



AGENDA

Tuesday, August 15, 2023

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**

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Council Chambers
211 Hillcrest Avenue
Marina, California

AND

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

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

PARTICIPATION

You may participate in the City Council meeting in person or 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)

Liesbeth Visscher, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair
Cristina Medina Dirksen, Mayor/Chair Bruce C. Delgado
3. PUBLIC COMMENTS ON CLOSED SESSION:
4. CLOSED SESSION:
 - a. Conference with Legal Counsel – Existing Litigation (§ 54956.9): Frank Lambert vs. City of Marina, Monterey County Superior Court Case No. 22CV000665
 - b. Property: Los Animas Concrete, 499 9th Street, Marina, CA
Negotiating Party: Paul J. Bruno
Negotiator(s): City Manager
Terms: Price and Terms
 - c. Property: Tarmac Area, 3200 Imjin Road, Marina, CA
Negotiating Party: Joby Aero Inc
Negotiator(s): City Manager
Terms: Price and Terms

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

5. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
6. SPECIAL PRESENTATIONS:
 - a. Recreation Announcements
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) Accounts Payable Check Numbers 102789- 102954, totaling \$2,589,614.41.

 - b. **MINUTES:** *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) July 18, 2023, Regular City Council Meeting
 - (2) July 25, 2023, Special City Council Meeting

 - c. **CLAIMS AGAINST THE CITY:**
 - (1) Staff recommends that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Michael Castillo, C/o Christopher Goodroe, Wilshire Law Firm for a claim received on August 2, 2023.

 - (2) Staff recommends that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Juanita Lozano Castillo, C/o Christopher Goodroe, Wilshire Law Firm for a claim received on August 2, 2023.

 - (3) Staff recommends that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Israel A. Castillo, C/o Christopher Goodroe, Wilshire Law Firm for a claim received on August 3, 2023.

 - d. **AWARD OF BID:** None

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS:

- (1) Adopting Resolution No. 2023-, authorizing staff to submit a non-competitive grant application to the California Coastal Commission in the amount of \$500,000.00 to comprehensively update the City's 1982 Local Coastal Program (LCP).
- (2) Adopting Resolution No. 2023-, authorizing change in signatories on the Preston Park Sustainable Community Non-Profit Corporation (PPSC-NPC) capital reserve account.
- (3) Adopting Resolution No. 2023- and resolution SA 2023-, authorizing change in authorized signatories on City General Checking, City Payroll Checking and Successor Agency Checking accounts with Chase JPMorgan.
- (4) Adopting Resolution No. 2023- and resolution SA 2023-, authorizing change in signatories to open investment accounts and conduct investment activities as outlined by the City's Investment Policy.
- (5) Authorizing staff to prepare a letter of support for Senate Bill 244 (Eggman), Right to Repair Act.

g. APPROVAL OF AGREEMENTS:

- (1) Adopting Resolution No. 2023-, approving Amendment No. 3 to the agreement for Engineering and Building Consulting Services between the City of Marina and CSG Consultants, Inc. of Foster City, California, extending the current contract to June 30, 2025.
- (2) Adopting Resolution No. 2023-, approving a Lease Agreement between the City of Marina and Desert Star Systems, LLC for 3261 Imjin Road (Building 518) at the Marina Municipal Airport.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS:

- (1) Adopting Resolution No. 2023-, accepting the completion of the City of Marina Annual Street Resurfacing 2021 Phase 2 Project.

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) Receiving Investments 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 June 30, 2023.

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

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. Open a public hearing and consider introducing and reading by title only and waiving further reading Ordinance 2023-, adopting a Comprehensive Tobacco Retailer License; and consider introducing and reading the title only and waiving the further reading of Ordinance 2023-, establishing a Smoke Free Public Place.
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. 2023-, approving a Lease Agreement between the City of Marina and New Cingular Wireless PCS, LLC for construction and operation of a telecommunications facility on city owned property at the northwest corner of California and 3rd avenue.
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, August 11, 2023.

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 2023 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

***Wednesday, September 6, 2023**

Tuesday, September 19, 2023

Tuesday, October 3, 2023

Tuesday, October 17, 2023

Tuesday, November 7, 2023

Tuesday, November 21, 2023

Tuesday, December 5, 2023

Tuesday, December 19, 2023

*** Regular Meeting rescheduled due to Monday Holiday**

**** Regular Meeting rescheduled due to National Night Out**

C I T Y H A L L 2 0 2 3 H O L I D A Y S **(City Hall Closed)**

Labor Day ----- Monday, September 4, 2023
Veterans Day (City Offices Closed)----- Friday, November 10, 2023
Thanksgiving Day-----Thursday, November 23, 2023
Thanksgiving Break----- Friday, November 24, 2023
Winter Break----- Monday, December 25, 2023-Friday, December 29, 2023

2023 COMMISSION DATES

Upcoming 2023 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

August 17, 2023

September 21, 2023

October 19, 2023

November 16, 2023

December 21, 2023

Upcoming 2023 Meetings of Planning Commission
2nd and 4th Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

August 24, 2023
September 14, 2023
September 28, 2023

October 12, 2023
October 26, 2023

November 9, 2023
November 23, 2023
(Cancelled)
December 14, 2023

Upcoming 2023 Meetings of Public Works Commission
3rd Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

August 17, 2023

September 21, 2023
October 19, 2023

November 16, 2023
December 21, 2023

**Upcoming 2023 Meetings of Recreation &
Cultural Services Commission**
1st Wednesday of every quarter month. Meetings are held at the Council Chambers at 6:30 P.M.

September 1, 2023

December 1, 2023

Upcoming 2023 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.

July 13, 2023

October 12, 2023