



AGENDA

Wednesday, November 6, 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

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 Mayor Bruce C. Delgado from the address 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. Public Employee Performance Evaluation, Unrepresented Employee (CA Govt. Code Section 54957(b)) – City Manager
 - b. Real Property Negotiation (Govt. Code Section 54956.8)
 - i. Property: Marina Animal Shelter, APN: 033-171-025-000
Negotiating Party: California State Parks
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: None
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 105513-105688, totaling \$1,449,503.53
Accounts Payable Successor Agency Check Number 127, totaling \$36,174.99
 - b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*
 - (1) April 30, 2024, Special Study Session
 - (2) October 15, 2024, Regular 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: Cynthia Wills, for a claim received on October 4, 2024.
 - 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-, supporting the City's application to the Pro housing Designation Program and the Pro Housing Incentive Grant Program.
 - (2) Adopting Resolution No. 2024-, consenting to waiver of potential conflict of interest in connection with Goldfarb & Lipman LLP's representation of Interim, Inc. ("Developer") related to the construction of the Marina Kai development in the City of Marina.
 - (3) Adopting Resolution No. 2024-, amending the authorized position list converting a part-time Special Events Coordinator position to a full time Recreation Specialist position.

g. APPROVAL OF AGREEMENTS:

- (1) Adopting Resolution No. 2024-, approving the Phase 3 North/Residential Public Improvement Agreement between the City of Marina and Shea Homes, LP, (“Developer”).

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS:

- (1) Adopting Resolution No. 2024-, approving the Phase 3 North/Residential Final Map for The Dunes on Monterey Bay Development Project Subdivision and authorizing the City Clerk to execute the Final Map on behalf of City subject to final review and approval by the City Attorney.

j. REPORTS: (RECEIVE AND FILE):

- (1) October 18, 2024, ReGen Board Meeting Recap.

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

- (1) Read by title only and consider adopting Ordinance No. 2024-, amending Title 17 (Zoning Code) of the Marina Municipal Code, and amending the City of Marina Zoning Map, to implement the Downtown Specific Plan.

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 receive and file the Community Facilities District Report prepared by Goodwin Consulting; conduct a public hearing regarding the establishment of Community Facilities District No. 2024-1 (The Dunes West Side Services) and the levy of special taxes within the CFD, and types of public services to be funded by the special taxes; adopt **Resolution No. 2024-**, establishing the Dunes West Side Services CFD (the “ROF”) and calling a special election regarding the formation of the CFD and establishing an appropriations limit for the CFD; confirm all ballots have been received; receive City Clerk certification of election results; adopt **Resolution No. 2024-**, certifying election results; adopt **Ordinance No. 2024-**, levying the special taxes; adopt **Resolution No. 2024-**, approving a Services Funding Agreement with the Dunes Promenade Commercial Association and Marina Community Partners, LLC and an Indemnity Agreement with Marina Community Partners, LLC. **(45-Minutes)**

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-, receiving a presentation and authorizing the City Manager to enter into an agreement with Leathers and Associates, Inc. for design services, project management services and construction supervision for a new inclusive playground at Dunes City Park, not to exceed \$1,707,771.00, subject to review and approval by the City Attorney. **(30-Minutes)**
 - b. 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)* **(10-Minutes) Continued from October 15, 2024**
 - c. Receive a brief informational update on the status of the Mobile Vending Ordinance adopted on December 5, 2023. No action is required at this time. **(15-Minutes) Continued from October 15, 2024**
 - d. Presentation by city staff on the Cypress Knolls United States Environmental Protection Agency (US EPA) Brownfield Grants Opportunities. **(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 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, November 1, 2024.

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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), 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

Tuesday, November 19, 2024

Tuesday, December 3, 2024

Tuesday, December 17, 2024

CITY HALL 2024 HOLIDAYS
(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.
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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.

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.