



MINUTES

Tuesday, December 5, 2017

5:30 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 AND SUCCESSOR AGENCY OF THE
FORMER MARINA REDEVELOPMENT AGENCY**

Council Chambers
211 Hillcrest Avenue
Marina, California

1. CALL TO ORDER
2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, and Successor Agency of the Former Redevelopment Agency Members)

MEMBERS PRESENT: Nancy Amadeo, Gail Morton, Frank O'Connell, Mayor Pro-Tem/Vice Chair, David W. Brown, Mayor/Chair Bruce C. Delgado
3. CLOSED SESSION: *As permitted by Government Code Section 54956 et seq., the (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, and Redevelopment Agency Members) may adjourn to a Closed or Executive Session to consider specific matters dealing with litigation, certain personnel matters, property negotiations or to confer with the City's Meyers-Milias-Brown Act representative.*
 - a. Conference with Legal Counsel Anticipated Litigation - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9 Two potential cases
 - b. Labor Negotiations
 - i. Marina Employee Association
 - ii. Marina Management Employees Association
 - iii. Marina Public Safety Officers Association
 - iv. Marina Public Safety Manager's Association
 - v. Marina Professional Firefighters Association
 - vi. Department Directors
 - a. Community Development Director
 - b. Finance Director
 - c. Fire Chief
 - d. Police Chief
 - e. Recreation & Cultural Services Director

City Negotiators: Layne P. Long, City Manager and Employee Relations Officer

7:03 PM - RECONVENE OPEN SESSION AND REPORT ON ANY ACTIONS TAKEN IN CLOSED SESSION

Assistant City Attorney Robert Rathie reported out Closed Session: Council met at 5:30 with regard to the three items listed, two (2) anticipation of litigations and Labor Negotiations. Council discussed all three matters, received information, gave direction, no reportable action was taken.

4. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)
5. **SPECIAL PRESENTATIONS:**
 - a **Certificate of Adjournment – John “Butch” Fernandez**
 - b **Monterey Chapter of the Citizens’ Climate Lobby Presentation**

Maribel Andonian, Monterey Chapter Citizens Climate Lobby (CCL), non-partisan international citizen volunteer organization with 446 Chapters throughout the US and other countries who seek climate solutions through legislation and applaud Mayor Delgado’s commitment to sustainability and climate action for the City of Marina. Our concerns are climate issues that affect all residents of the 20th Congressional District of California. CCL’s is working our member of congress to pursue a legislative solution to climate change that is called Carbon Fee and Dividend. We are requesting the City of Marina to support Carbon Fee & Dividend which would help send a message to elective representative that his constituents support this climate solution.

William Merry, cities and counties have taken leadership roles over the years on climate change. This is the time for local government to take action on climate change by supporting this resolution to put a fee and dividend system in place on carbon emissions, potentially that will reduce the about of CO2 put into the air. Some of the parts of our community are in jeopardy because of the impact of climate change. What CCL is proposing is that the US Congress put in place a Fee and Dividend system on carbon. First would be to put a fee on carbon emissions for 10-years. The first year would be a fee of \$15 per ton of carbon dioxide emissions that would be levied at the source of where the carbon comes out of the ground. The fee would escalate over a 9-year period by \$10/ton per year. This translate to roughly \$.10/gallon at the gas pump. To offset the cost to taxpayers and those of us that are heating our homes and fueling our cars the dividend part of this program that would be run by the US Treasury, the dividend would go back to the tax payer household across the country and would roughly make it revenue neutral. There would be a Border adjustment to prevent companies from leaving the US due to the increase cost for using fossil fuels. As the price for using fossil fuels increases it would cause people/businesses/individuals to switch to renewable energy sources. They would still receive a check at the end of the year that comes from the dividend portion of the program. We believe this program would be good for the economy and the better for the environment.

Council Questions: how is it that industry changes their behavior when the cost is absorbed by the consumer and it returned back to the consumer; how does this incentivize industry to move toward other forms of energy rather than fossil fuels; how will the money get from the treasury to the households;

Public Comments:

- Deana Lettis, CSUMB Student – Climate change is a great concern to a majority of the world. US Navy regards climate change as a national threat to our security. Flooding can be devastating to communities. Shared concerns related to climate change
- Jennifer Smith – thanked Council for providing CCL the opportunity to present their information. Noted she was the daughter of a NASA Ames Scientist and learned about climate change in 1986 and thinks this is a defining issue for our time. CCL advocates setting a price on carbon to encourage emission reductions and supports grown in economic development in the renewable

energy sector. Carbon Fee & Dividend has the ability to stimulate an efficient transition to clean energy.

- Jan Shriner – Commented on the purchase of her plug-in car and the savings in fuel; Mentioned that water conservation can help avoid more carbon into the atmosphere. China has realized that reverse osmosis desalination produces 3.5 to 5 pounds of carbon dioxide for every cubic meter of water, where water diversion project would be 1/10th of that. Not sure yet if this kind of dividend and fee could be applied to other polluters besides the petroleum industry. Believes it's work taking a look at and hope council will support the idea and consider a resolution.
- Doug Holtsman – what carbon fee and dividend would do is increase the cost of carbon, of fossil fuels throughout the market relative to other energy options. That means some businesses would keep doing things the way they have been doing and pass on the cost to the consumers but other businesses would say here's another energy choice that's now relatively cheaper and we can compete more effectively with those businesses that are just doing things the way they have been doing by choosing this other energy source rather than passing on the cost to the consumers. It makes the price of fossil fuels more accurately in the market reflect the price that we are going to have to pay for the use of fossil fuels.
- Dawn Alva – articulated another issue involved with climate change is the migration of displaced people.

Mayor Delgado asked council if this was something they wanted to see come back at the next council meeting for possible action. Consensus with all council member that this topic should come back at the next meeting.

c Recreation Announcements

6. SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR: *Any member of the Public or the City Council may make an announcement of special events or meetings of interest as information to Council and Public. Any member of the public may comment on any matter within the City Council's jurisdiction which is not on the agenda. Please state your name for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on a future agenda. City Council members or City staff may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of four (4) minutes. 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.*
- Mike Owen – Jane Parker has been a leader and has addressed the homeless issues in the county. The only way that the homeless issue can be effectively addressed is by cooperation between the county and cities. Was encouraged when the city sponsored a meeting here last night for Jane Parker and other representatives of the aboard addressing the homeless situation out at Lapis. During that process, there was an opportunity to write on cards questions to individual members and I did one for the mayor, which should have clarified a little bit, my question I had asked “since the county had unanimously passed this resolution to provide a safe parking program out at 1st Avenue parking lot would the city be able at a minimum show a support and endorse that resolution?”. When I said support that was open for interpretation. What I meant was moral support.
- Seth Morton, MPSOA Members – commented that the last negotiations held with PSOA and city was on September 20th and have been working with no contract since June 30th. Council is aware of the staffing level our police department faces and the number of officers in the process of leaving. Why is the negotiation process stopped? Is it true that the city is wishing to push

out the classic CalPERS police officers who have the most experience and best training and now the city in and out in hopes of replacing them with rookie type of employees who have no training in order to save money? We rotate our shifts every six months and every shift for every day of the week we will be at bare bone staffing. 2 officers during the day and 2 officers during the night. Do you think this is adequate staffing levels for the city? Police Department budget has remained static for the last couple of years even after the tax measures passed in 2014. If the tax revenue is not being utilized on public safety where is the money being utilized or being spent? We are no longer competitive in the law enforcement market to retain experienced officers or recruit new officers to fill the vacancies. City is growing and police department is shrinking and the combined mix is not good.

- Adam Urrutia – Parenting Connection Holiday Party on December 12th from 5:00-7:00pm at 366 Lake Drive. The Parenting Connection is a non-profit organization that serves families in Marina and the greater Monterey County with parental education and classes for children ages 0-5. This is also a fundraiser and if you would like to contribute it would be much appreciated.
- Council Member Amadeo – January 23, 2018 at 6:30 PM Marina in Motion will hold a Town Hall meeting with City staff to give the public an opportunity to come and meet our executive staff and to be able to ask questions about things they may be concerned about. It will give staff the opportunity to give an overview of their department and accept questions from the public. This will not be televised.
- Council Member Morton – FORA will hold two public workshops on roadways and arterial connections. First one starting at 1:00 and then again at 6:00pm. On December 8th is the FORA Board meeting starting at 2:00pm and public comment is at the end of that meeting.
- Mayor Delgado – Announced there was an article in the San Francisco Chronicle Opinion/Editorial authored by me and some members of the public on the proposed Cal-Am and CPUC to put slant well for a desalinization plant on our beaches and dunes. On December 9th from 9:00am -3:00 pm Citizens for Sustainable Marina hosted volunteer day Oak Woodland Restoration Project at the Marina Library; On December 16th from 9:00am-11:00am Beach Clean-up at end of Reservation/Beach Road. Commented on last night's town hall meeting by Jane Parker's office, great turnout. Thanks to Jane Parker and Wendy Askew for hosting this meeting on the Lapis Road Homeless/Camping issues.

7. 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. 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 the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda for Successor Agency to the former Marina Redevelopment Agency and placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*
8. CONSENT AGENDA: *Background information has been provided to the City Council, Airport Commission, Marina Abrams B Non-Profit Corporation, and Redevelopment Agency on all matters listed under the Consent Agenda, and these items are considered to be routine. 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 the City Council may ask a question or make a comment about an agenda item and staff will provide a response. If discussion or a lengthy explanation is required, that item will be removed from the Consent Agenda and placed at the end of Other Action Items.*
 - a. ACCOUNTS PAYABLE:

- (1) Accounts Payable Check Numbers 83492-83570, totaling \$142,215.65
Wire transfers from Checking and Payroll for October 2017 totaling: \$379,317.48

b. MINUTES:

- (1) November 21, 2017, Regular City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS:

- (1) City Council consider adopting **Resolution No. 2017-106**, approving regular City Council meeting schedule for 2018 Calendar Year.
- (2) City Council consider adopting **Resolution No. 2017-107**, approving Mayor's 2018 recommendation for Mayor Pro Tem and City Council member assignments to various Committees/Commissions/Boards.
- (3) City Council consider adopting **Resolution No. 2017-108**, accepting the offer of dedication of right-of-way on 9th Street from Marina Community Partners, LLC, and; designate City Property as right-of-way of 9th Street, and; authorize the City Clerk to record the dedication with the Monterey County Recorder's Office.

g. APPROVAL OF AGREEMENTS:

- (1) City Council consider adopting **Resolution No. 2017-109**, approving a Conditional Airport Use Permit for Monterey Bay Karters to conduct non-aeronautical activities on the north tarmac at the Marina Municipal Airport; and authorizing City Manager to execute the Conditional Airport Use Permit on behalf of City, subject to final review and approval by City Attorney.
- (2) City Council consider adopting **Resolution No. 2017-110**, approving a Conditional Airport Use Permit for Marina Motorsports, Inc. to conduct non-aeronautical activities on the south tarmac at the Marina Municipal Airport; and authorizing City Manager to execute the Conditional Airport Use Permit on behalf of City, subject to final review and approval by City Attorney.
- (3) City Council consider adopting **Resolution No. 2017-111**, approving a Conditional Airport Use Permit for South Bay Regional Public Safety Training Consortium to conduct non-aeronautical activities on the south tarmac at the Marina Municipal Airport; and authorizing City Manager to execute the Conditional Airport Use Permit on behalf of City, subject to final review and approval by City Attorney.
- (4) City Council consider adopting **Resolution Nos. 2017-112**, approving Avigation Easements from (1) UCP East Garrison LLC, ("UCP"), **Resolution No. 2017-113**, approving East Garrison Community Services District ("CSD"), and **Resolution No. 2017-114**, approving Successor Agency to the Redevelopment Agency of the County of Monterey ("SARA") for the benefit of the Marina Municipal Airport ("Airport") and the general public using the Airport, subject to final review and approval by the City Manager and City Attorney; and accepting the grant of easement conveyed in and consent to the recording of each Avigation Easement; and authorizing the City Manager to execute all documents required to accept and record each Avigation Easement.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

- i. MAPS: None
- j. REPORTS: (RECEIVE AND FILE): None
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None

John Molton, Marina Motorsports – Thanked Council and Airport staff for all the work they do and noted that Marina Motorsports donated over \$14,000 towards Marina activities.

Alan Freese, Monterey Bay Karters – Felt it was important to come and personally thank the Council and staff, especially Jeff for the efforts put forth by the city over the years to allow up to operate out at the airport.

DELGADO/BROWN: TO APPROVE THE CONSENT AGENDA 5-0-0-0 Motion Passes

- 9. PUBLIC HEARINGS: None
- 10. 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. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*
- 11. 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. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*

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. City Council consider a discussion regarding the proposed Monterey County Safe Parking Program and provide direction to the City Manager.

City Manager Long: this was placed on the agenda to get a sense from the council on where we want to go with this issue. From staff's perspective, we have some concerns about the county designating their parking lot as a site without going through permit process. They believe they have the authority under state law to do that. From a staff perspective, we believe we need to make it clear that we should be issuing for all businesses in our city and that's how the public is able to have input and that is how we are able to make better permits and put conditions on permits that are appropriate and to bypass that process doesn't do anyone any good. We think there are a lot of sites that need to be explored now that the county has engaged us we are certainly pursuing that. One of the options brought up last night was the old Scout Camp. We're here tonight to get some discussion and feedback from council. We support the homeless issue but we believe all cities including Marina need to be proactively involved in working together to find a solution.

Council Questions: what was the deficiency of the parking on Lapis Road; what was the deficiency of that program; is there a remedy that is more cost effective; by relocating the parking to the current proposed location, how is it that issue is going to addressed and not just transferred to the new location; CEQA; cost sharing for public safety personnel; selection process for the 15 vehicles and what about the remaining vehicles; what services are being provided to mental health and substance abuse homeless to move them to permanent housing; stipend to assist with housing; impediment to housing shortage; what commitment/capacity does County have to manage the site; FORA

consistency, should request come from City; why was a spot not selected for easy patrol accessibility vs. the proposed selection; daytime parking consideration; timeline of implementation of program;

Public Comments:

- Mike Owen – very encouraged that council is having this discussion which is much needed and long overdue. City of Salinas is putting a lot of money and collaboration in building facilities to address this problem. The information provided by the City Manager as far as the seriousness problem, 100 cars, a mile length how’s that all going to fit in, the immense cost on the city is out of date, not accurate. Since the enforcement there are now about 9 cars and had doubts on how many will actually show up at the 4th District parking lot when it opens. Now they are parking in the truck parking/no tow-a-way area and around Dole Plant. City Manager needs to update his information provided to the city about how serious this problem is and the impact. This is a temporary program and the County doesn’t know how the program will work.
- Adam Urrutia – inspired by the constructive comments made this evening and agrees. Thinks something needs to be done either a short-term solution that leads to a long-term solution such as identifying a site in the County where the county can absorb the cost. Mentioned that the State has a \$4 billion housing bond that will be on a ballot for the 2018 election. A neighboring city placed housing bond on the ballot which raised about \$1 billion through a parcel tax of \$12.50 per \$100,000 assessed value of a home.

Council Member O’Connell: come back and look at the possibility of creating an ad-hoc committee made up of a couple of sincere residents such as Mr. Owen and 1 or 2 council members to continue this dialog and periodically come back to the council to report.

Mayor Delgado: thinks that a couple of council members in the immediate term could sit in on meetings with Katherine Tinny from the Community Homeless Service Providers and county representatives who really want this safe parking in Marina to be approved and try to get as many of the questions answered.

Council direction: staff to come back to us with the potential for forming an ad-hoc committee.

12. COUNCIL & STAFF INFORMATIONAL REPORTS:

- a. Monterey County Mayor’s Association [Mayor Bruce Delgado]
- b. Council and staff opportunity to ask a question for clarification or make a brief report on his or her own activities as permitted by Government Code Section 54954.2.

13. ADJOURNMENT: The meeting adjourned at 10:02 PM in memory of Butch Fernandez

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor