



## MINUTES

Tuesday, May 1, 2018

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. Labor Negotiations
    - i. Marina Management Employees Association
    - ii. Marina Public Safety Officers Association
    - iii. Marina Public Safety Manager’s Association
    - iv. 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
  - b. Real Property Negotiations
    - i. Property: Marina Municipal Airport Business Park  
Negotiating Party: Joby Aviation, LLC  
Property Negotiator: City Manager  
Terms: Price and Terms

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

City Attorney Robert Rathie reported out Closed Session: Council met in closed session on the items listed, which were labor negotiations and real property negotiations, information was provided, direction was given, no reportable action taken and after the open session council will return to closed session to take up the matter of labor negotiations.

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

5. SPECIAL PRESENTATIONS:

a Certificates of Adjournment

i. Garth Ridler

ii. Richard Hoffman

b Poppy Month Proclamation

c Election Department Presentation

d 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.*

- Howard Gustafson – Commented on the proposed development project adjacent to his property and noted the crime statistics that have occurred over the last years on his street. Is opposed to this project. Made comments about bring his concerns to the city manager's attention and that in turn the city manager spoke to the MCWD GM about his concerns, which was out of line.
- Kathy – made comments about the damages to the sound wall caused by fallen trees during the 2017 storms along her property in one of the subdivision. Asked what can be done to fix issues.
- Scott Clegg, Police Officers Association President – was asked by a member of the public what Marina spends on police services as compared to its general fund budget and I tried to work out those numbers from other cities budgets that are on their website. cities used as comparison is Seaside, Salinas, Gilroy, Watsonville, Pacific Grove, Monterey, Santa Cruz and Marina. Important numbers are the percentages with Marina coming in with a percentage total of general city funds revenues spent towards police department services being 39.34%, we're about in the middle compared to the other cities in the survey. Police Compensation - Marina is at 32.4% again Marina is in the middle; How much does Marina pay per person/per resident as far as population in comparison to other cities toward police service? Marina again is in the middle at \$371/per citizen/per year. These are important numbers to look at. Looked at how much the Police Officers Association is looking to make us as competitive with other agencies and how that relates to our city budget as a percentage on these numbers and it increases us about 2%. Looking at the 2% it doesn't raise or lower us on the list, it keeps us around the same. It really comes down to what the council priorities are. Revenues coming into the city has increase over the last few years with the

addition of Measures M & N and it's just a matter of the council deciding whether to bring us up to competitive wage is a priority to them. We hope those discussions are productive so that the two sides can get together and come to some sort of resolution.

- Paula Pelot, Preston & Abrams Park Tenant Association – Spoke about the need to amend the Regulatory agreements for Preston and Abrams Park so that we can have a different BMR category of 80%; noted that residents are having more frequent phone and internet outages due to old infrastructure wiring. AT&T stating that the fiber-optics being installed in Sea Haven may be extended down into Preston and Abrams Park but not sure who heads that up or even pays for it. Is this something we need to put into our capital budgets? Commented on the continued parking issues and that something needs to be done about it. There are too many residents in some of the units. A 2-bedroom unit should not have 9 cars. People are now parking 3-across on a 2-unit driveway and parking on the lawns. This is a very dangerous issue.
- Council Member Amadeo – Commented on the Tax Fairness Transparency and Accountability Act of 2018, a Constitutional Amendment to the State of California being supported by an organization called California Business Roundtable. What it really is, is a coalition of various companies like Pepsi, Coke-a-Cola industry and they want to change the way local taxes are done. What this does is restricts the local tax authority by eliminating the local authority to impose a tax for general purposes by a majority vote and instead requires all local proposed tax increases subject to a 2/3<sup>rd</sup> vote. This also requires a 2/3<sup>rd</sup> approval of all members of the local legislative body before a tax can be placed on a ballot. That would eliminate initiatives done by local members of the community forming an initiative because they see a need for a tax. Important to know that if this passes and the taxes that we pass, if they are passed by the 50%+1, this is retroactive to January 1, 2018, so those taxes would not pass. Plea to the citizens do not tie the hands of your elected officials or your own hands as community members in seeking tax increases and vote NO on this initiative.
- Mayor Delgado – Asked by some Marina residents to put a plug in for the Marina Mantas, a traveling team of hockey players based out of Marina. They are playing in Philadelphia in a national tournament and seeking funding to help raising \$7,000 for travel costs. BBQ fundraiser on May 12<sup>th</sup> from 11:30am-2:30pm at the Elks Lodge, 614 Airport Blvd, Salinas - \$15/ticket; Jordan Chatey asking for donations to help get him to Australia where he was asked to represent California on the 2018 Down Under Sports Basketball team donations can be sent to: The Dreamtime Foundation Inc. P.O. Box 6157, North Logan, UT 84341; on June 9-10 is the final Eagle Scout Community Volunteer project at Los Arboles Middle School Sports Complex. We will be finishing the last building deep in left-field and walls directly behind home plate.
- Council Member Morton – May 11<sup>th</sup> the FORA Board meeting will be discussing the CIP Budget and it was brought up at the Downtown Vitalization meeting that we're looking at extending Del Monte to 2<sup>nd</sup> Avenue and part of that money would come from the FORA budget, CIP Budget. Public comment is welcome at the FORA Board meetings, please come and express your concerns.

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 84641-84770, totaling \$254,487.61
  - b. MINUTES:
    - (1) April 10, 2018, Special City Council Meeting
    - (2) April 17, 2018, 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. 2018-38**, approving a new City Debt Management Policy, as now required by State Law prior to issuing bonds.
  - g. APPROVAL OF AGREEMENTS:
    - (1) City Council consider adopting **Resolution No. 2018-39**, calling for a general municipal election in the City of Marina on Tuesday, November 6, 2018, for the election of certain city officers; requesting the County of Monterey agree to the consolidation of the election with the statewide general election and requesting the County Elections Department to render any and all services required to conduct the election; authorizing the Finance Director to appropriate funds and the City Manager to execute a service agreement for the provision of election services between the City of Marina and Monterey County Elections Department/Registrar of Voters subject to final review and approval by City Attorney.
  - h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
  - i. MAPS: None
  - j. REPORTS: (RECEIVE AND FILE):
    - (1) City Council consider adopting **Resolution No. 2018-40, and 2018-01 (PPSC-NPC)**, receiving and filing the audited special-purpose statements of financial position of Preston Park for fiscal year ended June 30, 2017 and June 30, 2016.
    - (2) City Council receive update concerning Initiative Petitions.
  - k. FUNDING & BUDGET MATTERS: None
  - l. APPROVE ORDINANCES (WAIVE SECOND READING): None
  - m. APPROVE APPOINTMENTS: None

Council Member Morton pulled agenda item 8b(2) for corrections on page 33 of the packet the motion by Mayor Pro-Tem Brown and seconded by Amadeo to reflect that the “information only be given to the City Manager with a report back to city council” and my recollection was there was discussion about having it “be reviewed by Debby Kern or other legal staff”. So, the minutes would be amended to “*review by legal counsel and financial experts, if necessary*”

Mayor Delgado requested to pull agenda item 8j(2) for comments.

**DELGADO/AMADEO: TO APPROVE THE CONSENT AGENDA MINUS 8b(2) AND 8j(2). 5-0-0 Motion Passes**

Mayor Delgado commented as a citizen, that there are three citizens initiatives being processed to be placed on the November ballot. The citizens are trying to make sure that they do everything they can to try and meet some of these needs listed in the report. Yellow petition proposes a sales tax increase from current 8.75% to 9.25% if enough signatures are obtained then it could be placed on the ballot. If approved by the voter’s is could generate \$1.5 million per year; the purple petition proposes an increase in our hotel room tax from 12% to 14% and 100% of this would be come from non-resident visitors to Marina and would raise \$500,000. Green petition is to potentially legalize cannabis businesses in Marina.

City Attorney Rathie – wanted to make it clear that the City Council has not taken a position in support **or** opposition on any of these citizen petitions. Noted the Title and Summary pages to these three citizen initiatives were prepared by the City Attorney’s office as required by Election Code and must appear on the petitions being circulated.

Public Comments on 8j(2)

- Paula Pelot – Asked for the city attorney to explain the process/steps of a Citizen Initiative for the public.

9. **PUBLIC HEARINGS:**

- a. City council open public hearing and take any testimony from the public; consider adopting **Resolution No. 2018-41**, confirming diagram, assessment and ordering levy of \$180.78 for FY 2018-19 assessment for Cypress Cove II Landscape Maintenance Assessment District, and; authorize City Clerk to file certified copy of diagram and assessment with the Monterey County Auditor-Controller prior to Friday, August 1, 2018.

Council Member Amadeo recused herself from this item.

Brian McMinn, Public Works Director – for all three (3) districts right now maintenance has not been performed in this fiscal year. Current contractor that is in place when performing has underperformed and as of late has not been performing. We have been working through the terms of the contract and the contractor has already received two notices of deficiency and this week will be receiving the third final notice of deficiency. We are working through the terms of the contract to bring some resolution to that and if the contractor cannot correct those deficiencies then we will be returning to council with some other options and ideas that we have after Edrie presents the districts assessments. There are some funds accruing within the districts, we have not paid that contractor for the work so there is some money being saved up but there is also some work accruing and backlogging right now that going to take a little bit to get through.

Edrie De Los Santos – Cypress Cove II Engineers Report Summary = Formed in 1987; 110 Single Family Homes; 2 Acres of Landscaping; \$180.78 / Home

**Extra Work Expenditures FY 18/19** = Backflow Device Replacement \$2,000; Upgrade Controller (Rain Sensor) \$500; Tree Pruning on Cardoza Avenue \$5,000

**Extra Work Expenditures FY 19-20 \$500** = Erosion Control Retaining & Matting \$3,500; Tree Replacement \$7,000; Irrigation for new trees (2-year establishment) \$600/yr.

Council Questions: in response to questions submitted earlier on #8 = is this above and beyond the landscape management agreement that we will have on this district as you're not only looking at an arborist but an additional contractor; page 92 of the staff report estimates for FY 18-19 expenditures in excess of \$18,000, what do you consider to be extraordinary maintenance; balance as of July was negative \$636, do those funds come out of the general fund; Was the general fund reimburse with that or does the debt just become negative; retaining wall replacement, does the city have to put up the money to put the retaining wall in or do we just get to mandatorily assess the homeowners or do we have to do a Prop 218 process; would that be levied in the following year; what should be do to make sure that the reserves are proportionate to the risk that is being carried by 110 homeowners; what happens when the homeowners cannot meet the levy of a hypothetical \$10,000 assessment for the catastrophic failure of the retaining wall replacement?

Mayor opened public hearing for public comments:

- Patricia Clark-Gray – expressed concerns about the lack of maintenance. Called staff once she received the public hearing notice and was sent the engineers report. Glad to see that some of her concerns were address in the report. In the past we had a committee that worked with the contractor and recommends that the same committee get involved again with the contract process and selection of the contractor. Would like to see more native plants planted in the front entrance to the neighborhood.
- Sid Williams – expressed the need to have a higher reserve fund as the current fund balance is roughly 10% of what should be in the reserve fund. In order to get the homeowners to approve of an increase is to spruce the neighborhood up, get a new contractor and not necessarily the lowest bidder. Encourage council to put a lot of due diligence into getting a good confident contractor/forester to help us spruce up and maintain those trees and waterlines.
- Dan Amadeo – Stated the area around the neighborhood is trashed. Worst he's seen in the 30-years he's live there. Weeds, critters, falling trees, trees ready to fall, trees that need to be pruned. Public safety hazard with tree limbs hanging over the road at Cardoza and Dolphin Circle where high profile trucks are hitting them. Encouraged Council and staff to go out there and look for yourselves. Don't drive around it but walk it and see what's not happening. Noted inaccuracies in the staff report related to hydroseeding, groundcover, shrubs, trees etc... Noted the area around the perc pond used to be part of the landscape district but the city bought it. One of the biggest messes is city property.
- Nancy Amadeo – looked at the staff report and saw what we got charged vs. what we got in return for those charges was nothing. What we have now is Cypress trees with dropping limbs, trees that have fallen over. No weeding has been done. Angry that she has paid for and received nothing in return and it will cost us more to clean up because it wasn't done in the first place. Believes the city needs to hold itself accountable for the damage that has been done and the money that we spend with nothing in return. There are ways of solving the problem and would like staff to look at alternatives because our condition is getting worse. Believes that part of the problem was initiated by a landscaping plan that didn't have long-term vision for what it was creating. Cypress trees are not neighborhood trees, they lift roadways and sidewalks and suggested planting oak trees as they are not invasive and they're local.

Mayor Delgado closed the public hearing.

**O'CONNELL/DELGADO: TO ADOPT RESOLUTION NO. 2018-41, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$180.78 FOR FY 2018-19 ASSESSMENT FOR CYPRESS COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZE CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2018; AND HAVE STAFF WORK WITH RESIDENTS ON THE FEW ISSUES THAT WERE BROUGHT UP. 4-0-0-0 Motion Passes**

- b. City council open public hearing and take any testimony from the public; consider adopting **Resolution No. 2018-42**, confirming diagram, assessment and ordering levy of \$77.14 for FY 2018-19 assessment for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District, and; authorize City Clerk to file certified copy of diagram and assessment with the Monterey County Auditor-Controller prior to Friday, August 1, 2018.

Council Member Morton recused herself from this item.

Edrie De Los Santos – Monterey Bay Estates Engineers Report Summary = Formed in 1989; 162 Single Family Homes; 2.14 Acres of Landscaping; 41 Street Lights; \$77.14 / Home

**Extra Work Expenditures FY 18/19 = Tree Removal/Replacement \$2,000**

**Extra Work Expenditures FY 19/20 = Street Light Replacement \$5,000; Irrigation for New Trees (2-year establishment) \$670/yr**

Council Questions: net change in fund balance for FY 19/20 it runs negative and how is that being anticipated to be addressed;

Mayor opened public hearing for public comments: None received

**DELGADO/BROWN: TO ADOPT RESOLUTION NO. 2018-42, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$77.14 FOR FY 2018-19 ASSESSMENT FOR MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZE CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2018. 4-0-0-0 Motion Passes**

- c. City council open public hearing and take any testimony from the public; consider adopting **Resolution No. 2018-43**, confirming diagram, assessment and ordering levy of \$182.42 for FY 2018-19 assessment for Seabreeze Landscape Maintenance Assessment District, and; authorize City Clerk to file certified copy of diagram and assessment with the Monterey County Auditor-Controller prior to Friday, August 1, 2018.

Edrie De Los Santos – Seabreeze Engineers Report Summary = Formed in 1996; 37 Residential Lots; 20,470 sqft of Landscaping; \$182.42 / Home

**Extra Work Expenditures FY 18/19 = Tree Pruning/Removal \$2,000**

**Extra Work Expenditures FY 19/20 = \$500 - Masonry Wall Repairs \$5,000**

Council Questions: page 128 figures look similar over time to that of Monterey Bay Estates, big reduction is fund balance because of extraordinary maintenance of \$5,000 – what is that item refer too; have you been able to follow up on the email from Mr. Genova to address his concerns; legal

advertising for 17/18 was \$400 and now it's down to \$235 is something less than what it was; why is the sound wall being put off until the next fiscal year vs. the tree removal; if wall has been determined to be a public safety issue would that be moved out of the FY 19/20 and into 18/19; how soon before these several \$5000 panels do you think will be the new ones will be in place;

Mayor opened public hearing for public comments:

- Dan Devlin – Happy to hear that people are taking an interest and that work will be done since we paid for it I'd like to see it done, thanks.

**MORTON/AMADEO: TO ADOPT RESOLUTION NO. 2018-43, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$182.42 FOR FY 2018-19 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZE CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2018. 5-0-0-0 Motion Passes**

- d. City Council open a public hearing and take any testimony from members of the public regarding the Cost of Service Study for new, increased, or confirmed service charges and fees; and consider adopting **Resolution 2018-44**, concerning the public hearing and the fee and service charge recommendations made in the Cost of Service Study and providing staff with further direction as appropriate.

Mayor opened public hearing for public comments: None received.

Council Questions: on April 10<sup>th</sup> staff was directed to look at the False Alarms differences for Fire (S-117) and Police (S-080) and affirm the justification for why these were established so disparately or that's appropriate - did that looksie adjustment or are we just happy;

**MORTON/AMADEO: THAT WE OPEN A PUBLIC HEARING AND TAKE ANY TESTIMONY FROM MEMBERS OF THE PUBLIC REGARDING THE COST OF SERVICE STUDY FOR NEW, INCREASED, OR CONFIRMED SERVICE CHARGES AND FEES; AND CONSIDER ADOPTING RESOLUTION 2018-44, CONCERNING THE PUBLIC HEARING AND THE FEE AND SERVICE CHARGE RECOMMENDATIONS MADE IN THE COST OF SERVICE STUDY AND THAT WE REAFFIRM THE DIRECTION GIVEN TO STAFF ON APRIL 10, 2018 AS SET FORTH IN THE MINUTES FROM THAT HEARING ADOPTED EARLIER TODAY. 5-0-0-0 Motion Passes**

Finance Director Lai – if council is agreeable given that it's unanimous, two weeks from now at the regular meeting we'll put this item on Consent and then also save on some contract costs of just having staff represent the item if you're agreeable to that?

Council agrees to request for item on Consent

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 introducing and reading by title only Ordinance No, 2018-, amending Subsection 3.24.010A of Section 3.24.010 entitled “Findings and Intent,” Subsection 3.24.020A of Section 3.24.020 entitled “Delegation of Authority and Direction to Manager,” and Section 3.24.040 entitled “Schedule of Fees and Service Charges” of Chapter 3.24 of the Marina Municipal Code entitled “Fee and Service Charge Revenue/Cost Comparison System.”

Lauren Lai, Finance Director – This is a matter of housekeeping, we’re just updating the Municipal Code pertaining to the Fee Study. There’s certain updated and irrelevant references and by way of ordinance you have to introduce it tonight and then two weeks from now we’ll have a second reading of it. A lot of it is just some simple housekeeping and updating that is no longer relevant today.

Council Questions: None

**DELGADO/BROWN: THAT WE INTRODUCE AND READING BY TITLE ONLY ORDINANCE NO, 2018-, AMENDING SUBSECTION 3.24.010A OF SECTION 3.24.010 ENTITLED “FINDINGS AND INTENT,” SUBSECTION 3.24.020A OF SECTION 3.24.020 ENTITLED “DELEGATION OF AUTHORITY AND DIRECTION TO MANAGER,” AND SECTION 3.24.040 ENTITLED “SCHEDULE OF FEES AND SERVICE CHARGES” OF CHAPTER 3.24 OF THE MARINA MUNICIPAL CODE ENTITLED “FEE AND SERVICE CHARGE REVENUE/COST COMPARISON SYSTEM.” 5-0-0 Motion Passes**

- b. City Council acting as the Successor Agency of the Former Marina Redevelopment Agency consider adopting **Resolution No. 2018-03 (SA-MRA)**, taking the final actions required to issue tax increment bonds for the Dunes on Monterey Bay project, including approving the form and authorizing distribution of two preliminary official statements in connection with the offering and sale of two series of tax allocation bonds by the Successor Agency to make payments on an enforceable obligation, and approving related documents and actions.

Karen Tiedemann, Goldfarb & Lipman – what you have here before you tonight is a follow up action that you took in October with regard to the issuance of bonds for The Dunes Project. These are bonds that are secured by what was formally Tax Increment revenue, we now call it property tax increment post redevelopment dissolution. The issuance of bonds was called for in the 2<sup>nd</sup> Implementation to Disposition and Development Agreement that The Dunes entered into in 2008 and pursuant to the Tax Increment Financing Plan and Promissory Notes that were given by the former redevelopment agency to Marina Community Partners.

In October you took action approving the issuance of bonds, subsequent to that acting the Oversight Board for the Successor Agency also approved issuance of the bonds and then the final step the Department of Finance subsequently approved to the Oversight Board action.

What you have before you tonight is a resolution taking the final steps for that issuance and approving the Preliminary Official Statement and the Bond Purchase Agreement. The bonds are being issued and there are two separate issuances. There is the 2018A and the 2018B. the 2018A are the bonds that are being repaid with the non-housing tax increment funds and the 2018B are the bonds that are being repaid with what used to be the Low and Moderate-Income Housing funds from The Dunes Project as well the Sea Haven Project. So those were the pledges that were agreed to in the DDA and Tax Increment Financing Agreement and those are the two series of bonds that we would be issuing.

The current plan is to issue early in June and we are still working on the final dollar amount, you authorized an issuance of up to \$17.5 million, it will be less than that most likely but we are still working through a few of the details with MCP on the housing side of the bonds.

Council Questions: None received.

**DELGADO/BROWN: TO ADOPT RESOLUTION NO. 2018-03 (SA-MRA), TAKING THE FINAL ACTIONS REQUIRED TO ISSUE TAX INCREMENT BONDS FOR THE DUNES ON MONTEREY BAY PROJECT, INCLUDING APPROVING THE FORM AND AUTHORIZING DISTRIBUTION OF TWO PRELIMINARY OFFICIAL STATEMENTS IN CONNECTION WITH THE OFFERING AND SALE OF TWO SERIES OF TAX ALLOCATION BONDS BY THE SUCCESSOR AGENCY TO MAKE PAYMENTS ON AN ENFORCEABLE OBLIGATION, AND APPROVING RELATED DOCUMENTS AND ACTIONS. 5-0-0-0 Motion Passes.**

Public Comments: None received.

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 back into closed session at 9:45 pm and adjourned in memory of Garth Ridler and Richard Hoffman

\_\_\_\_\_  
Anita Sharp, Deputy City Clerk

ATTEST:

\_\_\_\_\_  
Bruce C. Delgado, Mayor