



AGENDA

Tuesday, December 6, 2022

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 2022-134, 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.

The most effective method of communication with the City Council is by sending an email to marina@cityofmarina.org. 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)**

LAND ACKNOWLEDGEMENT

The City recognizes that it was founded and is built upon the traditional homelands and villages first inhabited by the Indigenous Peoples of this region - the Esselen and their ancestors and allies - and honors these members of the community, both past and present.

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. PUBLIC COMMENT: None
4. CLOSED SESSION: None
5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
6. SPECIAL PRESENTATIONS:
 - a. Consider adopting Resolution No. 2022-, canvassing the November 8, 2022, General Municipal Election of the City of Marina.
 - b. Swearing-in of District 1 City Council Member-Elect Brian McCarthy
 - c. Swearing-in of District 4 City Council Member-Elect Liesbeth Visscher
 - d. Swearing In of Mayor-Elect Bruce C. Delgado

ROLL CALL & RE-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)

Brian McCarthy, Liesbeth Visscher, Cristina Medina Dirksen, Mayor Pro-Tem/Vice Chair, Kathy Biala, Mayor/Chair, Bruce Delgado

7. COUNCIL AND STAFF ANNOUNCEMENTS:

8. **PUBLIC COMMENT:** *Any member of the public may comment on any matter within the City Council's jurisdiction that is not on the agenda. This is the appropriate place to comment on items on the Consent Agenda. Action will not be taken on items not on the agenda. Comments are limited to a maximum of three (3) minutes. General public comment may be limited to thirty (30) minutes and/or continued to the end of the agenda. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the City Council. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.*
9. **CONSENT AGENDA FOR THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY:** *Background information has been provided to the Successor Agency of the former Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine and non-controversial. All items under the Consent Agenda are normally approved by one motion. Prior to such a motion being made, any member of the public or City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, the Council may remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*
10. **CONSENT AGENDA:** *These items are considered to be routine and non-controversial. All items under the Consent Agenda may be approved by one motion. Prior to such a motion being made, any member of City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, Council may remove the item from the Consent Agenda and it will be placed at the end of Other Action Items.*
 - a. **ACCOUNTS PAYABLE:** *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) Check Numbers 101194-101320, totaling \$2,325,896.14
Successor Agency Accounts Payable Check Number 101, totaling \$10,619.19
 - b. **MINUTES:** *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) November 1, 2022, Regular City Council Meeting
 - (2) November 15, 2022, Regular City Council Meeting
 - c. **CLAIMS AGAINST THE CITY:**
 - (1) Consider Rejection of Claim - claimant Utako Asbury for a claim received on November 28, 2022.
 - d. **AWARD OF BID:** None
 - e. **CALL FOR BIDS:** None
 - f. **ADOPTION OF RESOLUTIONS:**
 - (1) Adopting Resolution No. 2022-, regarding the Ralph M. Brown Act (Govt Code §§54950-54963, making certain findings; and authorizing the City to continue to implement remote teleconferenced public meetings for the period December 21, 2022, through January 19, 2023.
 - (2) Adopting Resolution No. 2022-, approving regular City Council meeting schedule for 2023 Calendar Year.
 - (3) Adopting Resolution No. 2022-, approving a Property and Evidence Technician classification and Salary Schedule.

- (4) Adopting Resolution No. 2022-, approving a Human Resources Director classification and salary schedule; and, authorizing the City Manager to make necessary adjustments to the City's classification and compensation plans.

g. APPROVAL OF AGREEMENTS:

- (1) Approving Amendment No. 2 to the Lease Agreement between the City of Marina and Joby Aero Inc for expanded lease space at 761 Neeson Road (Building 524) at the Marina Municipal Airport.
- (2) Adopting Resolution No. 2022- and Resolution No. 2022- (NPC), approving Amendment No. 4 to extend for one year the Amended Management Agreement Between City of Marina, City of Marina Abrams B Non-Profit Corporation, and Greystar California, Inc. for Abrams B Housing Area; **AND** Adopting Resolution No. 2022- and Resolution No. 2022- (PPSC-NPC), approving Amendment No. 4 to extend for one year the Amended Management Agreement Between City of Marina, City of Marina Preston Park Sustainable Community Non-Profit Corporation, and Greystar California, Inc. for Preston Park Housing Area approval by the City Attorney/Non-Profit Corporation Legal Counsel.
- (3) Adopting Resolution No. 2022-, approving an Agreement for Professional Restoration & Cleaning Services between the City of Marina and Belfor USA Group, Inc for the City owned building located at 3200 Imjin Road (Building 507) at the Marina Municipal Airport.
- (4) Adopting Resolution No. 2022-, authorizing the City Manager to execute a Side Letter Agreement to the Memorandum of Understanding between the City of Marina and the Management Employees Association of Marina (MMEA); and authorizing adjustments to the City's Salary Schedule and Compensation Plan.
- (5) Adopting Resolution No. 2022-, approving the agreement between the City of Marina and Environmental Innovations, to provide on-call professional services for solid waste management; and authorizing budget allocation and appropriation from the General Fund in the amount of \$25,000 for FY22-23.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) Adopting Resolution No. 2022-, receiving and filing the fiscal year 2021-2022 annual report on the collection and use of mitigation fees for new development impacts.
- (2) Adopting Resolution No. 2022-, receiving and filing the 2022 Information Report on the adjustment of mitigation fees for new development.

k. FUNDING & BUDGET MATTERS: None

1. APPROVE ORDINANCES (WAIVE SECOND READING):

- (1) Read by title only and waive further reading and approve Ordinance 2022-, approving amendments to Title 17 of the Marina Municipal Code (MMC) pertaining 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.
- (2) Read by title only and waive further reading and approve Ordinance 2022-, approving an amendment to Section 17.12.060 of the 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.

m. APPROVE APPOINTMENTS: None

11. PUBLIC HEARINGS: *In the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to speak. All other persons may be given up to three (3) minutes to speak on the matter.*
 - a. Consider 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). ***Continued to from November 15, 2022***
12. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. Members of the public may be given up to three (3) minutes to speak.*
13. OTHER ACTION ITEMS: *Action listed for each Agenda item is that which is requested by staff. The City Council may, at its discretion, take action on any items. Members of the public may be given up to three (3) minutes to speak.*

Note: No additional major projects or programs should be undertaken without review of the impacts on existing priorities (Resolution No. 2006-79 – April 4, 2006).

- a. Adopting Resolution No. 2022-, authorizing the City Manager to execute a Side Letter Agreement to the Memorandum of Understanding between the City of Marina and the Marina Directors; and authorizing adjustments to the City's Salary Schedule and Compensation Plan.
 - b. Adopting Resolution No. 2022-, authorizing execution of Employee Contract Amendment No. 2 with Layne Long, City Manager; authorizing adjustments to the City's Salary Schedule and Compensation Plan.
14. COUNCIL & STAFF INFORMATIONAL REPORTS:
 - a. Monterey County Mayor's Association [Mayor Bruce Delgado]
 - b. Council reports on meetings and conferences attended (Gov't Code Section 53232).

15. ADJOURNMENT:

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, December 2, 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.

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

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)

Winter Break Friday, December 23, 2022-Friday, December 30, 2022