contract Service - Quick Quack Aug 2021		3,999.00
	13000		12/31/2021	Dunes Contract Services - Dec 2021		6,972.75
	12668		10/31/2021	Dunes Contract Services - Oct 2021		6,986.25
	12853		11/30/2021	Dunes Contract Services - Nov 2021		7,053.75
	12538		09/30/2021	Dunes Contract Services - Sept 2021		5,514.75
	03/25/2022	99606	Accounts Payable	Mark Sweeney		276.00
	Invoice		Date	Description		Amount
Check	04-18-22		04/18/2022	Per Diem for WAVE Conference - Austin, Texas		276.00
	03/25/2022	99607	Accounts Payable	Syn-Tech Systems, Inc.		550.00
	Invoice		Date	Description		Amount
Check	244545		02/22/2022	Fuel Farm Software Maint/Support 3-22-22 to 3-21-23		550.00
	03/25/2022	99608	Accounts Payable	United Site Services		1,609.43

Marina, CA LIVE

AP Check Register 03-25-22

Bank Account: 905 - Chase - Checking

Batch Date: 03/25/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	Invoice			Description		Amount
	114-12805880			Windy Hill Park Restroom Rental		243.09
	114-12651776			Windy Hill Park Restroom Rental		243.09
	114-12438187			Windy Hill Park Restroom Rental		1,123.25
Check	03/25/2022	99609	Accounts Payable	Valley Fabrication		205.06
	Invoice			Description		Amount
	296580			B524_Repiar of Oil/Water Separator		205.06
	03/25/2022	99610	Accounts Payable	Carlos Vega		276.00
Check	Invoice			Description		Amount
	04-18-22			Per Diem for WAVE Conference - Austin, Texas		276.00
	03/25/2022	99611	Accounts Payable	Verizon Wireless		293.29
	Invoice			Description		Amount
Check	9901479302			Monthly Verizon Bill-308174766		293.29
	03/25/2022	99612	Accounts Payable	Wald, Ruhnke & Dost Architects, LLP		3,680.00
	Invoice			Description		Amount
	2201601			Townhouse Study		3,680.00
Check	03/25/2022	99613	Accounts Payable	Wallace Group, Inc.		24,770.52
	Invoice			Description		Amount
	55640			Wallace PM: On-Call Svc 1-31-2022		23,944.27
	55599			Wallace PM: On-Call Svc 1-31-2022 Gloya Jean Tate Park		304.75
Check	55589			Wallace PM: On-Call Svc 1-31-2022 Annual Resurfacing		521.50
	03/25/2022	99614	Accounts Payable	William A. Thayer Construction, Inc		10,647.26
	Invoice			Description		Amount
	02-14-22B			Thayer Construction: Dry Wall Repair & Painting_B529		5,558.50
Check	2021-02-2			Vince DiMaggio Park rain gutter replacement		5,088.76
	03/25/2022	99615	Accounts Payable	Marina Employees Association		135.00
	Invoice			Description		Amount
	03-18-22			24 - MEA Dues		135.00
Check	03/25/2022	99616	Accounts Payable	Marina Professional Fire Fighters Association		300.00

User: Monika Collier

Pages: 7 of 8

3/24/2022 9:38:16 AM

Marina, CA LIVE

AP Check Register 03-25-22

Bank Account: 905 - Chase - Checking
Batch Date: 03/25/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description		Amount
	03-18-22		03/18/2022	35 - MPFFA Dues		300.00
EFT	03/25/2022	2161	Accounts Payable	Marina Police Association-MPOA	322271627 / 901587928	250.00
	Invoice		Date	Description		Amount
	03-18-22		03/18/2022	23 - MPOA Dues		250.00
EFT	03/25/2022	2162	Accounts Payable	Police Officers Association - POA	322271627 / 901589106	1,350.00
	Invoice		Date	Description		Amount
	03-18-22		03/18/2022	25 - POA Dues		1,350.00
905 Chase - Checking Totals:						\$167,809.46
Checks:						
EFTs:						
Transactions: 48						
Checks: 46						\$166,209.46
EFTs: 2						\$1,600.00

Marina, CA LIVE

AP Check Register 04-01-22

Bank Account: 905 - Chase - Checking

Batch Date: 04/01/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: 905 - Chase - Checking						
Check	04/01/2022	99617	Accounts Payable	Ace Hardware		54.64
	Invoice		Date	Description		Amount
	081493		03/16/2022	Misc. Maintenance Equipment		4.36
	081498		03/17/2022	Additional Pad Lock for Fuel Farm - CC Pedestal		28.36
	081555		03/23/2022	Supplies		21.92
Check	04/01/2022	99618	Accounts Payable	American Supply Co.		334.27
	Invoice		Date	Description		Amount
	2960282		03/03/2022	Airport Janitorial Supplies		55.41
	2961157		03/14/2022	Airport Janitorial Supplies		278.86
Check	04/01/2022	99619	Accounts Payable	Ana Maria Cortero		100.00
	Invoice		Date	Description		Amount
	22001		02/13/2022	Bilingual Testing (Vega)		100.00
Check	04/01/2022	99620	Accounts Payable	Aramark Uniform Service		1,604.68
	Invoice		Date	Description		Amount
	511000234860		03/09/2022	Uniforms		70.51
	511000238507		03/16/2022	Uniforms		70.51
	511000234858		03/09/2022	Uniforms		239.91
	511000234857		03/09/2022	Uniforms		973.07
	511000234859		03/09/2022	Uniforms		8.53
	511000238503		03/16/2022	Uniforms		224.34
	511000238494		03/16/2022	Uniforms		17.81
Check	04/01/2022	99621	Accounts Payable	AT & T		701.24
	Invoice		Date	Description		Amount
	03-14-22		03/14/2022	Phone Service 03/14/2022		701.24
Check	04/01/2022	99622	Accounts Payable	AT & T		210.52
	Invoice		Date	Description		Amount
	000017911983		03/13/2022	Internet Service 03/13/2022		167.08
	000017919481		03/15/2022	Internet Service 03/15/2022		43.44
Check	04/01/2022	99623	Accounts Payable	Avaya, Inc.		12.49

User: Monika Collier

Pages: 1 of 8

3/31/2022 9:39:06 AM

Marina, CA LIVE

AP Check Register 04-01-22

Bank Account: 905 - Chase - Checking

Batch Date: 04/01/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice			Description		Amount
Check	2734543739	03/04/2022	Phone Service	03/04/2022		12.49
	04/01/2022	99624	Accounts Payable	Branch's Janitorial		7,495.82
	Invoice			Description		Amount
	228355	03/18/2022	B529_Restaurant Bldg. - Cleaning of building			2,550.00
	228362	03/21/2022	Custodial Services for March 2022			2,059.47
	228363	03/21/2022	Janitorial Services - City Wide			2,886.35
Check	04/01/2022	99625	Accounts Payable	Central Valley Toxicology		215.00
	Invoice			Description		Amount
	316290	11/10/2021	Toxicology	11/10/2021		215.00
Check	04/01/2022	99626	Accounts Payable	Cheryl Kent		1,020.00
	Invoice			Description		Amount
	2022-35	03/24/2022	Code Enforcement Investigations			1,020.00
Check	04/01/2022	99627	Accounts Payable	Color New Co.		271,432.10
	Invoice			Description		Amount
	03-18-22	03/18/2022	B533 Exterior Improvements Project Pmt. 1			271,432.10
Check	04/01/2022	99628	Accounts Payable	Comcast		257.04
	Invoice			Description		Amount
	03-14-22	03/14/2022	Teen Center Cable Fees			257.04
Check	04/01/2022	99629	Accounts Payable	Community Hospital of the Monterey Peninsula		135.00
	Invoice			Description		Amount
	401194930	03/08/2022	Lab	03/08/2022		135.00
Check	04/01/2022	99630	Accounts Payable	CSG Consultants		12,798.00
	Invoice			Description		Amount
	42349	03/11/2022	Building Services through 2/25/2022			12,798.00
Check	04/01/2022	99631	Accounts Payable	Directv		22.50
	Invoice			Description		Amount
	050944442X210426	04/26/2021	TV Service for Pilot's Lounge			11.25

User: Monika Collier

Pages: 2 of 8

3/31/2022 9:39:06 AM

Marina, CA LIVE
AP Check Register 04-01-22
 Bank Account: 905 - Chase - Checking
 Batch Date: 04/01/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	050944442X210826	08/26/2021		TV Service for Pilot's Lounge		11.25
	04/01/2022	99632	Accounts Payable	Doug McCoun		447.21
	Invoice		Date	Description		Amount
Check	03-03-22	03/03/2022		Reimbursement for airlines tickets to Indiana for Conference		447.21
	04/01/2022	99633	Accounts Payable	Emergency Vehicle Specialists		520.00
	Invoice		Date	Description		Amount
Check	13656	03/24/2022		Removal of Prisoner Transport Equipment		520.00
	04/01/2022	99634	Accounts Payable	FedEx		144.70
	Invoice		Date	Description		Amount
Check	7-688-29736	03/11/2022		Shipping 03/11/2022		40.75
	7-695-06778	03/18/2022		Shipping 03/18/2022		103.95
	04/01/2022	99635	Accounts Payable	First Alarm		1,889.88
Check	Invoice		Date	Description		Amount
	673191	03/15/2022		Fire Alarm Services_B527		355.62
	673190	03/15/2022		Fire Alarm Services_B524		113.67
	669382	03/15/2022		Alarm Monitoring - 209 Cypress Ave - Apr-June 2022		131.43
	673188	03/15/2022		Alarm Monitoring - 209 Cypress Ave - Apr-June 2022		197.01
	669443	03/15/2022		Alarm Monitoring - 304 Hillcrest Ave - Apr-June 2022		640.26
	669381	03/15/2022		Alarm Monitoring - City Council Chambers - Apr-June 2022		118.02
	673189	03/15/2022		Annual Fire Inspection - Corp Yard		333.87
	04/01/2022	99636	Accounts Payable	Goldfarb & Lipman		6,876.00
Check	Invoice		Date	Description		Amount
	144372	03/17/2022		Marina Heights/Sea Haven - February 2022		3,168.00
	144373	03/17/2022		The Dunes - February 2022		3,424.00
	144371	03/17/2022		General File - February 2022		284.00
	04/01/2022	99637	Accounts Payable	Green Line		1,400.00
	Invoice		Date	Description		Amount
Check	67236	03/11/2022		Vacuum Service for Oil Separator_B524		1,400.00
	04/01/2022	99638	Accounts Payable	Liebert Cassidy Whitmore		9,250.40
	Invoice		Date	Description		Amount

Marina, CA LIVE
AP Check Register 04-01-22
 Bank Account: 905 - Chase - Checking
 Batch Date: 04/01/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	213695		02/28/2022	LCW - Professional Services		1,726.40
	214441		02/28/2022	LCW - Professional Services		155.00
	214460		02/28/2022	LCW - Professional Services		4,640.00
	214474		02/28/2022	LCW - Professional Services		1,395.00
	214481		02/28/2022	LCW - Professional Services		116.00
	214492		02/28/2022	LCW - Professional Services		1,218.00
Check	04/01/2022	99639	Accounts Payable	Marina Coast Water District		7,976.00
	Invoice		Date	Description		Amount
Check	20220317		03/17/2022	Cypress Knolls Blight Removal Plan Review and Inspection		7,976.00
	04/01/2022	99640	Accounts Payable	Monterey Bay Office Products		380.20
	Invoice		Date	Description		Amount
Check	466780228		03/03/2022	City Hall Copier Lease Payment - March 2022		380.20
	04/01/2022	99641	Accounts Payable	Monterey County Animal Services		9,300.00
	Invoice		Date	Description		Amount
Check	1/22/2022		01/22/2022	Animal Sheltering and Services		9,300.00
	04/01/2022	99642	Accounts Payable	Monterey Signs, Inc.		600.88
	Invoice		Date	Description		Amount
Check	20809		03/28/2022	Perk Pond Signs		600.88
	04/01/2022	99643	Accounts Payable	Monterey Tire Service		24.73
	Invoice		Date	Description		Amount
Check	1-105446		03/28/2022	Tire Repair - Unit 896		24.73
	04/01/2022	99644	Accounts Payable	Nick R. Martinez		300.00
	Invoice		Date	Description		Amount
Check	M022-004		03/12/2022	Comprehensive Background Invest. - Cannabis Tyler Bierbaum		300.00
	04/01/2022	99645	Accounts Payable	My Chevrolet		2,249.59
	Invoice		Date	Description		Amount
Check	CVC5245079		03/21/2022	Engine Mount - Unit 897		2,249.59
	04/01/2022	99646	Accounts Payable	MyFleetCenter - Wisconsin Quick Lube		322.13
	Invoice		Date	Description		Amount

AP Check Register 04-01-22

Bank Account: 905 - Chase - Checking

Batch Date: 04/01/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	36754709		03/15/2022	Light Bulb Replacement - Unit 895		18.84
	36755095		03/21/2022	Vehicle Light Bulb - License 1488903		75.37
	36755076		03/21/2022	Vehicle Service - Unit 820		105.70
	36755443		03/27/2022	Oil Service - Unit 818		122.22
	04/01/2022	99647	Accounts Payable	Natividad Medical Center		279.00
	Invoice		Date	Description		Amount
Check	03-18-22		03/18/2022	Blood Alcohol Cost 03/18/2022		217.00
	03-21-22		03/21/2022	Blood Alcohol Cost 03/21/2022		62.00
	04/01/2022	99648	Accounts Payable	Overhead Door Company		1,059.54
	Invoice		Date	Description		Amount
	123150		03/17/2022	FD Bay Door Repair		1,059.54
Check	04/01/2022	99649	Accounts Payable	Pacific Gas & Electric		38,045.73
	Invoice		Date	Description		Amount
	767-2.MAR22		03/11/2022	Utilities 03/11/2022		81.98
	098-7.MAR22		03/11/2022	Utilities_B524		6,318.18
	103-6.MAR22		03/14/2022	Utilities_B507		13,229.85
	288-5.MAR22		03/11/2022	Utilities_B520		518.58
	347-0.MAR22		03/10/2022	Utilities_B519		571.45
	415-6.MAR22		03/11/2022	Utilities_B504		240.09
	451-7.MAR22		03/10/2022	Utilities_B554		273.33
	694-1.MAR22		03/11/2022	Utilities_B533		1,754.09
	272-1.MAR22		03/18/2022	PG&E - 2862559272-1		41.15
	172-2.MAR22		03/20/2022	PG&E - 5618207172-2		779.90
	362-9.MAR22		03/20/2022	PG&E - 5996678362-9		130.01
	795-7.MAR22		03/22/2022	PG&E - 4467294795-7		423.82
	483-6.MAR22		03/16/2022	PG&E - 3982644483-6		13,683.30
Check	04/01/2022	99650	Accounts Payable	Peninsula Welding & Medical Supply		122.41
	Invoice		Date	Description		Amount
	225173		03/25/2022	Oxygen Refill		122.41
	04/01/2022	99651	Accounts Payable	Pinnacle Healthcare		534.00
	Invoice		Date	Description		Amount

AP Check Register 04-01-22

Bank Account: 905 - Chase - Checking

Batch Date: 04/01/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	345100		03/23/2022	Pinnacle Healthcare - Pre Emp Px		404.00
	345440		03/24/2022	Physical and Spirometry for AG		80.00
	344700		03/22/2022	Physical and Spirometry for BR		50.00
	04/01/2022	99652	Accounts Payable	Quill Corporation		1,298.82
Check	Invoice		Date	Description		Amount
	23598881		03/08/2022	Office Supplies 03/08/2022		11.46
	23883772		03/18/2022	Investigations 03/18/2022		176.89
	23900997		03/21/2022	Investigation 03/21/2022		545.98
	23933957		03/22/2022	Evidence 03/22/2022		11.46
	23898840		03/18/2022	Investigation 03/28/2022		553.03
	04/01/2022	99653	Accounts Payable	Regional Government Services		13,341.00
	Invoice		Date	Description		Amount
	13243		02/28/2022	RGS Services for Joby Aviation - Feb 2022		153.00
	13240		02/28/2022	RGS - Feb 2022		735.00
Check	13242		02/28/2022	RGS Services for Quick Quack - Feb 22		441.00
	13241		02/28/2022	RGS Services for The Dunes - Feb 22		12,012.00
	04/01/2022	99654	Accounts Payable	Reserve Account - Pitney Bowes		1,500.00
	Invoice		Date	Description		Amount
	03-17-22		03/17/2022	Postage Meter Refill		1,500.00
Check	04/01/2022	99655	Accounts Payable	Rincon Consultants, Inc.		9,114.25
	Invoice		Date	Description		Amount
Check	38063		03/22/2022	DVSP EIR - Feb 2022		9,114.25
	04/01/2022	99656	Accounts Payable	Robert R. Wellington		7,032.00
	Invoice		Date	Description		Amount
	26116		03/22/2022	Cal Am Matters - February 2022		216.00
	26117		03/22/2022	Cannabis Matters - February 2022		45.00
	26120		03/22/2022	Employee & Labor Negotiations - February 2022		81.00
	26125		03/22/2022	Police Personnel Matters - February 2022		153.00
	26126		03/22/2022	Public Records Act Request - February 2022		72.00
	26128		03/22/2022	Tax & Finance Matters - February 2022		9.00
	26129		03/22/2022	The Dunes - February 2022		108.00

AP Check Register 04-01-22

Bank Account: 905 - Chase - Checking

Batch Date: 04/01/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	26127		03/22/2022	Abrams Park-Marina Heights-Sea Haven - February 2022		783.00
	26124		03/22/2022	Misc Personnel Matters - February 2022		144.00
	26123		03/22/2022	Marina Equestrian Center - February 2022		138.00
	26121		03/22/2022	Land Use & Operations - February 2022		3,312.00
	26118		03/22/2022	Election Matters - February 2022		1,971.00
Check	04/01/2022	99657	Accounts Payable	Salinas Valley Ford		2,825.17
	Invoice		Date	Description		Amount
	86535		01/28/2022	Starter Replacement - 2008 Expedition		584.10
	86257		01/21/2022	Vehicle Inspection - 2015 Expedition		601.07
	87880		03/17/2022	Air Bag - 2015 Expedition		1,640.00
Check	04/01/2022	99658	Accounts Payable	Salinas Valley Pro Squad		2,055.78
	Invoice		Date	Description		Amount
	319181		03/22/2022	Police Uniforms and Equipment		1,032.33
	319618		02/01/2022	Police Uniforms and Equipment		388.84
	319902		02/15/2022	Police Uniforms and Equipment		268.73
Check	319920		02/17/2022	Police Uniforms and Equipment		32.78
	320128		02/28/2022	Police Uniforms and Equipment		333.10
	04/01/2022	99659	Accounts Payable	Sierra Springs & Alhambra		155.57
	Invoice		Date	Description		Amount
	9696351 031222		03/12/2022	Corp Yard Water Service 5g		34.43
Check	14225799 031322		03/13/2022	Annex 5gl Water Service		121.14
	04/01/2022	99660	Accounts Payable	Suburban Propane		1.00
	Invoice		Date	Description		Amount
	1602-065046		03/14/2022	Propane Tank Rental		1.00
	04/01/2022	99661	Accounts Payable	Tri County Fire Protection		39.64
Check	HP57857		03/10/2022	Extinguisher refills/service		39.64
	04/01/2022	99662	Accounts Payable	Verizon Wireless		2,837.89
	Invoice		Date	Description		Amount
	9902095857		03/18/2022	Patrol Operations Cellular Phones		1,522.90

Marina, CA LIVE

AP Check Register 04-01-22

Bank Account: 905 - Chase - Checking
Batch Date: 04/01/2022

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	9902172259		03/18/2022	PW Crew, Airopoort & Bldg Insp - Cell Phones		778.78
	9897632256		01/18/2022	Cell Phone Bill		536.21
	04/01/2022	99663	Accounts Payable	William A. Thayer Construction, Inc		13,375.22
	Invoice		Date	Description		Amount
Check	2021-01-3		01/19/2022	Glorya Jean Tate Restrooms		13,375.22
	04/01/2022	99664	Accounts Payable	Xerox Financial Services		239.26
	Invoice		Date	Description		Amount
Check	3157866		03/28/2022	FD Monthly Copier Charges - 03/17/22 - 04/16/22		239.26
	04/01/2022	99665	Accounts Payable	Zoom Imaging Solutions		290.56
	Invoice		Date	Description		Amount
EFT	IN2551809		03/23/2022	Meter 03/23/2022		290.56
	04/01/2022	2170	Accounts Payable	Richard B. Standridge	121042882 / 8312012522	3,230.00
	Invoice		Date	Description		Amount
	22-06		03/25/2022	Services 03-04/03-24-22		3,230.00
905 Chase - Checking Totals:						
Transactions: 50						

Checks: 49 \$432,221.86
EFTs: 1 \$3,230.00

Marina, CA LIVE

Bank Account: 921 - Chase - Successor Agency

Batch Date: 03/25/2022

921 Chase - Successor Agency Totals:

Checks:	1	\$5,436.20
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DRAFT

Agenda Item: **8b(1)**
City Council Meeting of
April 5, 2022

MINUTES

Tuesday, March 15, 2022

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**

Council Chambers
211 Hillcrest Avenue
Marina, California

Zoom Meeting URL: <https://zoom.us/j/730251556>

Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

In accordance with California Government Code §54953(e)(1)(A) and (C) and the Proclamation of a State of Emergency issued by Governor Newsom on March 4, 2020, under the provisions of Government Code §8625 related to the COVID-19 (coronavirus) pandemic, consistent with recommendations by State and local health officials regarding social distancing and in order to prevent an imminent risk to the health and safety of attendees as determined in Resolution 2022-32, public participation in City of Marina City Council public meetings shall be electronic only and without a physical location for public participation until the earlier of March 31, 2022, or such time as the City Council may adopt a resolution in accordance with Government Code §54953(e)(3). This meeting is being broadcast “live” on Access Media Productions (AMP) Community Television Cable 25 and on the City of Marina Channel and on the internet at <https://accessmediaproductions.org/>

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: David Burnett, Mayor Pro-Tem/Vice Chair Kathy Biala, Mayor/Chair Bruce C. Delgado

MEMBERS ABSENT: Cristina Medina Dirksen (Excused), Lisa Berkley (Excused)
3. CLOSED SESSION: *As permitted by Government Code Section 54956 et seq., the (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) 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-Miliars-Brown Act representative.*

- a. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Govt. Code Section 54956.9: One potential case.
- b. Conference with Legal Counsel – Existing Litigation pursuant to paragraph (10 of Subdivision (d) of Govt. Code Section 54956.9: Marina Aviation, LLC, v. City of Marina, FAA Docket No. 16-21-12.
- c. Property Negotiations
 - i. Property: The Dunes on Monterey Bay, Opportunity Phase 1A, Hotel Site
Negotiating Party: SJB Development L.P. (Dadwal Management Group, Inc., its General Partner)
Property Negotiator: City Manager
Terms: Price and Terms

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

Robert Wellington, City Attorney reported out Closed Session: Council met in closed session with regard to the three matters listed. Council received information, provided direction and no reportable action was taken.

4. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)
5. **SPECIAL PRESENTATIONS:** None
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.*
 - Mike Owen – Spoke about the need to resume the commissions with all the developments going on. Spoke about Tatum's Park and asked if it was still being planned for The Dunes Park. Heard it was moved to Carmel Valley. Commented that the Dunes developer excavated much more than they should have along 7th Street, southern boundary of the park.
 - Queen Teye – Spoke about the Monterey County VIDA Project and finding locations to set up tables to inform the public of the services offered such as rent and utility, assistance, wage loss, replacement, expense, support, basic needs, foods and diapers, baby formula, mental health services. Employer advocacy, vaccination and tech testing appointment access. For more information: lavishabhc@actioncouncil.org
 - Denise Turley – Asked if the food waste composting bins are still available? Commented on the street closure at MacArthur.
 - Karen Andersen – Commented about the locked gate at the top of Carmel Avenue leading from the Preston Park area. How are students getting to school from Preston Abrams and Sea Haven over to Crompton, Marina Vista, the Middle School, and the high school? Commented about recent photos sent to Council of the recent grading taking place at the top of Carmel Avenue. Asked who's responsible to maintain consistency or the mitigation of endemic species when a property

like this change's hands from one developer to another? Does the second developer get to ignore all the rules or restrictions or regulations that must have been put in place regarding the San Gilia?

- Mayor Delgado – Commented about 40 volunteers show up at Lock Paddon Park, to the Oak Woodland Community Garden outside the Marina Library last Saturday from 9:00am-1:00pm; and the 11 volunteers who show up for 2 ½ hours to help clean up Del Monte Boulevard all the way to the freeway, about 2.2 miles north of Beach Road. Announced that on April 23, 2022, is the 16th Annual Earth Day in Marina at Locke Paddon Park, upper library area. Citizens for Sustainable Marina is applying for a \$36,000 grant from AARP to make it more senior friendly by installing a couple of pathways 2 to 3 sitting benches and for hip high raised garden beds.
- Council Member Burnett – Thanked the members of the public who are attending tonight's meeting, the attendance for tonight's meeting is 11 not including Council and staff.

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 99412-99552, totaling \$903,287.32
Accounts Payable for Successor Agency Check Number 82, totaling \$1,780.00

b. MINUTES:

- (1) February 23, 2022, Special City Council Meeting
- (2) March 1, 2022, Regular City Council Meeting

c. CLAIMS AGAINST THE CITY:

- (1) City Council Rejection of Claim - staff recommends that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Mark Anthony Jiminez for a claim received on March 4, 2022.

d. AWARD OF BID:

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS:

- (1) City Council consider adopting **Resolution No. 2022-34**, regarding the Ralph M. Brown Act (California Government Code §§54950-54963, making certain findings; and authorizing the City to continue to implement remote teleconferenced public meetings of the City Council and its constituent bodies for the period April 1, 2022 through April 30, 2022.
- (2) City Council consider adopting **Resolution No. 2022-35**, authorize the purchase of a Forcible entry prop for \$80,000.00 from Forcible Entry Equipment; and authorize the purchase of the Phenix TL-2 Firefighter helmets for \$30,000. From Allstar Fire Equipment; and authorize the Finance Director to make necessary accounting and budgetary entries.
- (3) City Council consider adopting **Resolution No. 2022-36**, preliminarily approving the Fiscal Year 2022-23 Engineer's Report for the Cypress Cove II Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2022-23 in that district; and calling a public hearing for April 5, 2022.
- (4) City Council consider adopting **Resolution No. 2022-37**, preliminarily approving the Fiscal Year 2022-23 Engineer's Report for the Seabreeze Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2022-23 in that district; and calling a public hearing for April 5, 2022.
- (5) City Council consider adopting **Resolution No. 2022-38**, preliminarily approving the Fiscal Year 2022-23 Engineer's Report for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2022-23 in that district; and calling a public hearing for April 5, 2022.

g. APPROVAL OF AGREEMENTS:

- (1) City Council consider adopting **Resolution No. 2022-39**, approving assignment of a Lease, Assumption of Assignment of Lease and consent to Assignment of Lease for 3240 Imjin Road (Building 510) between the City of Marina, Driven Performance, LLC and Joby Aero, Inc.; and authorizing City Manager to execute the Assignment of the Lease Agreement, on behalf of the City, subject to final review and approval by City Attorney.
- (2) City Council consider adopting **Resolution No. 2022-40**, approving assignment of a lease, assumption of assignment of lease and consent to assignment of lease for 791 Neeson Road (Building 521) between the City of Marina, Fort Ord Works, Inc and Joby Aero, Inc.; and authorizing City Manager to execute the Assignment of the Lease Agreement, on behalf of the City, subject to final review and approval by City Attorney.
- (3) City Council consider adopting **Resolution No. 2022-41**, approving Amendment No. 2 to the Program Management Services between the City of Marina and Wallace Group (WG), to add to the scope of work for the program management services for multiple projects defined under the Capital Improvement Program (CIP) and Airport Capital Improvement Program (ACIP); Increase the contract limit amount by \$1,288,548.04 for a total contract limit of \$2,601,794.04; and authorizing the City Manager to execute the amendment on behalf of the City subject to final review and approval by the City Attorney.

- (4) City Council consider adopting **Resolution No. 2022-42**, approving Amendment No. 1 to the On-Call Architectural Services agreement between the City of Marina and Jeff Katz Architecture (JKA) increasing the annual contract limit to \$900,000 for fiscal year 2022-2023; authorizing the City Manager to execute the amendment on behalf of the City subject to final review and approval by the City Attorney.

- 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

DELGADO/BIALA: TO APPROVE THE CONSENT AGENDA. 3-0-2(Medina Dirksen, Berkley)-0 Motion Passes by Roll Call Vote

9. PUBLIC HEARINGS: None
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).

- a. City Council consider adopting **Resolution No. 2022-43**, approving city to advertise and call for bids for the execution of the City Park Barracks and Cypress Knolls Buildings Blight Removal 2022 Project.

Council Questions: is states in the staff report that 74 replacement trees of comparable size and species shall be incorporated, but if you take out big trees are you going to put in big trees, or you're going to put in little trees? What is the meaning of “comparable size”? When you say comparable species, I understand you might be taking out of a lot of acacia maybe some eucalyptus, but that doesn't mean that you're going to replace them with trees of similar species does it? Is the Tatum’s Tree House still part of this park expectation or have they moved to Carmel Valley and we’re off the table? Are we on track to hire an arborist beyond city staff? Once the barracks are demolished and the trees are removed How would you characterize the land that is going to be left behind? Is it going to be seeded with some kind of low-growth non evasive or is it just going to naturally evolved with whatever weeds are blowing around? Page 39 of Appendix C There is the outline for the tree pruning, will this be done in order to their removal? So there is no anticipated pruning Once the barracks are removed and the site is stabilized? Have any of the trees been identified as requiring stabilization, meaning that there they're in such a state that there needs to be some care to ensure their long-term survivability? What plans are there to ensure that that they do survive? Who is going to be tracking the replacement trees from each of these parcels as we go forward? Who's whose primary responsibility is it, the city or the

planning commission, or the developer, or you know, an arborist if we get one hired? Can we use alternate sites if we have too many replacement trees?

DELGADO/BIALA: TO ADOPT ADOPTING RESOLUTION NO. 2022-43, APPROVING CITY TO ADVERTISE AND CALL FOR BIDS FOR THE EXECUTION OF THE CITY PARK BARRACKS AND CYPRESS KNOLLS BUILDINGS BLIGHT REMOVAL 2022 PROJECT; AND MODIFY THE WHEREAS TOP OF PAGE 2 OF RESOLUTION, PG 5 OF STAFF REPORT #3. SITE 1 (DUNES) 64 REPLACEMENT TREES OF COMPARABLE SIZE AT MATURITY AND NATIVE SPECIES, WHERE POSSIBLE, SHALL BE INCORPORATED INTO THE CITY PARK LANDSCAPING PLAN WHEN IT IS PREPARED, BASED ON THE CONCEPTUAL DESIGN PLANS APPROVED BY THE CITY COUNCIL. 3-0-2(Medina Dirksen, Berkley)-0 Motion Passes by Roll Call Vote

Public Comment

- Karen Andersen – Spoke about a set of trees which it had been identified as which would be removed, and which would be preserved, and those that were replaced ended up being destroyed or did not survive and hopes the city does not go down that path again.
- Mike Owen – Commented about how the tree committee should be involved with this, they are the body designed to answer these questions. Asked what is the possibility of the Tree Committee coming back to look over these issues the next time it comes before the Council? Commented about Tatum Park going to Carmel Valley. Asked, is there anything that the city manager could disclose about the current state of the Tatum's Park? Did it go to Carmel Valley? Against the Mayor's motion. Stated city should receive another award if they are able to demo these building without a lot of trees being removed.
- Les Martin – Glad to see this project moving along forward. Excited when they took away those couple of buildings down or near the arts building, you can now see the ocean. Not a big supporter at all this effort on the trees but impressed by the plan and the way they took the effort to document where the trees are at, to identify which ones are going to be removed. It's important to clear out those buildings that are in the site of the kids having to go to school. Commented about the Bonds used to pay for the blight removal and believes the federal government should be responsible for the removal of the blight.
- Liesbeth Visscher – Thanked city staff and the planning commissioners for voting unanimously last Thursday to save as many trees as possible at the future at Dunes City Park and making sure that the trees that are on the retain list will be protected during demolition. Thinks it will be beneficial for the city and its residents to get the tree Committee back and asked what the plans are for that.

- b. City Council consider adopting **Resolution No. 2022-44**, approving Vehicle Mile Traveled (VMT) as a threshold of significance for the purposes of assessing transportation impacts under the California Environmental Quality Act (CEQA); and find that the action is exempt from CEQA pursuant to Section 15308 of the CEQA Guidelines.

Council Questions: it sounds like this change in methodology, over the current traffic study way of looking at impacts. Yeah, will not significantly increase either the cost of the project or the time required to complete it is that, does that true traveling as well? Will there be a requirement of staff training a significant amount of necessary to implement this? This was to ensure as much as possible that the network, the infrastructure, and the plan is the projects that were planned within that

infrastructure worked well together, and that you sort of reduce the amount of congestion and pollution and over driving. It seems as though this methodology does not necessarily address congestion rather it looks strictly at reducing the number of trips, correct? Can footnotes/narrative at the bottom of the maps to explain the legend? How are VMT Mitigations monitored? The staff report says the city may adopt a fair share traffic impact fee to ensure that new development bears a proportionate share of the cost of capital facilities cost necessary to accommodate such development, is that something that is a common, maybe on our impact fees already do we have that already included? Or once we implement this is this something we should anticipate, and if so, how much and when do we levy this fee? Do electrical cars in operation but VMT with environmental impacts have any consideration in this?

DELGADO/BURNETT: TO ADOPT RESOLUTION NO. 2022-44, APPROVING VEHICLE MILE TRAVELED (VMT) AS A THRESHOLD OF SIGNIFICANCE FOR THE PURPOSES OF ASSESSING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA); AND FIND THAT THE ACTION IS EXEMPT FROM CEQA PURSUANT TO SECTION 15308 OF THE CEQA GUIDELINES; AND THAT WE PUT SOME FOOTNOTES ON C1 AND C2, SO THAT THE LEGENDS ARE EXPLAINED ON THE SAME PIECE OF PAPER THAT THE LEGENDS ARE SHOWN. 3-0-2(Medina Dirksen, Berkley)-0 Motion Passes by Roll Call Vote

Public Comments:

- Jeffrey Markham – Asked when the density calculations were done to get to the map was, how long ago was that done?

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.

Council Member Burnett – MST Board met on Monday and are receiving additional funding for the Surf Project, which has not been completely planned out yet and they're anticipating sessions this summer and fall so anyone wishing to participate, give comments that time is coming up and will try and give you heads up before the meetings are scheduled.

Mayor Delgado – Commented on the endangered plant species bloom season for the San Gilia and the encampments and unsheltered individuals, bike cycles walking across, trampling and asked fencing these areas off.

13. ADJOURNMENT: The meeting adjourned at 9:22 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor



DRAFT

Agenda Item: **8b(2)**
City Council Meeting of
April 5, 2022

MINUTES

Tuesday, March 22, 2022

6:00 P.M. Open Session

SPECIAL 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

Council Chambers
211 Hillcrest Avenue
Marina, California

Zoom Meeting URL: <https://zoom.us/j/730251556>

Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

In accordance with California Government Code §54953(e)(1)(A) and (C) and the Proclamation of a State of Emergency issued by Governor Newsom on March 4, 2020, under the provisions of Government Code §8625 related to the COVID-19 (coronavirus) pandemic, consistent with recommendations by State and local health officials regarding social distancing and in order to prevent an imminent risk to the health and safety of attendees as determined in Resolution 2022-32, public participation in City of Marina City Council public meetings shall be electronic only and without a physical location for public participation until the earlier of March 31, 2022, or such time as the City Council may adopt a resolution in accordance with Government Code §54953(e)(3). This meeting is being broadcast “live” on Access Media Productions (AMP) Community Television Cable 25 and on the City of Marina Channel and on the internet at <https://accessmediaproductions.org/>

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: Lisa Berkley, Mayor Pro-Tem/Vice Chair Kathy Biala, Mayor/Chair Bruce C. Delgado

MEMBERS ABSENT: Cristina Medina Dirksen (Excused), David Burnett (Excused)
3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
4. STUDY SESSION:
 - a. City Council hold a discussion to review the coordinated responses between Marina Fire Department and Marina Coast Water District in responding to structure fires and the water system’s capacity to meet fire flow needs.

Council Questions on Marina Presentation: So you said that we got a little decrease in our points because we don't have annual inspections, is that plan to be? Can you explain? If 7 points were possible on flow testing and we got 3 can you explain why it's not critical that we try to increase that score is that what you're saying? Assuming that that is the optimum that we'd like to see in the future. if we have the capabilities is an annual inspection, can I safely say that whether right now we don't have the capacity, but that is certainly a goal of ours, can I say that? So all the water that we're using to put out fires it is potable quality water? Your mentioned that the Hampton Inn had enough water, but the Springhill Suites didn't, did I mishear that? So, if there was a fire somewhere in the Springhill Suites is there adequate infrastructure to give the fire department what it needs to do what they normally would do? How often is the system pressure checked in hotels such as Springhill Suites? In your fire plan, do you accommodate for scenarios that might be unlikely, such as a fire at Target and then one at a single-family dwelling?

Council Questions on MCWD Presentation: Maintenance, does that include flow-testing? and whether we need better flow testing to get a better score or not? Is the potable water system really separated out from fire responses? Are they only used for fire? Is there a time, regardless of what the data or the monitoring is showing that you're scheduled to replace pipes, or does it only happen because you're noticing things about a particular pipe? Has there ever been an instance that you recall where you didn't have enough volume or pressure to adequately give the fire department what they needed during an incident?

Public Comments:

- Denise Turley – Commented on a couple of instances where Preston Park did not have water due to either scheduled maintenance or main water line break. Asked whose responsibility is it to notify local residents of schedule maintenance where the water will be turned off? Asked who should a person report to when a fire hydrant has been hit by a vehicle?
- Tommy Bolea – Asked if the fire hydrants have check valves on them and if so, do the automatically shut off in the event of an accident? Commented on SCADA Monitoring and questioned if it can turn on generators in an emergency? Asked if any of the fire lines in the old part of Marina have been replaced? Will the pumps keep up as Marina grows?
- Peter Le – Commented and asked multiple questions related to Marina fire flow, fire hydrant testing and monitoring
- Jeffrey Markham – Thanked Peter Le for the work he put into this issue. one of the ISO components is about community involvement in making sure that our community concerns are addressed in our ASL rating. Marina could have done a better job putting these assets up on the Marina website so that everybody can understand. Has the Marina Water district gone through the projections for the future? Will there be stress on our system with increased residency?

5. ADJOURNMENT: The meeting adjourned at 7:50 P.M.

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor

CITY OF MARINA
HUMAN RESOURCES & RISK DEPARTMENT
211 Hillcrest Avenue
Marina, CA 93933
Phone: 831.884.1283
Fax: 831.384.0860

Rcvd 2/9/22



CLAIM FORM

This form is provided pursuant to Government Code Section 910.4 and shall be used by any person presenting a claim to the City of Marina under Government Code Section 810 et seq., except as provided in Government Code Sections 905 and 905.1. If additional space is needed for any of the required information, please attach additional sheets.

SECTION 1: CLAIMANT INFORMATION

Brook Barclift

Mailing Address _____ City _____ CA _____ Zip Code _____

SECTION 2: NOTICES

The person presenting this claim desires that notices be sent to the following address:

Name of Claimant _____ ()
Telephone Number (include area code) _____

Mailing Address _____ City _____ CA _____ Zip Code _____

SECTION 3: CLAIM INFORMATION

Date of the occurrence/transaction which gave rise to the claim: 1/10/22
Month, Day & Year

Provide the location of the occurrence/transaction which gave rise to the claim. If applicable, include street address, city or county, highway number, mile post number and direction of travel.

West Bend Reservation Rd between Blanco Rd.
& M Best Dr. ~~near~~ #2 lane

Explain the circumstances of the occurrence or transaction which gave rise to the claim. State all facts that support your claim against the City of Marina and why you believe the City of Marina is responsible for the alleged damage or injury.

Large pothole on right hand side of #2
lane, bent my wheel

Provide a general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the time of presentation of the claim.

Right front wheel is bent, attached are 2
estimates to replace wheel

Provide the name(s) of the City of Marina employee(s) causing the injury, damage or lost, if known.

Provide the amount claimed if said amount totals less than ten thousand dollars (\$10,000.00) as of the date presentation of the claim (including the estimated amount of any prospective injury, damage, or lost, insofar as it may be known at the time of the presentation of the claim), together with the basis of computation of the amount claim.

Amount Claimed: \$ 2,330.70

Basis for computation: Based on 2 separate estimates
from Ford Dealers in San Jose and Salinas

If the amount claimed exceeds ten thousand dollars (\$10,000.00), do not provide the dollar amount of the claim. However, please indicate below whether the claim would be a limited civil case. A limited civil case is one where the amount claimed does not exceed twenty-five thousand dollars (\$25,000.00).

☒ Limited Civil Case ☐ Non-Limited Civil Case

SECTION 4: INSURANCE INFORMATION (OPTIONAL – MAY BE COMPLETE IF CLAIM INVOLVES A MOTOR VEHICLE)

Has a claim for the alleged damage/injury been filled or will it be filed with your insurance carrier?

☐ Yes (If marked, please provide information below.)

☒ No

Kemper
Name of Insurance Carrier

1 (866) 860 9348
Telephone Number (include area code)

200 East Randolph St Suite 3300 Chicago, IL 60601
Mailing Address City State Zip Code

Policy Number: 1113496601 Deductible: \$ 500

Name of registered owner(s) of the vehicle: Brown BSWIA

Vehicle Make: Ford Model: FORDS Year: 2017

SECTION 5: REPRESENTATIVE INFORMATION (OPTIONAL – MAY BE COMPLETED IF FILED BY ATTORNEY OR REPRESENTATIVE)

()
Name of Attorney/Representative Telephone Number (include area code)

Mailing Address City State Zip Code

Is the claim filed on behalf of minor? ☐ Yes ☐ No

If yes, please indicate:

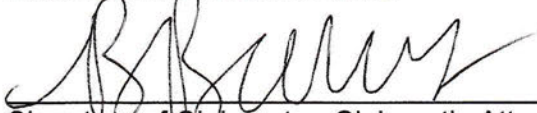
Relationship to minor: _____

Minor's date of birth: _____
Month, Day & Year

SECTION 6: ADVISORY

Section 72 of the Penal Code provides that "every person who, with intent to defraud, presents for allowance or for payment to any State Board or Officer, or to any county, town, city, district, ward, or village, board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony."

SECTION 7: SIGNATURE



Signature of Claimant or Claimant's Attorney /Representative



Date

SECTION 8: SUBMISSION OF CLAIM FORM

Completed claim forms must be submitted by personal delivery or by United States mail, postage paid, to the following address:

**City of Marina
Marina City Hall
Human Resources & Risk Department
211 Hillcrest Avenue
Marina, CA 93933**

Office: (831) 884-1283

Fax: (831) 384-0552

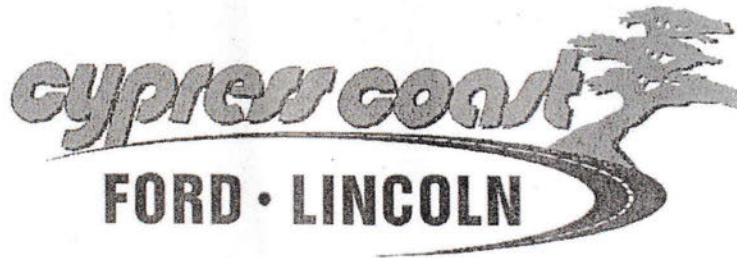
HR@ci.marina.ca.us

Incomplete and un-signed claim forms will not be processed and will be returned to the claimant's address indicated on this form.

Once your completed and signed claim form is received in the City's Risk Management Department it may require placement on the City Council agenda for consideration to deny your claim. This action to deny your claim is required by law for public entities and does not mean the City will not process your claim. Rather, your claim will be researched by the City's Risk Management process, or it will be referred to the City's Risk Management Authority, MBASIA (Monterey Bay Area Self Insurance Authority) for investigation by the Claims Adjuster, Ken Maiolini.

Mr. Maiolini will handle your claim through settlement or resolution. You will be notified in writing by MBASIA of any actions pertaining to the status of your claim and if additional information is required. You may also contact Ken Maiolini at (707) 792-4980 ext. 206, if you wish to discuss your claim.

Thank you.



#4 GEARY PLAZA * SEASIDE, CA 93955-0070

(831) 899-8300

NOTICE: ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS INVOICE. NO REFUNDS AFTER 10 DAYS. A 20% HANDLING CHARGE WILL BE MADE ON ALL RETURNED GOODS, UNLESS RETURNED DUE TO BEING DEFECTIVE OR ERROR ON OUR PART. NO REFUNDS WITHOUT THIS INVOICE. NO RETURNS ON ELECTRICAL OR SPECIAL ORDERED PARTS.

THIS PART(S) IS SOLD AS IS. THE ONLY WARRANTIES APPLYING TO THIS PART(S) ARE THOSE WHICH MAY BE OFFERED BY THE MANUFACTURER(S). THE SELLING DEALER HEREBY EXPRESSLY DISCLAIMS ALL WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, AND NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY LIABILITY IN CONNECTION WITH THE SALE OF THIS PART(S) AND/OR SERVICE. BUYER SHALL NOT BE ENTITLED TO RECOVER FROM THE SELLING DEALER ANY CONSEQUENTIAL DAMAGES, DAMAGES TO PROPERTY, DAMAGES FOR LOSS OF USE, LOSS OF TIME, LOSS OF PROFIT, OR INCOME, OR ANY OTHER INCIDENTAL DAMAGES. IN ADDITION, EXPRESSLY EXCLUDED IS ANY DEALER LIABILITY FOR DEFECTS PERTAINING TO SAFETY PERFORMANCE, BY THE WAY OF "STRICT LIABILITY", NEGLIGENCE OR OTHERWISE.

DATE ENTERED	YOUR ORDER NO.	DATE SHIPPED	INVOICE DATE	INVOICE NUMBER
15 JAN 22		15 JAN 22		Q125826

**** I N V O I C E Q U O T E - DO NOT PAY ****

ACCOUNT NO. 15

PAGE 1 OF 1

BROOK BARCLIFT

** PARTS RETAIL **

SHIP VIA			SLSM.	B/L NO.	TERMS	F.O.B. POINT		
WILL CALL			4355		CASH	SEASIDE, CA		
QTY	SHIP	P.O.	PART NO.	DESCRIPTION	LIST	NET	AMOUNT	
1	1	0	G1EZ*1007*C	WHEEL ASY	1611.77	1611.77	1,611.77	
1	1	0	LABOR	LABOR TO I	234.00	195.00	195.00	
**** I N V O I C E Q U O T E -					DO NOT PAY ****			

54200

1806.77

CUSTOMER COPY

CUSTOMER #: 73807

86325

PREWORKORDER

BROOK GILES BARCLIFT

HOME:

CONT:

BUS:

CELL:

SERVICE ADVISOR: Aundria Banda



We Are the Valley.
 1100 AUTO CENTER CIRCLE
 SALINAS, CA 93907
 Tel. (831) 444-4444
 Fax (831) 444-3222
 www.SalinasValleyFord.com
 Car Store Hours Mon-Fri 7:30 - 5:30
 Sat 8:00 - 4:00
 B.A.R. REG.# ARD-006670 EPA# CAL000213928

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG
	2017	FORD Focus			44444	SOP
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT
01/01/2017						01/15/2022
R.O. OPENED	READY	OPTIONS: ENG:2.3_LITER_GTDI TRN:M				
01/15/2022						

LINE	OP CODE	DESCRIPTION	DURATION	ESTIMATE
# A	99PX	PERFORM MULTI POINT INSPECTION	0.00	0.00
# B	45	CUSTOMER STATES RIM HAS DAMAGE, QUOTE FOR NEW RIM	0.00	0.00
# C	TP	CHECK AND RECORD TIRE PRESSURE	0.00	0.00
ADDITIONAL SERVICE RECOMMENDATIONS				
# D	WT001	RIM	0.30	2434.56

+ \$58.50 Labor

Subtotal 2434.56

Shop Charges 0.00

Printed On 01/14/2022 5:17 PM

Sales Tax 194.43

Estimate Expires on 02/13/2022

Total 2628.99

BY LAW, YOU MAY CHOOSE ANOTHER LICENSED SMOG CHECK FACILITY TO PERFORM ANY NEEDED REPAIRS OR ADJUSTMENTS WHICH THE SMOG CHECK TEST INDICATES ARE NECESSARY. TEARDOWN/REASSEMBLY: If you authorize teardown of the vehicle or commencement of repairs, but do not authorize completion of a repair or service, a charge may be imposed for teardown, reassembly or partially completed work and you agree to pay the same.

It is necessary to disassemble the vehicle to provide an estimated price for repairs. The estimated teardown and reassembly charge (including parts and labor) is \$ _____. The maximum time for reassembly will be _____. X

You understand that disassembly may prevent restoration of the vehicle to its former condition. X

☐ **SUBLET REPAIRS:** Some repairs must be sublet due to the type of service required. The location will be disclosed upon request.

PAYMENT TERMS: I agree to pay for all labor and materials in Cash or approved credit card (unless the Dealership agrees to other payment arrangements in advance) simultaneously with delivery of the vehicle to me or 3 days after receiving notice that the vehicle is ready to be picked up. An express mechanics lien is hereby acknowledged on the vehicle to secure the cost of labor, materials, storage and/or towing charges. I understand that a storage charge equal to \$ _____. will be assessed and shall accrue daily if I fail to pick up the vehicle within 3 days from the date I am notified that the repairs have been completed or after the communication of an estimate if I fail to authorize repairs.

POWER-OF-ATTORNEY! hereby appoint the Dealership as my attorney-in-fact and authorize it to sign my name upon any checks, drafts or other forms of payment issued in payment of this Repair Order. X

By Signing Below: I agree that: (1) I have read this Repair Order and I authorize the completion of the services/repairs listed above in accordance with the terms and conditions herein; (2) the Dealership is not responsible for loss or damage to the vehicle or articles left in the vehicle in case of fire, theft, hail, wind or any other cause beyond its control; (3) the Dealership may operate the vehicle on streets, highways or public roadways for the purpose of testing and/or inspecting the vehicle; and (4) I authorize the retrieval of on-board data as needed to facilitate vehicle repairs and the sharing of that data with the vehicle manufacturer for diagnostic or research purposes.

Customer _____ Date _____

Dealer: CAP 2014 CDK Global LLC (01/17) WORKORDER TYPE 2 - SWG - United Warrant - CALIFORNIA - 9094522

PARTS: All parts are new unless otherwise indicated. Remanufactured and refurbished parts that meet manufacturer approved source part requirements may be installed at our discretion. Additional information is available upon request. You may inspect all parts removed from the vehicle upon request. If our Dealership does not have to return the parts to the manufacturer or distributor under a warranty arrangement and they are not exempt due to their size, weight or other factors, they will be returned to you upon request.

☐ Some Parts Not Returnable ☐ Please Save Replaced Parts

ESTIMATE: PLEASE CHOOSE THE KIND OF ESTIMATE YOU WANT TO RECEIVE BY INITIALING BESIDE ONE OF THE FOLLOWING CHOICES AND INDICATE THE BEST WAY TO CONTACT YOU IF NECESSARY.

WRITTEN ESTIMATE _____ ORAL ESTIMATE _____ ELECTRONIC EST. _____

By Telephone at: _____

By Fax to: _____

By E-Mail to: _____

PRELIMINARY ESTIMATE \$ 2628.99

DESIGNATION OF PERSON TO AUTHORIZE ADDITIONAL WORK OR PARTS.

I hereby designate the individual named below to authorize any additional work not specified or parts not included in the original written estimated price for parts and labor:

Name of Designee: _____ Phone Number: _____

Fax Number: _____ E-Mail Address: _____

Customer: _____ Date: _____

Original Estimate (Parts & Labor)	Total Additional Cost Authorized	Approved By:	Date & Time	Authorization Obtained By:
\$ _____	\$ _____			☐ Telephone ☐ Fax (See Attached) ☐ E-mail (See Attached)
Revised Estimate	\$ _____			☐ Telephone ☐ Fax (See Attached) ☐ E-mail (See Attached)

I acknowledge notice and oral approval of an increase in the original estimated price.

NOTICE TO CONSUMER: PLEASE READ IMPORTANT INFORMATION ON BACK.

Chapter: 9.26
“Military Equipment” Use Ordinance

Sections:

9.26.010	Name of Ordinance
9.26.020	Purpose.
9.26.030	Definitions.
9.26.040	Military Equipment Use Policy Requirement
9.26.050	Use In Exigent Circumstances
9.26.060	Reports on the Use of Military Equipment.
9.26.070	Severability

9.26.010 Name of Ordinance.

- A. This Ordinance shall be known as the Military Equipment Use Ordinance.

9.26.020 Purpose.

A. The purpose of this ordinance is to ensure the Police Department’s compliance with California AB 481, which requires California law enforcement agencies to obtain approval of the law enforcement agency’s governing body, by adoption of a military equipment use policy, as specified, by ordinance at a regular meeting prior to taking actions relating to the funding, acquisition, or use of military equipment. This ordinance also requires approval for the continued use of military equipment acquired prior to January 1, 2022. This ordinance also allows the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. (California Government Codes § 7070, § 7071, § 7072.)

9.26.030 Definitions.

- A. “Military equipment” means the following:

- (1) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
- (3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.

- (4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- (5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- (6) Weaponized aircraft, vessels, or vehicles of any kind.
- (7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
- (8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
- (9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
- (10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
- (11) Any firearm or firearm accessory that is designed to launch explosive projectiles.
- (12) “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.
- (13) Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).
- (14) The following projectile launch platforms and their associated munitions: 40 mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.
- (15) Any other equipment as determined by a governing body or a state agency to require additional oversight.
- (16) Notwithstanding paragraphs (1) through (15), “military equipment” does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

B. “City” means any department, agency, bureau, and/or subordinate division of the City of Marina,

C. “Police Department” means any division, section, bureau, employee, volunteer and/or contractor of the Marina Police Department.

D. “City Council” means the governing body that is the Marina City Council.

E. “Military Equipment Use Policy” means a publicly released, written document governing the use of military equipment by the Police Department that addresses, at a minimum, all of the following:

- (1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.
- (2) The purposes and authorized uses for which the Police Department proposes to use each type of military equipment.
- (3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
- (4) The legal and procedural rules that govern each authorized use.
- (5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the Police Department allowed to use each specific type of military equipment to ensure the full protection of the public’s welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.
- (6) The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
- (7) For the Police Department procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the Police Department will ensure that each complaint, concern, or question receives a response in a timely manner. (California Government Codes § 7070.)

9.26.040 Military Equipment Use Policy Requirement.

A. The Police Department shall obtain approval of the City Council, by an ordinance adopting a Military Equipment Use Policy at a regular meeting of the City Council held pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) prior to engaging in any of the following:

- (1) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.
- (2) Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting, or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (3) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (4) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the City of Marina.
- (5) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council pursuant to this chapter.
- (6) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, military equipment.
- (7) Acquiring military equipment through any means not provided by this section.

B. No later than May 1, 2022, if seeking to continue the use of any Military Equipment that was acquired prior to January 1, 2022, the Marina Police Department shall commence a City Council approval process in accordance with this section. If the City Council does not approve the continuing use of military equipment, including by adoption pursuant to this subdivision of a military equipment use policy submitted within 180 days of submission of the proposed military equipment use policy to the City Council, the Marina Police Department shall cease its use of the military equipment until it receives the approval of the City Council in accordance with this section.

C. In seeking the approval of the governing body the Police Department shall submit a proposed military equipment use policy to the City Council and make those documents available on the Police Department's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

D.. The City Council shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following:

- (1) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- (2) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties
- (3) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- (4) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

E. The City Council shall review this ordinance at least annually and vote on whether to renew it at a regular meeting held pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

9.26.050 Use in Exigent Circumstances

A. Notwithstanding the provisions of this Chapter, the Police Department may acquire, borrow and/or use Military Equipment in Exigent Circumstances without following the requirements of this ordinance.

B. If the Police Department acquires, borrows, and/or uses Military Equipment in Exigent Circumstances, in accordance with this section, it must take all of the following actions:

- (1) Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstances, unless such information is confidential or privileged under local, state or federal law.
- (2) If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed amended Military Equipment Use Policy to the City Council within 90 days following the borrowing, acquisition and/or use, and receive approval, as applicable, from the City Council.
- (3) Include the Military Equipment in the Police Department's next annual Military Equipment Report.

9.26.060 Reports on the Use of Military Equipment

A The Police Department shall submit to City Council an annual military equipment report for each type of military equipment approved by City Council within one year of approval, and annually thereafter for as long as the military equipment is available for use.

B. The Police Department shall also make each annual military equipment report available on its internet website for as long as the military equipment is available for use.

C. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- (5) The quantity possessed for each type of military equipment.
- (6) If the Police Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

D. Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the Police Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the Police Department's funding, acquisition, or use of military equipment. (California Government Codes § 7072 (a))

E The City Council shall determine, based on the annual military equipment report submitted by the Marina Police Department whether each type of military equipment identified in that report has complied with the standards for approval. In order to facilitate public participation, any proposed or final Military Equipment Use Policy shall be made publicly available on the internet website of the Marina Police Department for as long as the Military equipment is available for use. (California Government Codes § 7071 (a) (1)). If the City Council determines that a type of military equipment identified in that annual military equipment

report has not complied with the standards for approval, the City Council shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance.

9.26.070 Severability

A. If any section, subsection, sentence, clause, phrase, or word of this Chapter, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this Chapter.

B. The City Council hereby declares that it would have passed this Chapter and each and every section, subsection, sentence, clause, phrase or word not declared invalid or unconstitutional without regard to whether any other portion of this Chapter or application thereof would be subsequently declared invalid or unconstitutional.

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Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 5, 2022

**CITY COUNCIL OPENING A PUBLIC HEARING, TAKING ANY
TESTIMONY FROM THE PUBLIC, INTRODUCING ORDINANCE
TEXT AMENDMENT, AMENDING TITLE 9 “PUBLIC PEACE,
MORALS AND WELFARE” OF THE MARINA MUNICIPAL CODE
ADDING SECTION 9.26 “MILITARY EQUIPMENT” AS REQUIRED
BY STATE OF CALIFORNIA ASSEMBLY BILL 481**

RECOMMENDATION:

It is recommended that the City Council consider:

1. Opening a public hearing, and;
2. Introducing an ordinance text amendment amending Title 9 of the Marina Municipal Code adding Section 9.26 “Military Equipment”.

BACKGROUND:

On September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 (AB 481), relating to the use, funding, and acquisition of military equipment by law enforcement agencies.

AB 481 requires law enforcement agencies to obtain approval of the applicable governing body, by adoption of a military equipment use policy, as specified, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined.

The bill also requires similar approval for the continued use of military equipment acquired prior to January 1, 2022. The bill allows the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards.

AB 481 requires City Council to annually review the ordinance and to either disapprove a renewal of the authorization for a type, as defined, of military equipment or amend the military equipment use policy if it determines, based on an annual military equipment report prepared by the law enforcement agency, as provided, that the military equipment does not comply with the above-described standards for approval. The bill specifies these provisions do not preclude a county or local municipality from implementing additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

AB 481 places specific requirements upon the City as a result of this legislation. Listed below are the main responsibilities required of the City and the Police Department:

1. A law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the City Council.
2. No later than May 1, 2022, a law enforcement agency seeking to continue the use of any military equipment acquired prior to January 1, 2022, shall commence a governing body approval process in accordance with AB 481. If the governing body does not approve the

continuing use of military equipment, including by adoption pursuant to this subdivision of a military equipment use policy within 180 days of submission of the proposed military equipment use policy, the law enforcement agency shall cease its use of the military equipment until it receives the approval of the governing body in accordance with this section.

3. In seeking the approval of the governing body, a law enforcement agency shall submit a proposed military equipment use policy to the governing body and make those documents available on the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.
4. The City Council shall consider a proposed military equipment use policy as an agenda item for an open session of a regular meeting and provide for public comment.
5. The City Council shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following:
 - (a) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
 - (b) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
 - (c) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
 - (d) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.
6. Any proposed or final military equipment use policy shall be made publicly available on the internet website of the police department for as long as the military equipment is available for use.
7. The City Council shall review any ordinance that it has adopted approving the funding, acquisition, or use of military equipment at least annually and vote on whether to renew the ordinance at a regular meeting.
8. The City Council shall determine, based on the annual military equipment report submitted by the Police Department, whether each type of military equipment identified in that report has complied with the standards for approval. If the governing body determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval, the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance.
9. A law enforcement agency receiving approval for a military equipment use policy pursuant to shall submit to City Council an annual military equipment report for each type of military equipment approved by the City Council within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:
 - (a) A summary of how the military equipment was used and the purpose of its use.
 - (b) A summary of any complaints or concerns received concerning the military equipment.

- (c) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
 - (d) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
 - (e) The quantity possessed for each type of military equipment.
 - (f) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
 - (g) Within 30 days of submitting and publicly releasing an annual military equipment report, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment. Nothing shall preclude a county or local municipality from implementing additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.
10. Requirement: Local agencies will hold public meetings prior to the acquisition of military equipment to further expose that activity to public scrutiny and enhances public access to information concerning the conduct of the people's business.

AB 481 has placed specific requirements upon the City and the passage of the proposed ordinance is of utmost importance. The Police Department is ready to comply realizing that the public has a specific interest in the use of and deployment of the equipment designated by AB 481.

ANALYSIS:

The Police Department has examined AB 481 and the new California Governments Codes enacted as a result of the passage of AB 481 in its entirety. In addition, the Department has a "Military Equipment" policy ("EXHIBIT A") provided by its policy manual provider, Lexipol. This policy is provided for your approval. Lexipol is utilized by many California law enforcement agencies because of the complexity of maintaining policy manuals that are in compliance with current law and accepted law enforcement practices They possess a legal staff that analyzes case law, new laws and any other situations which may affect a law enforcement agency. The "Military Equipment" policy meets the standards and requirements of AB 481.

The term military equipment is broad and covers a wide spectrum of equipment. AB 481 provides a definition of what constitutes military equipment, this is found within California Government Code § 7070.

Under AB 481 military equipment means:

(Of Note: Notwithstanding paragraphs (1) through (15) below, "military equipment" does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency)

- (1) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
However, police versions of standard consumer vehicles are specifically excluded from this subdivision.

- (3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
- (4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- (5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- (6) Weaponized aircraft, vessels, or vehicles of any kind.
- (7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
- (8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
- (9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
- (10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
- (11) Any firearm or firearm accessory that is designed to launch explosive projectiles.
- (12) “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.
- (13) Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).
- (14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.
- (15) Any other equipment as determined by a governing body or a state agency to require additional oversight.

To meet the requirements of AB 481, and under California Government Code §7071(a)(1), created as a result of AB 481, which states in part, “A law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the governing body.”, an ordinance has been drafted (“**EXHIBIT B**”) for City Council consideration.

The Department has prepared and is providing City Council with a list of equipment it possesses that falls under the definition of military equipment (“**EXHIBIT C**”).

The Police Department has already begun the administrative processes to monitor inventory of military equipment, preparation of reports to ensure full compliance with AB 481, and scheduling of public meetings as required.

FISCAL IMPACT:

None

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Richard J. Janicki Jr.
Management Analyst
Police Department
City of Marina

REVIEWED/CONCUR:

Tina Nieto
Chief of Police
City of Marina

Layne Long
City Manager
City of Marina

ORDINANCE NO. 2022 -____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARINA, ADOPTING A MILITARY EQUIPMENT POLICY AND ADDING CHAPTER 9.26 TO TITLE 9 “PUBLIC PEACE, MORALS AND WELFARE” OF THE MARINA MUNICIPAL CODE TO ADOPT A MILITARY EQUIPMENT USE ORDINANCE

WHEREAS, on September 30, 2021, Governor Gavin Newsome signed into law Assembly Bill 481 (“AB 481”), adding Chapter 12.8, “Funding, Acquisition and Use of Military Equipment,” to Division 7 of Title 1 of the Government Code (sections 7070-7075), relating to the use of military equipment by California law enforcement agencies; and

WHEREAS, AB 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired. Or used; and

WHEREAS, the Marina Police Department is in possession of certain items of equipment that qualify as “military equipment” under AB 481 and further intends to acquire other items of military equipment; and

WHEREAS, AB 481 requires, inter alia, that a law enforcement agency possessing and using such qualifying equipment must prepare a publicly released written, military equipment use policy document covering the inventory, description, quantity, purpose, capabilities, use, lifespan, acquisition, maintenance, authorized use, fiscal impacts, procedures, training oversight, and complaint process, applicable to the Department’s use of such equipment; and

WHEREAS, the policy must be approved by the City Council by ordinance, and reviewed annually thereafter; and

WHEREAS, the military equipment inventoried and presented to the City Council is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety; and

WHEREAS, the proposed Military Equipment Use Policy, Marina Police Department Policy 707, will safeguard the public’s health, welfare, safety, civil rights, and civil liberties; and

WHEREAS, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety; and

WHEREAS, prior military equipment use complied with the applicable equipment use policy (which included equipment now defined as military equipment) that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance; and

WHEREAS, the Marina Police Department has submitted the proposed Policy to the City Council and has made those documents available on the Police Department’s website for at least 30 days prior to the public hearing concerning the military equipment at issue; and

WHEREAS, the Policy satisfied the requirements of Government Code Section 7070(d); and

WHEREAS, the City Council recognizes that there is a need to enact the restrictions contain in this Ordinance to protect the public health, safety, and welfare; and

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA HEREBY ORDAINS AS FOLLOWS:

Section 1. The City Council having received information required under AB 481 regarding the Marina Police Department's use of military equipment as defined in said law, deems it to be in the best interest of the City to and hereby does approve the Military Equipment Policy attached hereto **Exhibit A** which shall govern the use of military equipment by the Marina Police Department.

Section 2. A new Chapter 9.26 is added to Title 9 of the Marina Municipal Code to read as follows on the seven (7) pages attached hereto as **Exhibit B:**.

Section 3. The annual military equipment report for each type of military equipment in the Marina Police Department's present inventory as presented to the City Council is attached hereto as **Exhibit C**

Section 4. The City Council finds that the adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) (General Rule) of the CEQA Guidelines because it is not a "project" and because it can be seen with certainty that there is no possibility that the passage of this Ordinance will have a significant effect on the environment.

Section 5. Any provision of the Marina Municipal Code or appendices thereto *inconsistent* with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to affect the provisions of this Ordinance.

Section 6. This Ordinance shall be in full force and effect thirty (30) days after its final passage, and the Ordinance shall be posted within fifteen (15) days after the adoption.

THE FOREGOING ORDINANCE was introduced following a public hearing held at a regular meeting of the City Council of the City of Marina on April 5, 2022 and will come for adoption as an Ordinance of the City of Marina at a regular meeting of the Council to be held on April 19, 2022.

AYES, COUNCIL MEMBERS:

NOES, COUNCIL MEMBERS:

ABSENT, COUNCIL MEMBERS:

ABSTAIN, COUNCIL MEMBERS:

ATTEST:

Anita Sharp, Deputy City Clerk

Bruce C. Delgado, Mayor

Military Equipment

707.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

707.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Marina Police Department

Marina Police Department Policy Manual

Military Equipment

707.2 POLICY

It is the policy of the Marina Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

707.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Marina Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

707.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department:

[Insert attachment here]

707.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

Marina Police Department

Marina Police Department Policy Manual

Military Equipment

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

707.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

707.6.1 USE IN EXIGENT CIRCUMSTANCES

Marina Police Department participates with the Peninsula Special Response Unit and works closely with local, county, state, and federal partners. In exigent circumstances and with the approval of the Chief of Police or designee, military equipment may be deployed from outside entities to promote the safety and security of community members. If the Police Department acquires, borrows, or uses military equipment in exigent circumstances, it will provide written notification of the acquisition or use to the City Council within 30 days following the commencement of such exigent circumstances, unless such information is confidential or privileged under local, state or federal law.

707.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

Marina Police Department

Marina Police Department Policy Manual

Military Equipment

707.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Chapter: 9.26
“Military Equipment” Use Ordinance

Sections:

9.26.010	Name of Ordinance
9.26.020	Purpose.
9.26.030	Definitions.
9.26.040	Military Equipment Use Policy Requirement
9.26.050	Use In Exigent Circumstances
9.26.060	Reports on the Use of Military Equipment.
9.26.070	Severability

9.26.010 Name of Ordinance.

- A. This Ordinance shall be known as the Military Equipment Use Ordinance.

9.26.020 Purpose.

A. The purpose of this ordinance is to ensure the Police Department’s compliance with California AB 481, which requires California law enforcement agencies to obtain approval of the law enforcement agency’s governing body, by adoption of a military equipment use policy, as specified, by ordinance at a regular meeting prior to taking actions relating to the funding, acquisition, or use of military equipment. This ordinance also requires approval for the continued use of military equipment acquired prior to January 1, 2022. This ordinance also allows the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. (California Government Codes § 7070, § 7071, § 7072.)

9.26.030 Definitions.

- A. “Military equipment” means the following:

- (1) Unmanned, remotely piloted, powered aerial or ground vehicles.
- (2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.
- (3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.
- (4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

- (5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- (6) Weaponized aircraft, vessels, or vehicles of any kind.
- (7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters, or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.
- (8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.
- (9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.
- (10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.
- (11) Any firearm or firearm accessory that is designed to launch explosive projectiles.
- (12) “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.
- (13) Taser Shockwave, microwave weapons, water cannons, and the Long-Range Acoustic Device (LRAD).
- (14) The following projectile launch platforms and their associated munitions: 40 mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.
- (15) Any other equipment as determined by a governing body or a state agency to require additional oversight.
- (16) Notwithstanding paragraphs (1) through (15), “military equipment” does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

B. “City” means any department, agency, bureau, and/or subordinate division of the City of Marina,

C. “Police Department” means any division, section, bureau, employee, volunteer and/or contractor of the Marina Police Department.

D. “City Council” means the governing body that is the Marina City Council.

E. “Military Equipment Use Policy” means a publicly released, written document governing the use of military equipment by the Police Department that addresses, at a minimum, all of the following:

- (1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.
- (2) The purposes and authorized uses for which the Police Department proposes to use each type of military equipment.
- (3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.
- (4) The legal and procedural rules that govern each authorized use.
- (5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the Police Department allowed to use each specific type of military equipment to ensure the full protection of the public’s welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.
- (6) The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.
- (7) For the Police Department procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the Police Department will ensure that each complaint, concern, or question receives a response in a timely manner. (California Government Codes § 7070.)

9.26.040 Military Equipment Use Policy Requirement.

A. The Police Department shall obtain approval of the City Council, by an ordinance adopting a Military Equipment Use Policy at a regular meeting of the City Council held pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code) prior to engaging in any of the following:

- (1) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.
- (2) Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting, or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (3) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

- (4) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the City of Marina.
- (5) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the City Council pursuant to this chapter.
- (6) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, military equipment.
- (7) Acquiring military equipment through any means not provided by this section.

B. No later than May 1, 2022, if seeking to continue the use of any Military Equipment that was acquired prior to January 1, 2022, the Marina Police Department shall commence a City Council approval process in accordance with this section. If the City Council does not approve the continuing use of military equipment, including by adoption pursuant to this subdivision of a military equipment use policy submitted within 180 days of submission of the proposed military equipment use policy to the City Council, the Marina Police Department shall cease its use of the military equipment until it receives the approval of the City Council in accordance with this section.

C. In seeking the approval of the governing body, the Police Department shall submit a proposed military equipment use policy to the City Council and make those documents available on the Police Department's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

D. The City Council shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following:

- (1) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- (2) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties
- (3) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.
- (4) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

E. The City Council shall review this ordinance at least annually and vote on whether to renew it at a regular meeting held pursuant to the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5 of the Government Code).

9.26.050 Use in Exigent Circumstances

A. Notwithstanding the provisions of this Chapter, the Police Department may acquire, borrow and/or use Military Equipment in Exigent Circumstances without following the requirements of this ordinance.

B. If the Police Department acquires, borrows, and/or uses Military Equipment in Exigent Circumstances, in accordance with this section, it must take all of the following actions:

- (1) Provide written notice of that acquisition or use to the City Council within 30 days following the commencement of such Exigent Circumstances, unless such information is confidential or privileged under local, state, or federal law.
- (2) If it is anticipated that the use will continue beyond the Exigent Circumstance, submit a proposed amended Military Equipment Use Policy to the City Council within 90 days following the borrowing, acquisition and/or use, and receive approval, as applicable, from the City Council.
- (3) Include the Military Equipment in the Police Department's next annual Military Equipment Report.

9.26.060 Reports on the Use of Military Equipment

A. The Police Department shall submit to City Council an annual military equipment report for each type of military equipment approved by City Council within one year of approval, and annually thereafter for as long as the military equipment is available for use.

B. The Police Department shall also make each annual military equipment report available on its internet website for as long as the military equipment is available for use.

C. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

- (1) A summary of how the military equipment was used and the purpose of its use.
- (2) A summary of any complaints or concerns received concerning the military equipment.
- (3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.
- (4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

- (5) The quantity possessed for each type of military equipment.
- (6) If the Police Department intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

D. Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the Police Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the Police Department's funding, acquisition, or use of military equipment. (California Government Codes § 7072 (a))

E. The City Council shall determine, based on the annual military equipment report submitted by the Marina Police Department whether each type of military equipment identified in that report has complied with the standards for approval. In order to facilitate public participation, any proposed or final Military Equipment Use Policy shall be made publicly available on the internet website of the Marina Police Department for as long as the Military equipment is available for use. (California Government Codes § 7071 (a) (1)). If the City Council determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval, the City Council shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance.

9.26.070 Severability

A. If any section, subsection, sentence, clause, phrase, or word of this Chapter, or any application thereof to any person or circumstance, is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or applications of this Chapter.

B. The City Council hereby declares that it would have passed this Chapter and each and every section, subsection, sentence, clause, phrase, or word not declared invalid or unconstitutional without regard to whether any other portion of this Chapter or application thereof would be subsequently declared invalid or unconstitutional.

QUALIFYING EQUIPMENT OWNED/UTILIZED BY THE MARINA POLICE DEPARTMENT	
AB 481 Category	
Govt Code §7070(c):	(1) Unmanned, remotely piloted, powered aerial or ground vehicles
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	Unmanned, remotely piloted, powered arial and ground vehicles
Quantity (existing/sought):	2-Mavic Mini 2, 1-Mavic Enterprise, 1-Mavic Air 2
Capabilities:	Vehicles are capable of being remotely navigated to provide scene information and intelligence in the form of video and still images transmitted to first responders.
Expected lifespan:	5 years
Manufacturer's description:	Unmanned Aircraft System (UAS) comprises an unmanned aircraft and the equipment necessary for the safe and efficient operation of that aircraft. The system generally includes a fixed or rotary-wing (tethered or non-thethered) aircraft and a ground control station.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	To enhance the safety of potentially dangerous situations by providing first responders with the ability to monitor video feed from vehicle cameras of hazardous areas prior to, or in lieu of, sending in personnel. UAS/Drone/Arial platforms may be used for search and rescue; suspect apprehension crime scene documentation; tactical operations; scene security; hazard monitoring; identification and mitigation; response to emergency calls; crisis communications; legally authorized surviellance.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$16,000
Annual costs:	\$1,000
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws. Any use of UAS/Drone platforms will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.
Procedural:	Marina PD Policies - 612 (UAS Operations)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	Marina PD provides internal training for staff members prior to allowing them to operate the UAS(s). Prior to piloting any UAS/Drone staff members must secure an FAA Remote Pilot License and complete training required by FAA COA.
Other:	The Marina PD operates under a COA granted by the FAA.

QUALIFYING EQUIPMENT OWNED/UTILIZED BY THE MARINA POLICE DEPARTMENT	
AB 481 Category Govt Code §7070(c):	(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	MPRSRU Rescue Vehicle (Lenco Bearcat Armored Vehicle)
Quantity (existing/sought):	1 (owned by collaborating law enforcement agency for MPRSRU SWAT Team)
Capabilities:	Capable of transporting personnel and equipment while providing them with armored protection. Also has a breaching apparatus that can be attached.
Expected lifespan:	10 years
Manufacturer's description:	The Lenco BearCat is the standard tactical armored vehicle for special operations units within the US Law Enforcement community. Since the early 2000s, agencies such as LAPD, LASD SEB, NYPD ESU, Boston PD and hundreds of Federal, State and Local Law Enforcement agencies have made the BearCat part of their standard operating procedure. The Bearcat has excellent on-road driving characteristics and maneuverability in tight urban settings. The large floor plan seats 10 – 12 fully equipped officers.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	The SRU Rescue Vehicle (Lenco Bearcat Armored Vehicle) is intended for use during critical incidents including, but not limited to: (a) Hostage situations; (b) Barricaded subject incidents; (c) Active shooter situations; (d) High risk arrest and search warrants; (e) Any threat of explosive devices; (f) Other situations where ballistic protection is necessary for the protection of personnel. The SRU Rescue Vehicle will not be deployed for situations such as peaceful protests or demonstrations where violence is not threatened toward the public, property or law enforcement personnel. When deploying the vehicle one must consider how its use or misuse could create fear or distrust in the community and take steps to mitigate those negative effects. The SRU Rescue vehicle may be deployed for exhibition at community based events for the purpose of educating and familiarizing the public with its use and purpose.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	400K through UASI grant
Annual costs:	\$1k paid for by PRVNT Funds
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws.
Procedural:	Marina PD Policies - 614 (High Risk Operations)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	The SRU Rescue Vehicle is driven by approved personnel who have received training in the vehicle's operation. The training includes both classroom and practical driving exercises. Operators also receive scenario based training to include the decision making process as to how it should and should not be deployed. Scenario based training includes constitutional and community policing principles as it relates to SRU Rescue Vehicle deployment. All MPRSRU members are required to complete an initial POST Certified 80 hour basic SWAT course, 120 hours of annual training, and 24 hours of SWAT update training bi-annually.
Other:	The Marina Police Department participates in the Monterey Peninsula Regional Special Response Unit SWAT Team (MPRSRU). This equipment is registered to the Marina Police Department and utilized by MPRSRU SWAT. While the Marina Police Department does not own this equipment, it could be used in Marina by MPRSRU SWAT if they are deployed to an incident within city limits. It may also be used in Marina at community events for educational and familiarization purposes.

QUALIFYING EQUIPMENT OWNED/UTILIZED BY THE MARINA POLICE DEPARTMENT	
AB 481 Category Govt Code §7070(c):	(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	Semiautomatic Rifles and Ammunition
Quantity (existing/sought):	6 (existing)
Capabilities:	The Colt AR-15 semiautomatic rifle is capable of firing .223/5.56 mm cal projectile bullet.
Expected lifespan:	15 years
Manufacturer's description:	The Colt AR-15 is a lightweight, magazine-fed, gas-operated semi-automatic rifle. It is a semi-automatic version of the M16 rifle sold for the civilian and law enforcement markets.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to: (1) Situations where the member reasonably anticipates an armed encounter. (2) When a member is faced with a situation that may require accurate and effective fire at long range. (3) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower. (4) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage. (5) When a member reasonably believes that a suspect may be wearing body armor. (6) When authorized or requested by a supervisor. (7) When needed to euthanize an animal.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	Approximately \$13,000
Annual costs:	Approximately \$680 (ammunition, repair parts, batteries, etc.)
(4) The legal and procedural rules that govern each authorized use	
Legal:	CA Penal Code 33220(b). All other applicable State, Federal and Local laws governing short-barreled rifles and police use of force.
Procedural:	Marina PD Policies - 300 (Use of Force), 312 (Firearms), 424 (Rapid Response and Deployment),
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	CA POST certified 16-hour patrol rifle course & 4 hours annually / qualification annually
Other Notes:	These rifles are standard issue service weapons for Marina PD officers and as a result exempted from the Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document for transparency.

QUALIFYING EQUIPMENT OWNED/UTILIZED BY THE MARINA POLICE DEPARTMENT	
AB 481 Category Govt Code §7070(c):	(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	Semiautomatic Rifles and Ammunition
Quantity (existing/sought):	2 (existing)
Capabilities:	The Colt M4 carbine semiautomatic rifle is capable of firing 223/5.56 mm projectile bullet.
Expected lifespan:	15 years
Manufacturer's description:	The Colt M4 carbine is a 5.56×45mm NATO, gas-operated,[b] magazine-fed, carbine, assault rifle developed in the United States during the 1980s. It is a shortened version of the M16A2 assault rifle.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to: (1) Situations where the member reasonably anticipates an armed encounter. (2) When a member is faced with a situation that may require accurate and effective fire at long range. (3) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower. (4) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage. (5) When a member reasonably believes that a suspect may be wearing body armor. (6) When authorized or requested by a supervisor. (7) When needed to euthanize an animal.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	Approximately \$4,500
Annual costs:	Approximately \$130(ammunition, repair parts, batteries, etc.)
(4) The legal and procedural rules that govern each authorized use	
Legal:	CA Penal Code 33220(b). All other applicable State, Federal and Local laws governing short-barreled rifles and police use of force.
Procedural:	Marina PD Policies - 300 (Use of Force), 312 (Firearms), 424 (Rapid Response and Deployment),
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	CA POST certified 16-hour patrol rifle course & 4 hours annually / qualification annually
Other Notes:	These rifles are standard issue service weapons for Marina PD officers and as a result exempted from the Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document for transparency.

QUALIFYING EQUIPMENT OWNED/UTILIZED BY THE MARINA POLICE DEPARTMENT	
AB 481 Category Govt Code §7070(c):	(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	Semiautomatic Rifles and Ammunition
Quantity (existing/sought):	8 (existing)
Capabilities:	The Bushmaster XM15-E2S semiautomatic rifle is capable of firing .223/5.56 mm projectile bullet.
Expected lifespan:	15 years
Manufacturer's description:	The Bushmaster XM15-E2S is a lightweight, magazine-fed, gas-operated semi-automatic rifle. It is a semi-automatic version of the AR-15 rifle sold for the civilian and law enforcement markets.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include but are not limited to: (1) Situations where the member reasonably anticipates an armed encounter. (2) When a member is faced with a situation that may require accurate and effective fire at long range. (3) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower. (4) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage. (5) When a member reasonably believes that a suspect may be wearing body armor. (6) When authorized or requested by a supervisor. (7) When needed to euthanize an animal.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	Approximately \$17,500
Annual costs:	Approximately \$910 (ammunition, repair parts, batteries, etc.)
(4) The legal and procedural rules that govern each authorized use	
Legal:	CA Penal Code 33220(b). All other applicable State, Federal and Local laws governing short-barreled rifles and police use of force.
Procedural:	Marina PD Policies - 300 (Use of Force), 312 (Firearms), 424 (Rapid Response and Deployment)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	CA POST certified 16-hour patrol rifle course & 4 hours annually / qualification annually
Other Notes:	These rifle is a replacement standard issue service weapons for Marina PD officers and as a result exempted from the Military Equipment Use Policy per CA Gov't Code §7070 (c)(10). They have been included in this document for transparency.

QUALIFYING EQUIPMENT OWNED/UTILIZED BY THE MARINA POLICE DEPARTMENT	
AB 481 Category	(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons
Govt Code §7070(c):	
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	40mm Less Lethal Launchers and Kinetic Energy Munitions
Quantity (existing/sought):	2 (on order 4 - (1) for each police vehicle)
Capabilities:	The 40mm Less Lethal Launcher is capable of firing 40mm Kinetic Energy Munitions, known as sponge projectiles.
Expected lifespan:	15 years
Manufacturer's description:	Penn Arms 40MM Single Shot Launcher, collapsing stock. L140-3/4 – A 40mm single-shot break-open frame launcher with a rifled barrel, collapsible stock and combo rail. Features include: Double-action trigger, trigger lock push button and hammer lock safeties.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less-lethal use of force option.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	2500 (\$5400 for ordered)
Annual costs:	\$200 (includes sponge projectiles for training)
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws governing police use of force.
Procedural:	Marina PD Policies - 312 (Firearms), 308 (Control Devices and Techniques)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	Two (2) hours of initial training and (2) hours every (2) years (includes qualification)
Other:	(4) additional single shot launchers will replace the current aged-out less lethal shotguns.

QUALIFYING EQUIPMENT OWNED/UTILIZED BY THE MARINA POLICE DEPARTMENT	
AB 481 Category	(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons
Govt Code §7070(c):	
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	40mm Less Lethal Launchers and Kinetic Energy Munitions
Quantity (existing/sought):	2 (on order 4 - (1) for each police vehicle)
Capabilities:	The 40mm Less Lethal Launcher is capable of firing 40mm Kinetic Energy Munitions, known as sponge projectiles.
Expected lifespan:	15 years
Manufacturer's description:	Penn Arms 40MM Multi Shot Launcher. PGL65-40 – A 40mm a multi launcher with a rifled barrel, collapsible stock and combo rail. Features include: Double-action trigger, trigger lock push button and hammer lock safeties.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less-lethal use of force option.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$2,000
Annual costs:	\$200 (includes sponge projectiles for training)
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws governing police use of force.
Procedural:	Marina PD Policies - 312 (Firearms), 308 (Control Devices and Techniques)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	Two (2) hours of initial training and (2) hours every (2) years (includes qualification)
Other:	(4) additional single shot launchers will replace the current aged-out less lethal shotguns

QUALIFYING EQUIPMENT OWNED/UTILIZED BY THE MARINA POLICE DEPARTMENT	
AB 481 Category	(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, "bean bag," rubber bullet, and specialty impact munition (SIM) weapons
Govt Code §7070(c):	
(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment	
Description:	40mm Less Lethal Launchers and Kinetic Energy Munitions
Quantity (existing/sought):	2
Capabilities:	The BolaWrap® is a remote restraint device that discharges a Kevlar® cord to restrain noncompliant individuals from a range of 10-25 feet.
Expected lifespan:	15 years
Manufacturer's description:	The BolaWrap® is a remote restraint device that discharges a Kevlar® cord to restrain noncompliant individuals from a range of 10-25 feet.
(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment	
Purpose(s)/Authorized Use:	The 40mm Less Lethal Launchers and Kinetic Energy Munitions are intended for use as a less-lethal use of force option.
(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment	
Initial cost:	\$5,200
Annual costs:	\$160 (projectiles for training)
(4) The legal and procedural rules that govern each authorized use	
Legal:	All applicable State, Federal and Local laws governing police use of force.
Procedural:	Marina PD Policies - 312 (Firearms), 308 (Control Devices and Techniques)
(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public's welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy	
Required training:	Two (2) hours of initial training and (2) hours every (2) years (includes qualification)
Other:	

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 5, 2022

**CITY COUNCIL OPEN PUBLIC HEARING, TAKE TESTIMONY
FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO.
2022-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING
LEVY OF \$180.78 FOR FY 2022-23 ASSESSMENT FOR THE CYPRESS
COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT,
AND; AUTHORIZING THE CITY CLERK TO FILE A CERTIFIED
COPY OF THE DIAGRAM AND ASSESSMENT WITH THE
MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO
THURSDAY, AUGUST 2, 2022**

REQUEST:

It is requested that the City Council:

1. Open public hearing and take testimony from the public;
2. Consider adopting Resolution No. 2022-, confirming diagram, assessment and ordering levy of \$180.78 for FY 2022-23 assessment for Cypress Cove II Landscape Maintenance Assessment District, and;
3. Authorize City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to Thursday, August 1, 2022.

BACKGROUND:

At the regular meeting of June 16, 1987, the City Council adopted Resolution No. 1987-23, ordering the formation of the Cypress Cove II Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared, which includes the costs to maintain the improvements of the Cypress Cove II Landscape Maintenance Assessment District and what the proposed assessments will be to provide for that maintenance.

At the regular meeting of March 15, 2022, the City Council adopted Resolution No. 2022-36, preliminarily approving the FY 2022-23 Engineer's Report for Cypress Cove II Landscape Maintenance Assessment District and calling a public hearing for April 5, 2022 on proposed intention to levy and collect assessments for the Cypress Cove II Landscape Maintenance Assessment District.

ANALYSIS:

Based on the Engineer's Report (Exhibit A), the annual assessment has been set in the amount of \$180.78. This is the same amount as last year's assessment and is the upper limit set by the assessment district at its formation in 1987. This current annual assessment of \$180.78 has not changed since 2004.

The public hearing for the FY 21/22 assessment, residents requested a review of proposed improvement costs and whether an increase in the special tax assessment was needed to fund construction of those improvements. In November 2021, staff met with the District's contract landscape maintenance contractor (New Image Landscape) to evaluate the current costs for proposed improvements that residents have provided input to the City.

On February 22, 2022, City staff conducted two public outreach forums to present the cost proposals for the following improvements: new irrigation backflow preventer, four (4) new cypress trees, temporary irrigation improvements to establish the new trees, and replacement of the existing irrigation pedestal. The City also received comments from District residents for any additional improvements for the District. Upon review by legal counsel, staff has concluded that the cost of proposed improvements at this time do not warrant increasing the special tax assessment.

FISCAL IMPACT:

Should the City Council approve this request, the anticipated revenue for the FY 2022-23 assessment levy is \$19,885.80 for the purpose of the landscape maintenance district.

Levying of the assessment is the first step to collect the assessments to fund the landscape maintenance district.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer
Public Works Department
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$180.78 FOR FY 2022-23 ASSESSMENT FOR THE CYPRESS COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT AND AUTHORIZING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO THURSDAY, AUGUST 1, 2022

WHEREAS, on June 16, 1987, the City ordered the formation of the Cypress Cove II Landscape Maintenance District pursuant to Streets and Highway Code §22594, and;

WHEREAS, the City Engineer filed the Engineer's Report, fiscal year 2022-2023, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on March 15, 2022, the City preliminarily approved said Engineer's Report, declared its intention to levy and collect assessments within said District and set a hearing to ascertain whether the City shall order the levy and assessment of said assessment, and;

WHEREAS, said public hearing was held on April 5, 2022, and;

WHEREAS, levying of the assessment is the first step to collect the assessments to fund the landscape maintenance districts, and;

WHEREAS, provisions of this resolution are severable and if anyone provision is determined to be impermissible then the remainder of the resolution shall remain in full force and effect, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. The City does hereby confirm the diagram and assessment as described in the Engineer's Report on file with the City Clerk.
2. The City does hereby order the levy and collection of said assessment, \$180.78, for FY 2022-23 assessment for Cypress Cove II Landscape Maintenance Assessment District.
3. It is the intention of the City of Marina that any monetary advance made by it during any fiscal year to cover a deficit in the improvement fund of the Cypress Cove II Landscape Maintenance Assessment District shall be repaid from the next annual assessments levied and collected within the Cypress Cove II Landscape Maintenance Assessment District.
4. The City Clerk is hereby authorized and directed to file a certified copy of said diagram and assessment with the Monterey County Auditor prior to August 1, 2022.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th day of April 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk



**CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA**

CYPRESS COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ENGINEER'S REPORT

FY 2022-2023

Council Members:

B. DELGADO, MAYOR

**L. BERKLEY
K. BIALA**

**D. BURNETT
C. MEDINA DIRKSEN**

**LAYNE LONG
ANITA SHEPHERD-SHARP
ROBERT WELLINGTON
BRIAN MCMINN**

**City Manager
Deputy City Clerk
City Attorney
Public Works Director/City Engineer**

**Prepared By
City of Marina
Public Works Department**

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2022-2023

This report concerns the Cypress Cove II Landscape Maintenance Assessment District.

The Assessment District consists of the Cypress Cove II Subdivision located in the westerly portion of the City of Marina just east of the Highway I and Reservation Road interchange. The subdivision is bounded on three sides by Abdy Way, Cardoza Avenue, and Beach Road, contains 110 lots, a percolation pond parcel (Parcel B), and an emergency access road (Parcel C).

The subdivision consists of 110 single family homes complete with underground utilities, water and wastewater facilities, street and drainage improvements, and landscaping. The Assessment District has been formed for the purpose of maintaining the exterior boundary landscaping and retaining walls, installed and paid for by the developer.

This report has been prepared pursuant to Sections 22565 through 22574 of the Streets and Highways Code (Landscaping and Lighting Act of 1972).

The existing improvements to be maintained which are the subject of this report, are briefly described as follows:

All exterior landscaping elements located adjacent to the subdivision boundaries along Abdy Way, Cardoza Avenue, and Beach Road and outside the chain link fence on Parcel B are considered as the improvements included in the Assessment District. Landscaping elements consist of hydroseeded areas, groundcover, shrubs, trees, irrigation pipelines, controllers, valves, sprinklers, masonry retaining walls, and electrical service. Plans and specifications showing these existing improvements which are to be maintained are on file in the City of Marina Public Works Division.

This report includes the following attached exhibits:

EXHIBIT A - An assessment diagram and boundary map showing all of the parcels of the real property within the Assessment District. The diagram is keyed to Exhibit C by the separate "Assessment Number".

EXHIBIT B - Spreadsheet showing estimated costs for FY 2021-2022 and estimated costs for FY 2022-2023 and FY 2023-2024.

EXHIBIT C - An assessment roll showing the amount proposed to be assessed against each parcel of real property within this Assessment District. In addition to the Assessor's Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to that parcels lot number.

Page Two
Engineer's Report
Cypress Cove II Landscape Maintenance Assessment District

EXHIBIT D - Method of determination of assessment spread.

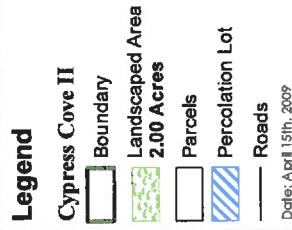
Respectfully Submitted,



Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer

March 2022

EXHIBIT A
Cypress Cove II
Landscape Maintenance District



Notes: The City of Marina assumes no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to update and modification and may not be complete or appropriate for all purposes. The City of Marina and its employees do not warrant the accuracy, reliability, or completeness of the information contained on this map. The City of Marina and its employees do not warrant the accuracy, reliability, or completeness of the information contained on this map.

Source: Marina County GIS, City of Marina GIS
Map Projection: California State Plane Zone IV NAD 83 (FWS)

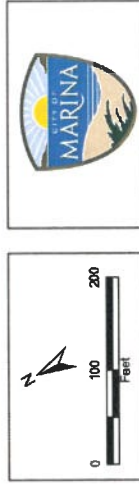


EXHIBIT B
CYPRESS COVE II LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2021-2022	Estimates FY 2022-2023	Estimates FY 2023-2024
Beginning Cash Balance, July 1st	\$ 3,763	\$ 6,424	\$ 5,184
(a) Total Assessment Revenues (110 Parcels)	\$ 19,886	\$ 19,886	\$ 19,886

Expenditures

Contractor Services			
^(b) Landscape Maintenance Contract	\$ 6,360	\$ 6,551	\$ 6,747
Utilities	\$ 925	\$ 925	\$ 1,000
Large Tree Trimming	\$ 3,640	\$ -	\$ 3,000
Extraordinary Maintenance	\$ -	\$ 8,650	\$ 2,880
Tree/Plant Replacement	\$ -	\$ -	\$ 775
Administrative Services			
Supervision	\$ -	\$ -	\$ -
Administration (Incl. Engineers Report)	\$ 3,000	\$ 2,000	\$ 2,000
Cost Allocation Plan Charges	\$ 2,750	\$ 2,750	\$ 2,750
Legal Advertising	\$ 550	\$ 250	\$ 250
Total Expenditures	\$ 17,225	\$ 21,126	\$ 19,402

(c) Net Change in Fund Balance	\$ 2,661	\$ (1,240)	\$ 484
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(d) Ending Fund Balance, June 30th	\$ 6,424	\$ 5,184	\$ 5,667
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^(a) Maximum Assessment per Prop 218 is \$180.78 per parcel. The assessment amount for FY22-23 is consistent with FY21-22 at \$180.78 per parcel. Final total assessment revenue includes interest income totals.

^(b) Maintenance Costs are shown as increasing per fiscal year by an estimated Consumer Cost Index (CPI) of 3% as allowed by the Contract Specifications.

^(c) Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

^(d) End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

EXHIBIT C

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL
FOR FISCAL YEAR 2022-2023

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
1	33-076-01	\$180.78
2	33-076-02	\$180.78
3	33-076-03	\$180.78
4	33-076-04	\$180.78
5	33-076-05	\$180.78
6	33-076-06	\$180.78
7	33-076-07	\$180.78
8	33-076-08	\$180.78
9	33-076-09	\$180.78
10	33-076-10	\$180.78
11	33-076-11	\$180.78
12	33-076-12	\$180.78
13	33-076-13	\$180.78
14	33-076-14	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2022-2023**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
15	33-076-15	\$180.78
16	33-076-16	\$180.78
17	33-076-17	\$180.78
18	33-076-18	\$180.78
19	33-076-19	\$180.78
20	33-076-20	\$180.78
21	33-076-21	\$180.78
22	33-076-22	\$180.78
23	33-076-23	\$180.78
24	33-076-24	\$180.78
25	33-076-25	\$180.78
26	33-076-26	\$180.78
27	33-076-27	\$180.78
28	33-076-28	\$180.78
29	33-076-29	\$180.78
30	33-076-30	\$180.78
31	33-076-31	\$180.78
32	33-076-32	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2022-2023**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
33	33-076-33	\$180.78
34	33-076-34	\$180.78
35	33-076-35	\$180.78
36	33-076-36	\$180.78
37	33-076-37	\$180.78
38	33-076-38	\$180.78
39	33-076-39	\$180.78
40	33-076-40	\$180.78
41	33-076-41	\$180.78
42	33-076-42	\$180.78
43	33-076-43	\$180.78
44	33-076-44	\$180.78
45	33-076-45	\$180.78
46	33-076-46	\$180.78
47	33-076-47	\$180.78
48	33-076-48	\$180.78
49	33-076-49	\$180.78
50	33-076-50	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2022-2023**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
51	33-076-51	\$180.78
52	33-076-52	\$180.78
53	33-076-53	\$180.78
54	33-076-54	\$180.78
55	33-076-55	\$180.78
56	33-076-56	\$180.78
57	33-076-57	\$180.78
58	33-076-58	\$180.78
59	33-076-59	\$180.78
60	33-076-60	\$180.78
61	33-076-61	\$180.78
62	33-076-62	\$180.78
63	33-076-63	\$180.78
64	33-076-64	\$180.78
65	33-076-65	\$180.78
66	33-076-66	\$180.78
67	33-076-67	\$180.78
68	33-076-68	\$180.78

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2022-2023

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
69	33-076-69	\$180.78
70	33-076-70	\$180.78
71	33-076-71	\$180.78
72	33-076-72	\$180.78
73	33-076-73	\$180.78
74	33-075-01	\$180.78
75	33-075-02	\$180.78
76	33-075-03	\$180.78
77	33-075-04	\$180.78
78	33-075-05	\$180.78
79	33-075-06	\$180.78
80	33-075-07	\$180.78
81	33-075-08	\$180.78
82	33-075-09	\$180.78
83	33-075-10	\$180.78
84	33-075-11	\$180.78
85	33-075-12	\$180.78
86	33-075-13	\$180.78

**CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2022-2023**

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
87	33-075-14	\$180.78
88	33-075-15	\$180.78
89	33-075-16	\$180.78
90	33-075-17	\$180.78
91	33-075-18	\$180.78
92	33-075-19	\$180.78
93	33-075-20	\$180.78
94	33-076-74	\$180.78
95	33-076-75	\$180.78
96	33-076-76	\$180.78
97	33-076-77	\$180.78
98	33-076-78	\$180.78
99	33-076-79	\$180.78
100	33-076-80	\$180.78
101	33-076-81	\$180.78
102	33-076-82	\$180.78
103	33-076-83	\$180.78
104	33-076-84	\$180.78

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2022-2023

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
105	33-076-85	\$180.78
106	33-076-86	\$180.78
107	33-076-87	\$180.78
108	33-076-88	\$180.78
109	33-076-89	\$180.78
110	33-076-90	\$180.78
111		EXEMPT
112		EXEMPT

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the subdivision exterior boundary landscaping benefits the Assessment District as a whole. Therefore, the assessment spread should be based on the number of building sites or lots contained within the district.

Assessments shall be spread over the 110 lots indicated on the Assessment Diagram (Exhibit A).

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 5, 2022

CITY COUNCIL OPEN PUBLIC HEARING, TAKE TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2022-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$182.42 FOR FY 2022-23 ASSESSMENT FOR THE SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO MONDAY, AUGUST 1, 2022

REQUEST:

It is requested that the City Council:

1. Open public hearing and take testimony from the public;
2. Consider adopting Resolution No. 2022-, confirming diagram, assessment and ordering levy of \$182.42 for FY 2022-23 assessment for Seabreeze Landscape Maintenance Assessment District, and;
3. Authorize the City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to Monday, August 1, 2022

BACKGROUND:

At the regular meeting of June 4, 1996, the City Council adopted Resolution No. 1996-62, ordering the formation of the Seabreeze Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared which includes the costs to maintain the improvements of the Districts and what the proposed assessments will be to provide for that maintenance.

At the regular meeting of March 15, 2022, the City Council adopted Resolution No. 2022-37, preliminarily approving the FY 2022-23 Engineer's Report for Seabreeze Landscape Maintenance Assessment District and calling a public hearing for April 5, 2022 on proposed intention to levy and collect assessments for the Seabreeze Landscape Maintenance Assessment District.

ANALYSIS:

Based on the Engineer's Report (Exhibit A), the assessment has been set in the amount of \$182.42. This is the same amount as last year's assessment and is the upper limit set by the last the assessment district at its formation in 1996.

Staff has been coordinating with various District homeowners to discuss further beautification and improvements to the District. Due to public safety concerns, sound wall reconstruction began in Fiscal Year 2021-22. Staff is recommending the continued assessment of \$182.42 in order to obtain the required fund balance to continue these improvements.

FISCAL IMPACT:

Should the City Council approve this request, the anticipated revenue for the FY 2022-23 assessment levy is \$6,749.54 for the purpose of the landscape maintenance district.

Levying of the assessment is the first step to collect the assessments to fund the landscape maintenance district.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer
Public Works Department
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF \$182.42 FOR FY 2022-23 ASSESSMENT FOR THE SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT AND AUTHORIZING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO MONDAY, AUGUST 1, 2022

WHEREAS, on June 4, 1996, the City ordered the formation of the Seabreeze Landscape Maintenance District pursuant to Streets and Highway Code §22594, and;

WHEREAS, the City Engineer filed the Engineer's Report, fiscal year 2022-23, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on March 15, 2022, the City approved said Engineer's Report, declared its intention to levy and collect assessments within said District and set a hearing to ascertain whether the City shall order the levy and assessment of said assessment, and;

WHEREAS, said public hearing was held on April 5, 2022 and;

WHEREAS, levying of the assessment is the first step to collect the assessments to fund the landscape maintenance districts, and;

WHEREAS, provisions of this resolution are severable and if anyone provision is determined to be impermissible then the remainder of the resolution shall remain in full force and effect, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. The City does hereby confirm the diagram and assessment as described in the Engineer's Report on file with the City Clerk.
2. The City does hereby order the levy and collection of said assessment, \$182.42, for FY 2022-23 assessment for Seabreeze Landscape Maintenance Assessment District.
3. It is the intention of the City of Marina that any monetary advance made by it during any fiscal year to cover a deficit in the improvement fund of the Seabreeze Landscape Maintenance Assessment District shall be repaid from the next annual assessments levied and collected within the Seabreeze Landscape Maintenance Assessment District.
4. The City Clerk is hereby authorized and directed to file a certified copy of said diagram and assessment with the Monterey County Auditor prior to August 1, 2022.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th day of April 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk



**CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA**

**SEABREEZE LANDSCAPE
MAINTENANCE
ASSESSMENT DISTRICT

ENGINEER'S REPORT**

FY 2022-2023

Council Members:

B. DELGADO, MAYOR

**L. BERKLEY
K. BIALA**

**D. BURNETT
C. MEDINA DIRKSEN**

**LAYNE LONG
ANITA SHEPHERD-SHARP
ROBERT WELLINGTON
BRIAN MCMINN**

**City Manager
Deputy City Clerk
City Attorney
Public Works Director/City Engineer**

**Prepared By
City of Marina
Public Works Department**

Page Two
Engineer's Report
Seabreeze Landscape Maintenance Assessment District

EXHIBIT D - Method of determination of assessment spread.

Respectfully submitted



Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer

March 2022

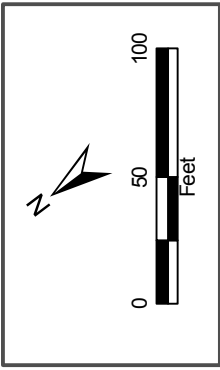
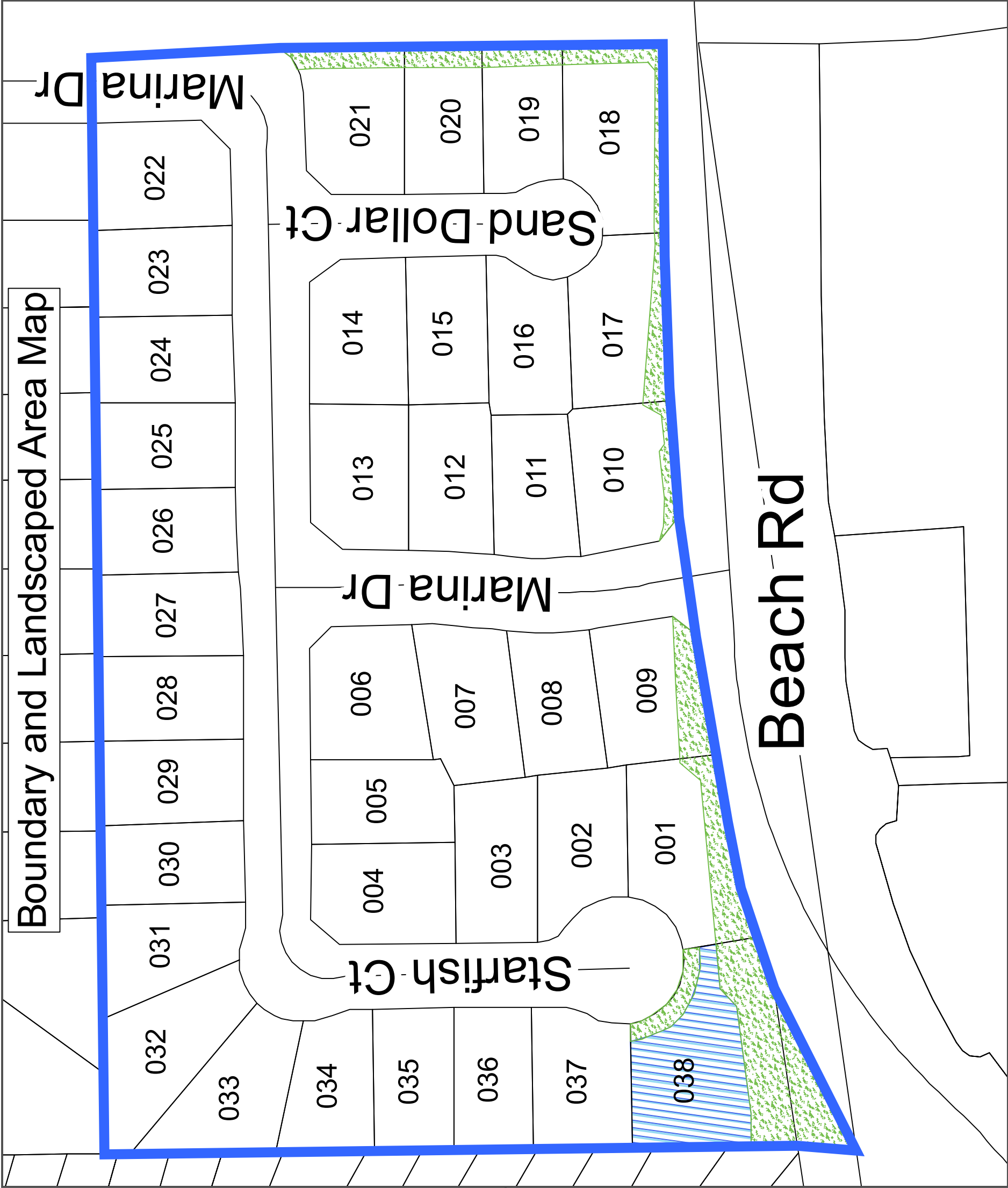


EXHIBIT B
SEABREEZE LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2021-2022	Estimates FY 2022-2023	Estimates FY 2023-2024
Beginning Cash Balance, July 1st	\$ 2,691	\$ 3,496	\$ 4,227
(a) Total Assessment Revenues (37 Parcels)	\$ 6,750	\$ 6,750	\$ 6,750

Expenditures

Contractor Services			
(b) Landscape Maintenance Contract	\$ 2,470	\$ 2,544	\$ 2,620
Utilities	\$ -	\$ -	\$ -
Large Tree Trimming	\$ -	\$ -	\$ -
Extraordinary Maintenance	\$ -	\$ -	\$ -
Plant Replacement	\$ -	\$ -	\$ -
Administrative Services			
Administration (Incl. Engineers Report)	\$ 1,500	\$ 1,500	\$ 1,500
Cost Allocation Plan Charges	\$ 1,740	\$ 1,740	\$ 1,740
Legal Advertising	\$ 235	\$ 235	\$ 235
Total Expenditures	\$ 5,945	\$ 6,019	\$ 6,095

(c) Net Change in Fund Balance	\$ 805	\$ 731	\$ 655
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(d) Ending Fund Balance, June 30th	\$ 3,496	\$ 4,227	\$ 4,882
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(a) Maximum Assessment per Prop 218 is \$182.42 per parcel. The assessment amount for FY22-23 is consistent with FY21-22 at \$182.42 per parcel.

(b) Maintenance Costs are shown as increasing per fiscal year by an estimated Consumer Cost Index (CPI) of 3% as allowed by the Contract Specifications.

(c) Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

(d) End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
18	033-082-018	\$182.42
19	033-082-019	\$182.42
20	033-082-020	\$182.42
21	033-082-021	\$182.42
22	033-082-022	\$182.42
23	033-082-023	\$182.42
24	033-082-024	\$182.42
25	033-082-025	\$182.42
26	033-082-026	\$182.42
27	033-082-027	\$182.42
28	033-082-028	\$182.42
29	033-082-029	\$182.42
30	033-082-030	\$182.42
31	033-082-031	\$182.42
32	033-082-032	\$182.42
33	033-082-033	\$182.42
34	033-082-034	\$182.42

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the landscaped areas within the Assessment District benefits the Assessment District as a whole. Therefore, the assessment should be equally apportioned over the 37 residential building sites or lots contained within the district as indicated on the Assessment Diagram (Exhibit A).

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 5, 2022

CITY COUNCIL OPEN PUBLIC HEARING, TAKE TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2022-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$77.14 FOR FY 2022-23 ASSESSMENT FOR THE MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO MONDAY, AUGUST 1, 2022

REQUEST:

It is requested that the City Council:

1. Open public hearing and take testimony from the public;
2. Consider adopting Resolution No. 2022-, confirming diagram, assessment and ordering levy of \$77.14 for FY 2022-23 assessment for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District, and;
3. Authorize the City Clerk to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller prior to Monday, August 1, 2022.

BACKGROUND:

At the regular meeting of October 3, 1989, the City Council adopted Resolution No. 1989-62, ordering the formation of the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared which includes the costs to maintain the improvements of the Districts and what the proposed assessments will be to provide for that maintenance.

At the regular meeting of March 15, 2022, the City Council adopted Resolution No. 2022-38, preliminarily approving the FY 2022-23 Engineer's Report for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District and calling a public hearing for April 5, 2022 on proposed intention to levy and collect assessments for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District.

ANALYSIS:

Based on the Engineer's Report (Exhibit A), the assessment has been set in the amount of \$77.14. This is the same amount as last year's assessment and is the upper limit set by the last Proposition 218 rate vote by members of the assessment district established in 1989.

Staff has been coordinating with various District residents to discuss further beautification and improvements to the District. An uplifting of sidewalk due to roots from trees maintained by the District is planned for removal and replacement with planned further beautification under review. Regular monthly maintenance of the existing District will continue.

Adequate levels of landscape maintenance and site cleanup has been accomplished with the current funding assessment. Unless District residents request additional beautification or improvements, Staff is recommending continuing the current assessment and level of maintenance. Regular maintenance of the existing District and updates to the District website will continue.

FISCAL IMPACT:

Should the City Council approve this request, the anticipated revenue for the FY 2022-23 assessment levy is \$12,496.68 for the purpose of the landscape maintenance district.

Levying of the assessment is the first step to collect the assessments to fund the landscape maintenance district.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer
Public Works Department
City of Marina

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA CONFIRMING THE DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF \$77.14 FOR FY 2022-23 ASSESSMENT FOR THE MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT AND AUTHORIZING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO MONDAY, AUGUST 1, 2022

WHEREAS, on October 3, 1989, the City ordered the formation of the Monterey Bay Estates Lighting & Landscape Maintenance District pursuant to Streets and Highway Code §22594, and;

WHEREAS, the City Engineer filed the Engineer's Report, fiscal year 2022-2023, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on March 15, 2022, the City preliminarily approved said Engineer's Report, declared its intention to levy and collect assessments within said District and set a hearing to ascertain whether the City shall order the levy and assessment of said assessment, and;

WHEREAS, said public hearing was held on April 5, 2022, and;

WHEREAS, levying of the assessment is the first step to collect the assessments to fund the landscape maintenance districts, and;

WHEREAS, provisions of this resolution are severable and if anyone provision is determined to be impermissible then the remainder of the resolution shall remain in full force and effect, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. The City does hereby confirm the diagram and assessment as described in the Engineer's Report on file with the City Clerk.
2. The City does hereby order the levy and collection of said assessment, \$77.14, for FY 2022-23 assessment for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District.
3. It is the intention of the City of Marina that any monetary advance made by it during any fiscal year to cover a deficit in the improvement fund of the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District shall be repaid from the next annual assessments levied and collected within the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District.
4. The City Clerk is hereby authorized and directed to file a certified copy of said diagram and assessment with the Monterey County Auditor prior to August 1, 2022.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th day of April 2022, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



**CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA**

MONTEREY BAY ESTATES LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ENGINEER'S REPORT

FY 2022-2023

Council Members:

B. DELGADO, MAYOR

**L. BERKLEY
K. BIALA**

**D. BURNETT
C. MEDINA DIRKSEN**

**LAYNE LONG
ANITA SHEPHERD-SHARP
ROBERT WELLINGTON
BRIAN MCMINN**

**City Manager
Deputy City Clerk
City Attorney
Public Works Director/City Engineer**

**Prepared By
City of Marina
Public Works Department**

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2022-2023

This report concerns the Monterey Bay Estates Lighting and Landscape Maintenance District.

The Assessment District consists of the Monterey Bay Estates Subdivision located in the northeasterly portion of the City of Marina. The subdivision contains 162 lots, a percolation pond parcel, and a park parcel.

The subdivision consists of 162 single family homes complete with underground utilities, water and wastewater facilities, public lighting facilities, street and drainage improvements, and landscaping. The Assessment District has been formed for the purpose of maintaining and servicing both the landscaping areas and public lighting facilities within the subdivision. The landscaping areas to be maintained and serviced are those in the percolation pond parcel and the street rights-of-way of De Forest Road and Quebrada Del Mar adjacent thereto; in and adjacent to the Crescent Avenue right-of-way, installed and paid for by the developer. The public lighting facilities to be maintained and serviced include all the public lighting facilities within the subdivision installed and paid for by the developer.

This report has been prepared pursuant to Sections 22500 through 22679 of the Streets and Highway Code (Landscaping and Lighting Act of 1972).

The improvements to be maintained which are the subject of this report, are briefly described as follows:

Landscaping elements within the percolation pond parcel and the street rights-of-way of De Forest Road and Quebrada Del Mar adjacent thereto, and landscaping elements within and adjacent to the Crescent Avenue right-of-way (See Exhibit A) are considered as the landscaping improvements included in the Assessment District. Landscaping elements consist of hydroseeded areas, groundcover, shrubs, trees, irrigation pipelines, controllers, valves, sprinklers, water and electrical service, and freestanding concrete block walls.

Public Lighting facilities within the street right-of-way of De Forest Road, Costa Del Mar Road, Sirena Del Mar Road, Tallmon Street, Quebrada Del Mar Road, Isla Del Sol Way, Estrella Del Mar Way and Crescent Avenue all within the boundary of the Monterey Bay Estates Subdivision (Tract no. 1102) are considered as the public lighting improvements included in the Assessment District, see Exhibit A. The public lighting facilities consist of electroliers, mast arm, ballast, electrical service, wiring and lamps.

Page Two
Engineer's Report
Monterey Bay Estates Lighting and Landscape Maintenance District

This report includes the following exhibits:

EXHIBIT A - An assessment diagram and boundary map showing all of the parcels of the real property within the Assessment District. The diagram is keyed to Exhibit C by the separate "Assessment Number".

EXHIBIT B - Spreadsheet showing estimated maintenance costs for FY 2021-2022, FY 2022-2023 and FY 2023-2024.

EXHIBIT C - An assessment roll showing the amount proposed to be assessed against each parcel of real property within this Assessment District. In addition to the Assessor's Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to that parcel's lot number.

EXHIBIT D- A statement of the method by which the undersigned determined the amount to be assessed against each parcel based on the benefits to be derived by each parcel, respectively, from the improvements.

Respectfully submitted,



Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer

March 2022

Boundary and Landscaped Area Map

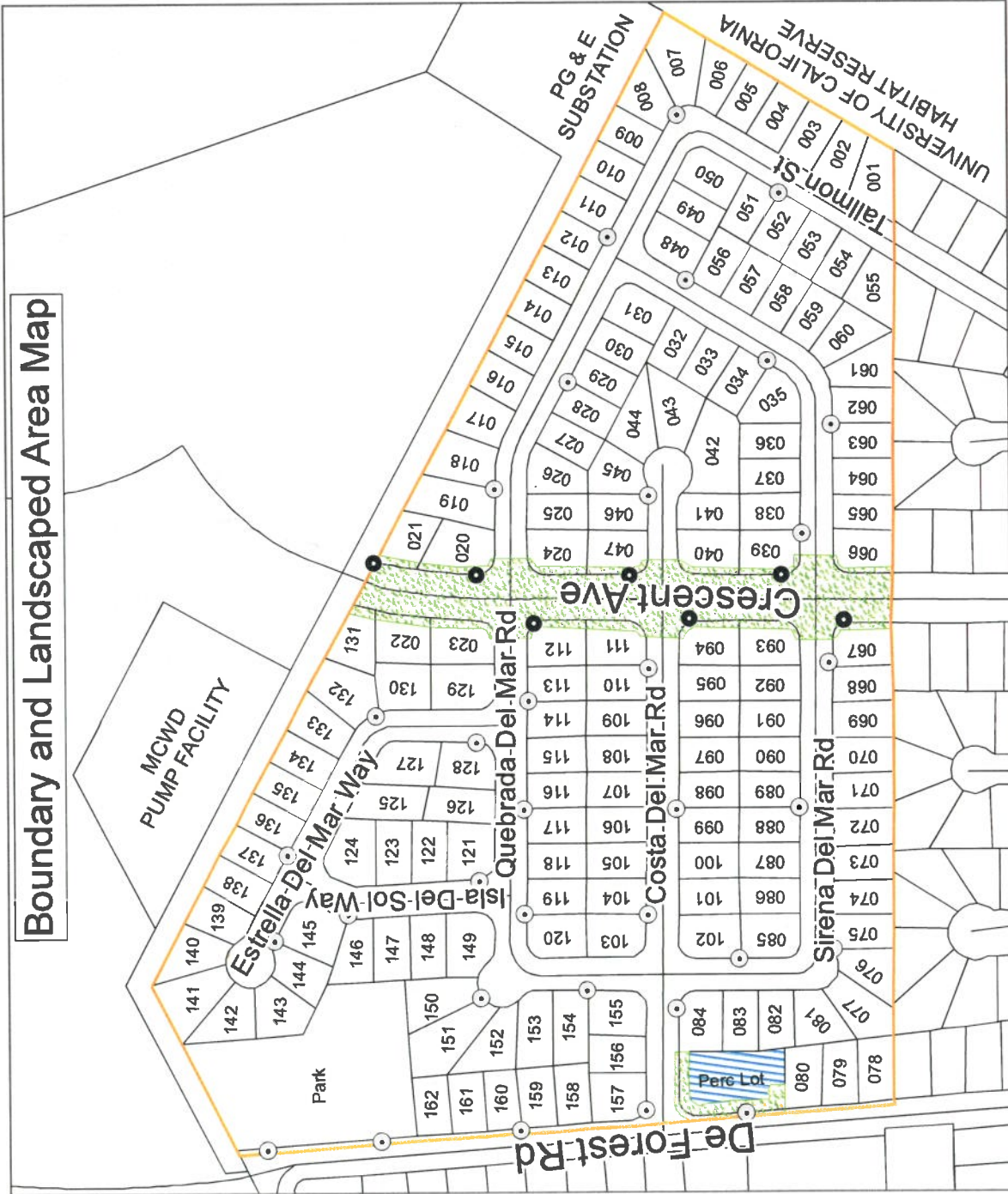


EXHIBIT B
MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2021-2022	Estimates FY 2022-2023	Estimates FY 2023-2024
Beginning Cash Balance, July 1st	\$ 8,833	\$ 7,252	\$ 7,002
(a) Total Assessment Revenues (162 Parcels)	\$ 12,497	\$ 12,497	\$ 12,497

Expenditures

Contractor Services			
(b) Landscape Maintenance Contract	\$ 5,616	\$ 5,784	\$ 5,958
Utilities	\$ 151	\$ 151	\$ 151
Large Tree Trimming	\$ -	\$ -	\$ -
Extraordinary Maintenance	\$ 3,000	\$ 1,500	\$ -
Plant/Tree Removal/Replacement	\$ -	\$ -	\$ -
Administrative Services			
Administration (Incl. Engineers Report)	\$ 2,000	\$ 2,000	\$ 2,000
Cost Allocation Plan Charges	\$ 2,871	\$ 2,871	\$ 2,871
Legal Advertising	\$ 440	\$ 440	\$ 440
Total Expenditures	\$ 14,078	\$ 12,746	\$ 11,420

(c) Net Change in Fund Balance	\$ (1,581)	\$ (250)	\$ 1,077
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(d) Ending Fund Balance, June 30th	\$ 7,252	\$ 7,002	\$ 8,079
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(a) Maximum Assessment per Prop 218 is \$77.14 per parcel. The assessment amount for FY22-23 is consistent with FY21-22 at \$77.14 per parcel.

(b) Maintenance Costs are shown as increasing per fiscal year by an estimated Consumer Cost Index (CPI) of 3% as allowed by the Contract Specifications.

(c) Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

(d) End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

EXHIBIT C

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
1	032-541-01	\$77.14
2	032-541-02	\$77.14
3	032-541-03	\$77.14
4	032-541-04	\$77.14
5	032-541-05	\$77.14
6	032-541-06	\$77.14
7	032-541-07	\$77.14
8	032-541-08	\$77.14
9	032-541-09	\$77.14
10	032-541-10	\$77.14
11	032-541-11	\$77.14
12	032-541-12	\$77.14
13	032-541-13	\$77.14
14	032-541-14	\$77.14
15	032-541-15	\$77.14
16	032-541-16	\$77.14
17	032-541-17	\$77.14
18	032-541-18	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
19	032-541-19	\$77.14
20	032-541-20	\$77.14
21	032-541-21	\$77.14
22	032-555-38	\$77.14
23	032-555-02	\$77.14
24	032-542-01	\$77.14
25	032-542-02	\$77.14
26	032-542-03	\$77.14
27	032-542-04	\$77.14
28	032-542-05	\$77.14
29	032-542-06	\$77.14
30	032-542-07	\$77.14
31	032-542-08	\$77.14
32	032-542-09	\$77.14
33	032-542-10	\$77.14
34	032-542-11	\$77.14
35	032-542-12	\$77.14
36	032-542-13	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
37	032-542-14	\$77.14
38	032-542-15	\$77.14
39	032-542-16	\$77.14
40	032-542-17	\$77.14
41	032-542-18	\$77.14
42	032-542-25	\$77.14
43	032-542-26	\$77.14
44	032-542-21	\$77.14
45	032-542-22	\$77.14
46	032-542-23	\$77.14
47	032-542-24	\$77.14
48	032-543-01	\$77.14
49	032-543-02	\$77.14
50	032-543-03	\$77.14
51	032-543-04	\$77.14
52	032-543-05	\$77.14
53	032-543-06	\$77.14
54	032-543-07	\$77.14
55	032-543-08	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
56	032-543-09	\$77.14
57	032-543-10	\$77.14
58	032-543-11	\$77.14
59	032-543-12	\$77.14
60	032-543-13	\$77.14
61	032-543-14	\$77.14
62	032-543-15	\$77.14
63	032-543-16	\$77.14
64	032-543-17	\$77.14
65	032-543-18	\$77.14
66	032-543-19	\$77.14
67	032-551-01	\$77.14
68	032-551-02	\$77.14
69	032-551-03	\$77.14
70	032-551-04	\$77.14
71	032-551-05	\$77.14
72	032-551-06	\$77.14
73	032-551-07	\$77.14
74	032-551-08	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
75	032-551-09	\$77.14
76	032-551-10	\$77.14
77	032-551-11	\$77.14
78	032-551-12	\$77.14
79	032-551-13	\$77.14
80	032-551-14	\$77.14
81	032-551-15	\$77.14
82	032-551-16	\$77.14
83	032-551-17	\$77.14
84	032-551-18	\$77.14
85	032-552-01	\$77.14
86	032-552-02	\$77.14
87	032-552-03	\$77.14
88	032-552-04	\$77.14
89	032-552-05	\$77.14
90	032-552-06	\$77.14
91	032-552-07	\$77.14
92	032-552-08	\$77.14
93	032-552-09	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
94	032-552-10	\$77.14
95	032-552-11	\$77.14
96	032-552-12	\$77.14
97	032-552-13	\$77.14
98	032-552-14	\$77.14
99	032-552-15	\$77.14
100	032-552-16	\$77.14
101	032-552-17	\$77.14
102	032-552-18	\$77.14
103	032-553-01	\$77.14
104	032-553-02	\$77.14
105	032-553-03	\$77.14
106	032-553-04	\$77.14
107	032-553-05	\$77.14
108	032-553-06	\$77.14
109	032-553-07	\$77.14
110	032-553-08	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
111	032-553-09	\$77.14
112	032-553-10	\$77.14
113	032-553-11	\$77.14
114	032-553-12	\$77.14
115	032-553-13	\$77.14
116	032-553-14	\$77.14
117	032-553-15	\$77.14
118	032-553-16	\$77.14
119	032-553-17	\$77.14
120	032-553-18	\$77.14
121	032-554-01	\$77.14
122	032-554-02	\$77.14
123	032-554-03	\$77.14
124	032-554-04	\$77.14
125	032-554-05	\$77.14
126	032-554-06	\$77.14
127	032-554-07	\$77.14
128	032-554-08	\$77.14
129	032-555-03	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
130	032-555-39	\$77.14
131	032-555-05	\$77.14
132	032-555-06	\$77.14
133	032-555-07	\$77.14
134	032-555-08	\$77.14
135	032-555-09	\$77.14
136	032-555-10	\$77.14
137	032-555-11	\$77.14
138	032-555-12	\$77.14
139	032-555-13	\$77.14
140	032-555-14	\$77.14
141	032-555-15	\$77.14
142	032-555-16	\$77.14
143	032-555-17	\$77.14
144	032-555-18	\$77.14
145	032-555-19	\$77.14
146	032-555-20	\$77.14
147	032-555-21	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2022-2023

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
148	032-555-22	\$77.14
149	032-555-23	\$77.14
150	032-555-24	\$77.14
151	032-555-25	\$77.14
152	032-555-26	\$77.14
153	032-555-27	\$77.14
154	032-555-28	\$77.14
155	032-555-29	\$77.14
156	032-555-30	\$77.14
157	032-555-31	\$77.14
158	032-555-32	\$77.14
159	032-555-33	\$77.14
160	032-555-34	\$77.14
161	032-555-35	\$77.14
162	032-555-36	\$77.14

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the landscaping surrounding percolation pond and Crescent Avenue landscaping together with maintenance and service of the public lighting facilities benefits the Assessment District as a whole. The tentative subdivision map approval was conditioned on the formation of this Maintenance District. Since the creation of the lots was so conditioned, each lot equally benefits from the District. Therefore, the assessment spread is based on the number of building sites or lots contained within the district as indicated on the Assessment Diagram (Exhibit A).