



## **AGENDA**

**Tuesday November 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 2022-123, 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 May 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/>

### **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](mailto: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](http://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](http://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-Milias-Brown Act representative.*

a. Public Employment Appointment (Govt. Code Section 54957(b)(1):  
Position: City Attorney

b. Real Property Negotiation (Govt. Code Section 54956.8)

i. Property: Cypress Knolls Property, APN: 031-201-005

Negotiating Party: Mark Lobaugh, Epic Wireless Group, LLC

Negotiator(s): 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 101106-101193, totaling \$601,836.28  
Accounts Payable Successor Agency Check Number 100, totaling \$672.40
  - b. MINUTES: None
  - c. CLAIMS AGAINST THE CITY: None
  - d. AWARD OF BID: None
  - e. CALL FOR BIDS: None
  - f. ADOPTION OF RESOLUTIONS:
    - (1) City Council consider adopting Resolution No. 2022-, 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 November 21, 2022, through December 20, 2022.
    - (2) City Council consider adopting Resolution No. 2022-, authorizing the mayor or his designee to sign a letter of support for a Veteran's Home in Monterey County.
  - g. APPROVAL OF AGREEMENTS:
    - (1) City Council consider adopting Resolution No. 2022-, approving Amendment No.1 to the Measure X Regional Funding Agreement with the Transportation Agency for Monterey County (TAMC) for the Marina-Salinas Multimodal Corridor-Imjin Parkway Widening Project, and; authorize the City Manager to execute the Amendment on behalf of the City Council subject to final review and approval by the City Attorney.
  - h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
  - i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) City Council Consider receiving Investment Reports for the City of Marina, City of Marina as Successor Agency to the Marina Redevelopment Agency, and Preston Park Sustainable Community Non-Profit Corporation (PPSC-NPC) for the quarter ended September 30, 2022.

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING): None

m. APPROVE APPOINTMENTS:

9. PUBLIC HEARINGS:

- a. City Council open public hearing, taking testimony from the public and consider approving Ordinance No. 2022-, adopting and amending Title 15 of the Marina Municipal Code to adopt 2022 Editions of California Building Standards Codes, specifically 2022 California Building Code, 2022 California Residential Code, 2022 California Electrical Code, 2022 California Mechanical Code, 2022 California Plumbing Code, 2022 California Energy Code, 2022 California Green Building Standards Code, 2022 California Existing Building Code, 2022 California Historical Building Code and 2022 California Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions; approving second reading by title only, and final adoption of the Ordinance to be in effect as of January 1, 2023; adoption of the building code is exempt from CEQA pursuant to Section 15061(b)3 of the CEQA Guidelines also known as the “general rule” exemption, CEQA exempts activities that can be seen with certainty to have no possibility for causing a significant effect on the environment.
- b. City Council open public hearing, read by title only and waive further reading and approve the first reading of Ordinance 2022-, approving amendments to the following Sections of Title 17 of the Marina Municipal Code (MMC): 17.04.212, 17.04.213, 17.04.698, 17.06.020, 17.08.020, 17.12.020, 17.12.030, 17.16.020, 17.18.020, 17.20.020, 17.22.030, 17.22.050, 17.42.135, and 17.44.030. These sections pertain to small and large family childcare homes, day care centers, supportive housing uses, and conditional use permits for multi-family housing. The action is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- c. City Council open public hearing and read by title only and waive further reading and approve the first reading of Ordinance 2022-, approving an amendment to Section 17.12.060 of the Marina Municipal Code (MMC) pertaining to height limits in the R-4 zoning district. The action is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.
- d. City Council open public hearing, take testimony from the public, and consider approving or denying the modifications to remove the required façade improvements and grant an extension of the site improvements in City Council Resolution No. 2020-65 to January 3, 2024, for the combined medical/adult cannabis dispensary use at 3100 Del Monte Boulevard (APN 032-192-018-000). this project is exempt from CEQA per Article 19, Section 15301 (existing facilities).

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-, authorizing the signing of a purchase order for \$1,908,443.04 to purchase a Rosenbauer Quint Fire Truck; and direct staff to pay \$464,689 for the chassis upon arrival at the Minnesota plant for a \$18,555 discount on or about March of 2024 which will reduce the total purchase price to \$1,889,888; and pay the balance of the \$1,425,199 when the Truck is delivered and accepted by the Marina Fire Department on or about the fourth quarter of 2024; and authorize the Finance Director to make necessary accounting and budgetary entries.
  - b. City Council consider adopting Resolution No. 2022-, which appeals and replaces Resolution No. 80-71, as amended, Establishing the Rules and Procedures for the Conduct of Meetings and approving an Agenda format in substantially the same form.
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., Thursday, November 10, 2022.

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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](http://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 on the City's website: <https://www.cityofmarina.org/DocumentCenter/Index/1854>.

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](mailto: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](mailto: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, December 6, 2022

Tuesday, December 20, 2022

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

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**CITY HALL 2022 HOLIDAYS**  
**(City Hall Closed)**

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

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**2022 COMMISSION DATES**

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| <p><b>Upcoming 2022 Meetings of Planning Commission</b><br/><b>2<sup>nd</sup> and 4<sup>th</sup> Thursday of every month.</b> Meetings are held at the Council Chambers at 6:30 P.M.</p> |
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November 10, 2022

December 18, 2022