



AMENDED

AGENDA

Tuesday, October 15, 2024

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**

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

Council Chambers
211 Hillcrest Avenue
Marina, California

AND

TELECONFERENCE LOCATION:¹

1004 Saga St.
Glendora, California 91741
and
Hotel Maya, 700 Queensway Drive
Long Beach, CA90802

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.

¹ Note: Pursuant to Government Code Section 54953(b), this meeting will include teleconference participation by Councilmember Jenny McAdams and Mayor Bruce C. Delgado from the addresses above. This Notice and Agenda will be posted at the teleconference location.

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)

Jennifer McAdams, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado
3. PUBLIC COMMENT ON CLOSED SESSION ITEMS:
4. CLOSED SESSION:
 - a. Conference with Legal Counsel: Existing Litigation (Govt. Code § 54956.9(d)(1)) 1 case(s): *City of Marina et al., Plaintiffs vs. California Coastal Commission, Defendant, et al.*, Monterey Superior Court Case No. 22CV004063

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. Receive presentation on City Projects, Infrastructure and Impact Fees.
 - b. Receive presentation on FY 23/24 Stormwater Program Annual Report.
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 105418-105512, totaling \$1,819,879.77
Accounts Payable Successor Agency EFT 107-108, totaling \$2,038.68
 - b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) October 1, 2024, Regular City Council Meeting
 - c. CLAIMS AGAINST THE CITY: None
 - d. AWARD OF BID: None
 - e. CALL FOR BIDS: None
 - f. ADOPTION OF RESOLUTIONS: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) Adopting Resolution No. 2024-, approving the designation of a portion of city properties as shown on the Phase 2 West Final Map as 6th and 7th street right of way. *(Not a Project under CEQA per Article 20, Section 15378)*
 - (2) Adopting Resolution No. 2024-, accepting the dedication of Public Improvements as shown on the approved Dunes (Formerly University Village) Improvement Plans and Final Map for Residential Phase 2 East (not including Hilltop Park); authorize the City Clerk to release bond securities, accept a warranty bond, and record acceptance with Monterey County Recorder's Office. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)*
 - (3) Adopting Resolution No. 2024-, approving a request by the contracting parties of 104 Investments, LLC, Locans Investments, LLC, Wathen Castanos Peterson Homes, Inc., Wathen Castanos Peterson Coastal, LP, and Marina Developers, Inc., to release a portion of the performance security for public improvements in the Sea Haven Phase 4a area in the amount of \$3,351,867, accepting a substitute performance bond security of \$335,186.70 for remaining punch list items. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)*

- (4) Adopting Resolution No. 2024-, authorizing the City Manager to enter into and execute an agreement to settle the following actions: *City of Marina, et al. v. County of Monterey, et al* (Case No. 19CV005270); *California-American Water Company v. All Persons Interested, et al.*, in Monterey County Superior Court (Case No. 20CV002436); *City of Marina, et al. v. All Persons Interested, et al.*, in Monterey County Superior Court (Case No. 21CV000493); and *City of Marina, et al. v. All Persons Interested, et al.*, in Monterey County Superior Court (Case No. 23CV001400) all pending in Monterey Superior Court

g. APPROVAL OF AGREEMENTS: *(Not a Project under CEQA per Article 20, Section 15378)*

- (1) Adopting Resolution No. 2024-, approving agreements between the city of Marina and M3 Environmental, LLC for on-call professional services in the disciplines of hazardous materials testing and monitoring. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)*
- (2) Adopting Resolution No. 2024-, approving Amendment No. 8 to the agreement between City of Marina and Save The Whales Of Seaside, California, to provide professional services for the city of marina's storm water program, authorizing the finance director to make necessary accounting and budgetary entries, and authorizing the city manager to execute the agreement on behalf of the city subject to final review and approval by the city attorney. *(not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061)*
- (3) Adopting Resolution No. 2024-, to authorize the City Manager to enter into an agreement with Pacific Gas & Electric for joint use of rights of way and easements related to the undergrounding of certain utilities within the project by Shea Homes Limited Partnership shown on "Tract 1566 The Dunes On Monterey Bay Phase 2 West" in the vicinity of 1st Avenue between 8th Street and 6th Street, City of Marina, subject to review and approval by the City Attorney.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) Accept letter to Transportation Agency for Monterey County requesting an extension of the lease with the Museum of Handcar Technologies.

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING): None

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. City Council to hold a public hearing and continue such public hearing to November 6, 2024, regarding the establishment of the City of Marina Community Facilities District No. 2024-1 (The Dunes-West Side Services CFD), the levy of special taxes, and calling an election within the district.

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. 2024-, certifying the Final Environmental Impact Report (FEIR), and adopt the mitigation monitoring program (MMRP), findings of fact, and statement of overriding considerations; and approve the Downtown Specific Plan, incorporating the revisions recommended by the Planning Commission in its September 12, 2024, resolution; and adopt General Plan Amendments (GPA 24-003) to the 2000 Marina General Plan to implement the Downtown Specific Plan; and adopt zoning text amendments to the Marina Municipal Code to implement the Downtown Specific Plan; and amend the Marina Zoning Map to incorporate by reference the zoning standards identified as Appendix A (Development Code) to the Downtown Specific Plan; and rescind City Council Motion 2008-111 regarding the preparation of a specific plan for individual projects in the downtown area. **(90-minutes)**
- b. Adopting Resolution No. 2024-, receiving a follow-up presentation and, providing approval of the final planting palette selection for the del monte boulevard median landscaping, phase 1 project. **(30-Minutes)**
- c. Receive informational update on the status of the Mobile Vending Ordinance adopted on December 5, 2023, and receive directions from city council. **(30-Minutes)**
- d. Receive update on City Manager’s SMART Goals **(15-Minutes)**

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 AMENDED 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 12:00 p.m., Saturday, October 12, 2024.

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 2024 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, November 6, 2024**
Tuesday, November 19, 2024

Tuesday, December 3, 2024
Tuesday, December 17, 2024

***** Regular Meeting rescheduled due to General Election Day**

C I T Y H A L L 2 0 2 4 H O L I D A Y S
(City Hall Closed)

Veterans Day (City Offices Closed)----- Monday, November 11, 2024
Thanksgiving Day-----Thursday, November 28, 2024
Thanksgiving Break----- Friday, November 29, 2024
Winter Break----- Tuesday, December 24, 2024-Friday, December 31, 2024

2024 COMMISSION DATES

Upcoming 2024 Meetings of Planning Commission
2nd and 4th Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

October 24, 2024

November 14, 2024
November 28, 2024 (Cancelled)

December 12, 2024

Upcoming 2024 Meetings of Public Works Commission
3rd Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

October 17, 2024

November 21, 2024

December 19, 2024

**Upcoming 2024 Meetings of Recreation &
Cultural Services Commission**
1st Wednesday of every quarter month. Meetings are held at the Council Chambers at 6:30 P.M.

December 4, 2024

Upcoming 2024 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.