



MINUTES

Tuesday, April 10, 2018

6:00 PM Open Session

SPECIAL 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

MEMBERS PRESENT: Nancy Amadeo, Frank O'Connell, Gail Morton, Mayor Pro-Tem/Vice Chair David W. Brown, Mayor/Chair Bruce C. Delgado

3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)

4. 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.*

- Council Member Morton – Fort Ord Reuse Authority Board meeting Frida, April 13, 2018 at 2:00PM
- City Manager Long – Announced Public Forum hosted by Just Water on the Cal-Am Desal Project to be held tomorrow night here in the council chambers starting at 6:30 PM

5. STUDY SESSION

- a City Council consider adopting Resolution No. 2018-28, to receive information, conduct a study session, and provide staff direction on implementation of the Cost of Services Study

Eric Johnson – As we talked about at the last meeting we want to take the time to go through the details today and answer any questions you might have and staff is looking for any feedback as to how you feel

about various recommendation so that they are able to bring back a presentation in the future to be able to implement that. It really comes down to how you all want to go through this. As mentioned one of the ways that I found effective is to look at the Appendix B where it has the proposed fees side-by-side and kind of look at it by page and by exception are there certain services or fees that you have questions about or concerns about and discussing those things.

Community Development Department: as you start to look at the fees associated with these the largest fees you see are anything related to policy development and that's where you see the zeros because, what we're doing is we're taking an amount of money from the person who's petitioning to the make those changes to the policy in terms of the general plan, in terms of zoning ordinance.

Council Questions: *Community Development Department* - do you consider conditional use permits, local coastal development permits, minor revision to our site and architectural design policy or general plan amendment; base upon each department, which of these do you think needs to be raised vs. which of these do you think council could help staff change the process so that there is less work on everyone; do you recommend that staff and council work toward considering reducing the roll of the Design Review Board and Tree Committee; why is the local coastal development permit being reduced 250%; why aren't more deposit/fee agreements done; does the lot-line adjustment apply to mobile homes; what would the reasoning be for a single-family dwelling want to do a lot-line adjustment; with regard to the extravagantly high fee increases are they really warranted and doable without scaring people away; would new fees require an ordinance such as in Short-Term Rentals; *Recreation Department* - if we adjusted the Tate Park and Vince DiMaggio fees in the end Tate Park would be less, correct; if we set the fees a little higher than would be normal straight across might we use some of those fees to improve Tate Park maintenance; upgrades to scoreboard and restrooms at Tate Park and; explanation of chart on last page of Recreation department fees; so were asked in the chart not to set a fee per activity but asking council to make consideration about is should we change our policy that we will recover 8.5% of the total \$124,000; so we can look at each of these, S120-S122 and say using the Teen Center as an example, that the total costs are \$466,000 and we generate from revenues \$10,745, so that's where you the 2.3% should we be imposing fees that would increase that 2.3%; is having the additional data to tell us who pays the \$10,745, what generates that and is that an adequate cost that we're passing on to the end user is too much of a burden to find out; supplemental sources; cost recover percentage; per capita city averages; acreage of park space per 1000 residents; can we increase fees to make sure all costs are covered; NPS-what is the source of the revenues and those costs; why aren't all the revenues coming from the NPS included in here; City Special Events-can someone explain which city events total \$42,000 in direct costs and also \$142,000 in total costs;

Public Comments:

- Paula Pelot – some of the comments you made about sticker shock but those are actual costs and that's what's shocking about them. Sometimes you have to go the extra step to increase your fees and charges for services. We have proposals for tax revenue measures and other proposals to try and meet these gaps and one of the things you can do is you need to charge for your services appropriately. Encourage council to keep that in mind, it is sticker shock but the shocking part is that's what it's costing us that we're not recovering.
- Dusan Tatomirovic – Spent a few days going over the document and noticed that in some instances the study suggests reduction of fees instead of increasing as it would be logical. The reason for that is because they are looking at what the fee would cover 100%, over that they're suggesting a reduction, which struck me as an unusual approach. Those intangible elements with Recreation Department are very important and we struggled with the same issue of fees for the services. We tried to simplify the

fee structure as much as possible and we achieved that to a certain degree. We also tried to balance this not to lose membership but to increase the fees to the maximum.

Council Questions continued... *Public Works Department* – potential cannabis initiative on the November ballot that might pass, so would we add in this section around S074 another one related to a cannabis business fee; tree removal/trimming and related permit fees – *Fire Department* – S-109a – Fire Business Inspection – do you foresee this adding insult to injury; will there be some kind of requirement because of short-term rentals/home businesses related to annual inspections and if so where can we find it in this document; would this be something that would be required in our ordinance so people would understand when they create short-term rental that there are certain fees; S-119 weed abatement, “after third inspection” why are we giving them a second free ride; is the \$300 after the third inspection is that considered to cover the initial inspections; are you comfortable with this; - *Police Department*- when it comes to dance permit and entertainment permit can we charge non-residents a different fee than residents; if someone wanted to do an unusual event does it come under entertainment as far as a permit; Bingo restrictions for profit vs. non-profits; how many block parties do we have a year; S-086, it’s \$10/per inspection for a correction but currently no charge for citations issued by Marina Police Department, now there would even be a charge even for citations by Marina Police Department to Marina residents too; does pulling an officer off duty cause a problem?

MORTON/DELGADO: That we receive the report and:

1. **that we bring back to council as soon as practicable a proposed fee schedule consistent with the recommended fees that we reject the fee reductions, not going below what we are currently charging, where those reductions are recommended; and**
2. **that we implement these fee increases forthwith; and**
3. **giving further direction to staff:**
 - a. **to look at the issues raised by the Community Development Director with regard to recommended fees and means to improve the procedures to reduce city costs, inclusive of general and specific plans, zoning, hearings and board reviews, and make the fees charged more in line with what would be reasonable for a project;**
 - b. **to continue to explore the Recreation & Cultural Services fee schedules, both as to non-resident fees and program fees to ascertain the feasibility of increases there;**
 - c. **to look at costs associated with corporal hours for special events [Mayor’s friendly amendment]**
 - d. **to look at the structure of the permitting fee for our public recreation buildings [Council Member Amadeo’s friendly amendment]**

Amended motion [Gail’s]

To scratch the paragraph relating to rejecting fee reductions and so when it comes back we would be looking at:

- the Community Development issues
- the utilization of our parks, park lands, park fees, programs
- accept the reductions in the proposed schedule
- looking at the Corporal hours/structure for special events (parades)

Public Comments the motion:

- Paula Pelot – there is a discrepancy between the fire alarm response charge and the police in that with the fire alarm, which is S-117 it shows that the main shift/change is changing it from first alarm, second, third, fourth and fifth alarm charges from the calendar year to within a 30-day period. Wondered why we didn’t do that with the police as well because isn’t pretty much the same thing?

It's a false alarm. Why would we not change that to a 30-day period like we did for the fire department? I'm hoping somebody might look at it and maybe you could think about revising that when you do the fee schedule because it seems much more appropriate to be within the 30-day period.

- Dusan Tatomirovic – when Council Member Morton gave us a figure of \$700,000, that's the entire figure that would be made by those increases. That is absolutely a big number and hopefully it would be even bigger. Thinks we should look into the entertainment permits and have a step fee, a base fee for whatever it is and then we could have a checklist that we add to so that the fee increases with specific purpose. Finding a software that could assist with this would be helpful. Quite a few things I've seen in this study actually could be done via the internet or automated.
- Travis Foster – in looking at the fee schedule I noticed that there is no permit fee for tree removal or trimming in a residential neighborhood. Came from a community where its unheard of for a tree service to show up and take out a huge tree without an arborist looking out to ensure that there are no raptors up there and so on. Why don't we look at this fee schedule and see what's not in here? Commented the overabundance of vehicles that park on his street and end up blocking his driveway. Is willing to pay a fee to have 3 feet on both side of his driveway striped red. Does not think you should be worrying about the Rec Dept. because I've seen how the kids get involved over there and we don't want to discourage that. This is a good opportunity to address various issues and go forward with that.
- David Schwank – I come from a community that where when a vehicle repair citation was issued it came with a notice that the individual upon the completion of the repair called the department and scheduled an appointment and they would meet at the department at that time so no officer was pulled from the field.

Council Member Morton - I'll amend my motion to add that staff consider the fire [S-117] and police [S-080] provisions and affirm the justification for why they're established the way they are or alter them if appropriate.

Final Motion

MORTON/DELGADO: THAT WE RECEIVE THE REPORT AND:

1. **THAT WE RECEIVE THE RECOMMENDATIONS FOR THE FEE INCREASES; AND**
2. **THAT WE IMPLEMENT THESE FEE INCREASES FORTHWITH; AND**
3. **GIVING FURTHER DIRECTION TO STAFF:**
 - a. **TO LOOK AT THE ISSUES RAISED BY THE COMMUNITY DEVELOPMENT DIRECTOR WITH REGARD TO RECOMMENDED FEES AND MEANS TO IMPROVE THE PROCEDURES TO REDUCE CITY COSTS, INCLUSIVE OF GENERAL AND SPECIFIC PLANS, ZONING, HEARINGS AND BOARD REVIEWS, AND MAKE THE FEES CHARGED MORE IN LINE WITH WHAT WOULD BE REASONABLE FOR A PROJECT;**
 - b. **TO CONTINUE TO EXPLORE THE RECREATION & CULTURAL SERVICES FEE SCHEDULES, BOTH AS TO NON-RESIDENT FEES AND PROGRAM FEES TO ASCERTAIN THE FEASIBILITY OF INCREASES THERE;**
 - c. **TO LOOK AT CORPORAL HOURS FOR SPECIAL EVENTS;**
 - d. **TO LOOK AT THE STRUCTURE OF THE PERMITTING FEES FOR OUR PUBLIC RECREATION BUILDINGS; AND**
 - e. **THAT STAFF REVIEW AND CONSIDER THE DIFFERENCES BETWEEN FEES FOR FALSE ALARMS FOR FIRE [S-117] AND POLICE [S-080] AND AFFIRM THE**

JUSTIFICATION FOR WHY THESE ARE ESTABLISHED THE WAY THEY ARE,
OR ALTER THEM IF IT IS APPROPRIATE.

4-1(Brown)-0-0 Motion Passes

6. ADJOURNMENT: The meeting adjourned at 9:30 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor