



AGENDA

Tuesday, December 13, 2022

7:00 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 2022-134, 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)

Brian McCarthy, Liesbeth Visscher, Cristina Medina Dirksen, Mayor Pro-Tem/Vice Chair, Kathy Biala, Mayor/Chair, Bruce Delgado
3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
4. STUDY SESSION: (*Not a Project under CEQA per Article 20, Section 15378*)
 - a. Holding an informational and public input session regarding the Potential Future Development and Conservation Areas to inform the development of a Mitigation Strategy for a City-Wide Incidental Take Permit for Monterey Gilia.
5. 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 9, 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

December 8, 2022

Item No: **4a**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of December 13, 2022

**CITY COUNCIL TO HOLD AN INFORMATIONAL AND PUBLIC INPUT
SESSION REGARDING POTENTIAL FUTURE DEVELOPMENT AND
CONSERVATION AREAS TO INFORM THE DEVELOPMENT OF A
MITIGATION STRATEGY FOR A CITY-WIDE INCIDENTAL TAKE
PERMIT FOR MONTEREY GILIA**

REQUEST:

It is requested that the City Council consider:

1. Holding an informational and public input session regarding the Potential Future Development and Conservation Areas to inform the development of a Mitigation Strategy for a City-Wide Incidental Take Permit for Monterey Gilia.

BACKGROUND:

The U.S. Army's decision to close and dispose of the Fort Ord military base was considered a major federal action that could affect listed species under the federal Endangered Species Act (ESA). In 1993, the U.S. Fish and Wildlife Service (Service) issued a Biological Opinion (BO) on the disposal and reuse of former Fort Ord requiring that a Habitat Management Plan be developed and implemented to reduce the incidental take of listed species and loss of habitat that supports these species. As a result, the U.S. Army prepared the Installation-Wide Multispecies Habitat Management Plan for Former Fort Ord, California (HMP) in 1997. The Fort Ord Reuse Authority (FORA) was in the process of preparing a Fort Ord Habitat Conservation Plan (HCP) to support the issuance of base-wide incidental take permits, which incorporated the habitat requirements of the HMP. However, the base-wide permitting effort was discontinued, and the Fort Ord HCP is no longer proposed. As a result, the Service requested that the local jurisdictions initiate the steps necessary to comply with the approved HMP. The City is responsible for four Habitat Management Areas (HMAs), including the Salinas River, Airport, Northwest Corner, and Landfill HMAs. In accordance with the requirements described in the HMP and the deed restrictions for the parcels, a Resource Management Plan (RMP) must be prepared and implemented. Therefore, on December 15, 2020, the City Council adopted Resolution No. 2020-157 approving an Agreement with Denise Duffy & Associates, Inc. (DD&A) to provide biological consulting services to assist the City in complying with the requirements of the HMP.

In addition, as a result of the base-wide permitting effort being discontinued, the City is also responsible to obtaining any required incidental take permits. Therefore, on December 15, 2020, the City Council adopted Resolution No. 2020-157 approving an Agreement with DD&A to provide biological consulting services to assist the City in acquiring a City-Wide Incidental Take Permit (ITP) from the California Department of Fish and Wildlife (CDFW) to authorize the incidental take of Monterey gilia (*Gilia tenuiflora* ssp. *arenaria*), a threatened species listed under the California Endangered Species Act (CESA), that may result from the implementation of potential future planned development. The City currently owns a number of parcels that were deeded to the City by the U.S. Army as economic conveyances in the closure of former Fort Ord

that allow for development for commercial/residential purposes that are known or have the potential to support occurrences of Monterey gilia. The ITP is necessary under the State of California requirements of the CESA for anticipated future incidental take of Monterey gilia that may result from potential future projects on the Army deeded parcels. To comply with CESA in carrying out potential future development projects in areas that would impact Monterey gilia, the City will need to acquire an ITP.

On April 6, 2021, the City Council adopted Resolution No. 2021-26 approving Amendment No. 1 to the DD&A Agreement, which provided for the expansion of biological survey areas from the initial scope of work and added outreach and collaboration with key stakeholders to the scope of work.

On December 7, 2021, the City Council held the first informational and public input session regarding a City-Wide Incidental Take Permit and potential future development and conservation areas. During this meeting, the City Council and the public provided input and staff received direction to continue to work with Dr. Fred Watson, Professor in the Department of Applied Environmental Science at California State University Monterey Bay, and to come back with a couple of options for the most effective way to protect Monterey gilia, while also being able to develop in the identified potential future development areas.

ANALYSIS:

Task 1 of the DD&A scope of work calls for gathering data and information and meeting with stakeholders, including the CDFW. During Task 1 of the scope of work, DD&A met with the City staff working group to compare occurrence and survey data for Monterey gilia. It was determined that there were some gaps in the data and additional surveys for this species would be beneficial for the project. As a result, the additional focused biological surveys were added to the scope of work. The biological surveys, data processing and data compilation have now been completed and the information gathered is being presented in this staff report.

The data compiled by DD&A through the focused surveys has been processed and compiled in coordination with the City staff working group. Additionally, the data compiled has been shared and reviewed with Dr. Watson. Dr. Watson confirmed similar observations in his data and provided additional data to complete the survey results documented in “**EXHIBIT A.**”

Prioritization of Conservation and Development Areas Discussion

Generally, the mitigation requirement for the incidental take of Monterey gilia is a ratio of three to one (i.e., preserve and/or restore three times the amount of Monterey gilia impacted). The specific mitigation requirements of an ITP are coordinated through discussions with CDFW and depend substantially on the proposed extent of the take both qualitatively and quantitatively, as well as the proposed mitigation strategy. The proposed extent of take and mitigation strategy will be outlined in the ITP application, which has not been submitted to the CDFW. The take allowance and mitigation requirements, in addition to other permit requirements, are finalized when the ITP is issued by the CDFW.

Following the data compilation phase of this project, City staff and the DD&A team discussed possible options to lower the extent of the “take” by avoiding and minimizing the disruption of Monterey gilia habitat while allowing the Economic Development Conveyance parcels to realize revenue producing development as the Army intended when the property was transferred. For example, the siting and design of potential future projects could result in the avoidance or reduction of impacts to Monterey gilia. However, there is a strong likelihood that impacts to Monterey gilia cannot be completely avoided in these potential future development areas and, therefore, an ITP would be required. Because the conservation and/or development of these

areas have financial, job creation, housings, recreational, open space, community connectivity and social implications to the City, City staff and DD&A are requesting input from City Council and members of the public regarding the importance of preserving or developing these parcels. City staff and DD&A will consider the input in determining the extent of the proposed take and developing a proposed mitigation strategy to be included in the ITP application for submittal to the CDFW.

City Council and Public Input Discussion

City staff and the consultant team recognize and share the City Council and public's concerns for ensuring any new development of the City's natural open space be carefully planned and facilitated in a responsible and least impactful way. While the easiest most conservative way to ensure long-term preservation of the valuable open space around central Marina is to not develop any of the sites discussed in this report, there was an expectation by the Army when these parcels were deeded to the City that they could be used for job and housing creation to offset the impacts of the closure of Fort Ord. Additionally, the revenue created from commercial development will contribute to the City's future ability to fund services for the community.

The City's General Plan designates the properties depicted on **"EXHIBIT A"** as follows:

- Airport Master Plan Area – Light Industrial/Service Commercial
- Salinas/Reservation Road Area – Public Facilities/Education
- Landfill HMA – Parks and Recreation
- 8th Street South – Retail/ Service, Office/Research, and Public Facilities
- 8th Street North – Light Industrial/Service Commercial and Parks and Recreation
- Future Cypress Knolls Development Area – Single Family Residential
- Preston Park Area – Parks and Recreation
- Northwest Corner HMA Del Monte Extension Area – Open Space

The potential development of these properties, namely the Airport Master Plan Area, 8th Street properties, and Future Cypress Knolls Development Area are supported by current policies of the General Plan. As the City Council is aware, the City is currently undertaking a General Plan update and all land use designations and policies will be further evaluated for potential changes.

To ensure there is carefully planned responsible development in the areas shown on **"EXHIBIT A,"** staff is requesting that the City Council facilitate discussion and input among the City Council and the public regarding the potential conservation or development of the potential future development areas shown on **"EXHIBIT A."** At the City Council meeting, City staff and the DD&A consultant team will present an overview of these sites, survey results, and the Monterey gilia occurrences within each, draft development and conservation scenarios, and then will take questions and comments from the City Council and public. Following this session, the next step will be for City staff and the consultant team to draft a mitigation strategy in coordination with the working group and to return to a future City Council meeting with a Draft ITP Mitigation Strategy proposal for City Council and public review and comment.

The Monterey gilia occurrences depicted on **"EXHIBIT A"** provides the location and extent of the population within each of the areas listed above. To assist with the evaluation of the economic development impacts and development potential for each site, staff has drafted a matrix of Potential Future Development Areas Economic Analysis included in **"EXHIBIT B."** This matrix is not intended to be an all-inclusive list of economic development benefits, but a general tool to assist with the assessment of each area.

FISCAL IMPACT:

There is no fiscal impact as a result of this item. The Final ITP Mitigation Strategy will create both positive and negative fiscal impacts through new revenue generation opportunities of new development and costs to maintain and preserve conservation parcels. These impacts will be more fully evaluated when the Draft ITP Mitigation Strategy is presented to the City Council.

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

CONCLUSION:

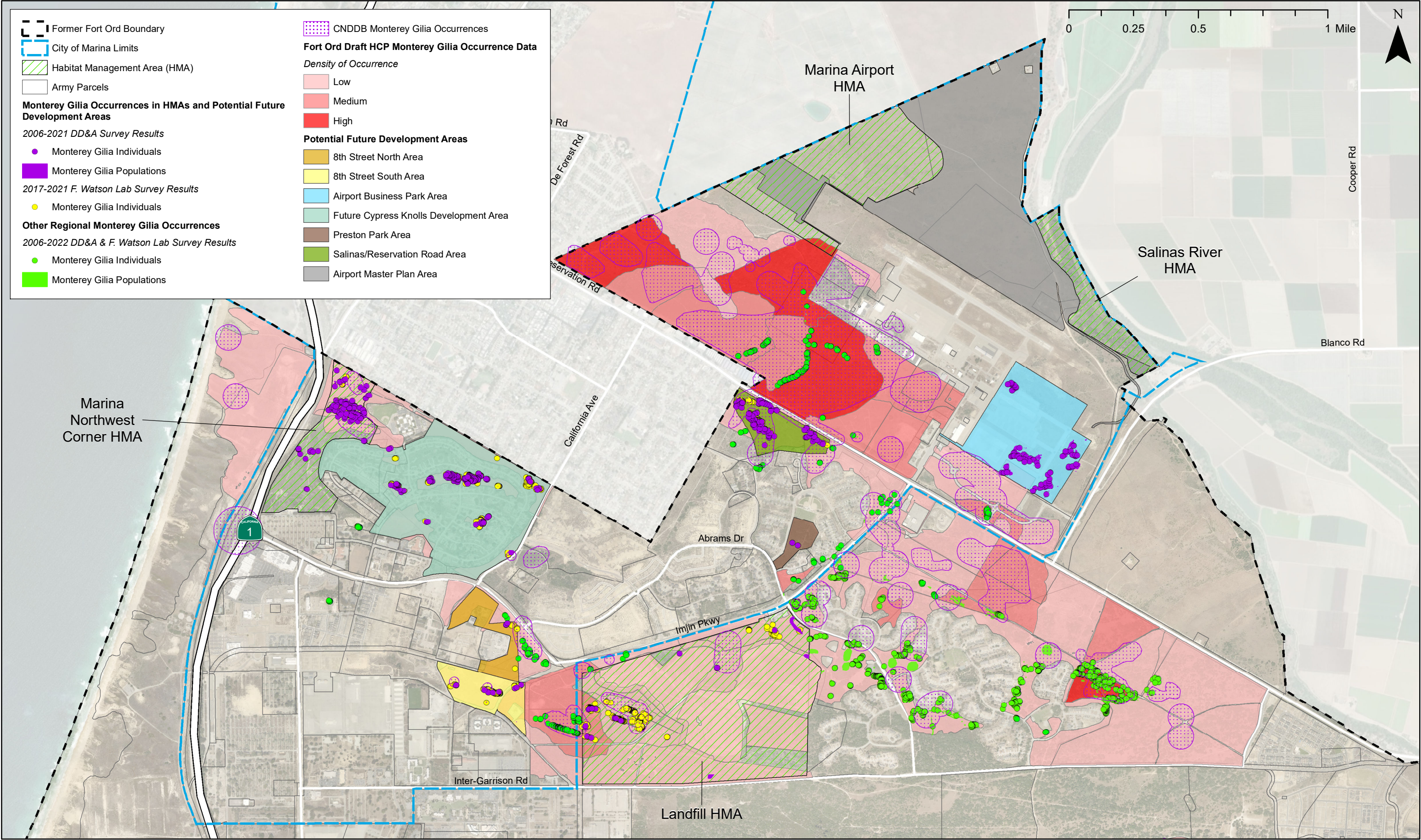
This request is submitted for the City Council consideration.

Respectfully submitted,

Matt Mogensen
Assistant City Manager
City of Marina

REVIEWED/CONCUR:

Layne Long
City Manager
City of Marina



Regional Monterey Gila Occurrences

Date 7/8/2022	 Denise Duffy & Associates, Inc. Planning and Environmental Consulting
Scale 1 in = 2,000 ft	

Path: D:\GIS\GIS_P\Projects\2021-03 City of Marina ITP\Map Products\Fig 1 - Regional Gila Occurrences w CNDDDB.mxd

“EXHIBIT B”

Potential Future Development Areas Economic Analysis

The following table provides the economic opportunities and constraints of developing the listed potential future development areas in the Former Fort Ord portions of Marina. The analysis is qualitative instead of quantitative.

Marina Airport Business Park Area	
Zoned - Airport Business Park	
Economic Development Opportunities	Economic Development Constraints
• Combined with the UCMBEST properties, up to 876,000 sf of developable space and 5,177 high tech related jobs • Fits the vision of the Fort Ord Reuse Plan, General Plan and Airport Master Plan • Uses are compatible with the airport • Lease revenue to support maintenance and development of the airport • New property taxes (P.I.) for City • Provides needed light industrial and commercial space in Marina • Good airfield access for flexibility of uses, travel and goods movement	• Monterey gilia populations difficult to avoid • Loss of open space
Salinas/Reservation Road Area	
Zoned - Public Facilities	
Economic Development Opportunities	Economic Development Constraints
• Gateway to Downtown, Prime commercial land • Good access for vehicles, utilities • Commercial land use compatible with surrounding if buffered • Increased tax revenue • New jobs • Interest for disc golf course	• Size and shape of property more difficult for efficient development • Monterey gilia populations difficult to avoid • Loss of open space for commercial • Requires zone change for commercial • Could be good park/rec space (however, would not provide revenue to support conservation)
Preston Park Area	
Zoned - Open Space	
Economic Development Opportunities	Economic Development Constraints
• Discrete Monterey gilia populations that could be avoided • Good access to utilities and streets • Could add 100+ residential units/affordable housing site?	• Requires zone change for residential • Loss of open space • Water available? • Access to financing? • No new property taxes

8 th Street North Area	
Zoned – Business Park/Open Space	
Economic Development Opportunities	Economic Development Constraints
• Large scale development possible • Good visibility if combined with Imjin Parkway-facing parcels (MST & MCWD) • Discrete Monterey gilia populations that could be avoided • Good access to roads and utilities • New property and potentially sales taxes • New Jobs	• Not large enough without combining with other parcels • Open space cuts through south end of parcels for horse trails • Land use compatibility with MEC? • Zone change required as radio tower property zoned open space • Loss of open space
8th Street South Area	
Zoned – C-2 General Commercial/Public Facilities	
Economic Development Opportunities	Economic Development Constraints
• Good for office or university-compatible uses • Discrete Monterey gilia populations that could be avoided • New tax revenue • New jobs	• No major road visibility • Utility access further away • Could be a City Yard site on PF parcel • Possible rezone required
Cypress Knolls Area	
Zoned – R-4 Multiple Family Residential	
Economic Development Opportunities	Economic Development Constraints
• 500+ new homes • Good access to Imjin, utilities • Commercial uses possible • Removal of blight • Increased tax revenue • Supports affordable work force housing • Supports Policies of the General Plan	• Monterey gilia populations difficult to avoid • Added infrastructure costs would be associated with avoidance of Monterey gilia populations • Reduced number of new homes would result from Monterey gilia avoidance
Northwest Corner HMA Area	
Zoned – Open Space	
Economic Development Opportunities	Economic Development Constraints
• Connect north and south Marina commercial districts • Potentially add commercial space along new roadway with freeway access and visibility • Encourage people to drive through businesses Del Monte vs. freeway • Provide for bikes, scooters, walkers to have access to both sides of Marina	• Monterey gilia populations difficult to avoid • Loss of open space • Zone change required