



MINUTES

Friday, August 10, 2018

12:00 P.M. 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

TELECONFERENCE LOCATIONS:¹

566 Belladonna Lane
Lincoln, CA 95648

¹ Note: Pursuant to Government Code Section 54953(b), this meeting will include teleconference participation by Council Member Nancy Amadeo from the addresses above. This Notice and Agenda will be posted at the teleconference location

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 (Arrived at 12:30 PM)
3. 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).

Mayor Delgado has not yet arrived, so Council decided and agreed to hear the agenda items 3b and 3c prior to 3a

- b. City Council consider adopting **Resolution No. 2018-95**, accepting responses to the 2017-2018 2018 Monterey County Civil Grand Jury Final Report “WHO’S IN CHARGE? Stepping up on homelessness: The need for strategic leadership and comprehensive planning” for the City of Marina, and; Direct that the responses be forwarded to the Honorable, Stephanie E. Hulsey, Judge of the Superior Court.

Council Member Morton, a lot of our responses state :that the city agrees with this finding and critical that each city be involved and working with the county to address homelessness” so my question and other places where we say we agree with working with the County and so the question is: “is our response committing financial dollars and have we budgeted for it? Are we committing staff or Council Members? What is the city’s intension when we say we agree and say we will be fully supporting? What do we consider support?

MORTON/BROWN: TO ADOPT RESOLUTION NO. 2018-95, ACCEPTING RESPONSES TO THE 2017 – 2018 MONTEREY COUNTY CIVIL GRAND JURY FINAL REPORT “WHO’S IN CHARGE? STEPPING UP ON HOMELESSNESS: THE NEED FOR STRATEGIC LEADERSHIP AND COMPREHENSIVE PLANNING” FOR THE CITY OF MARINA, AND DIRECT THAT THE RESPONSES BE REVIEWED BY OUR ATTORNEY TO AFFIRM THAT WE ARE NOT MAKING ANY COMMITMENTS OF CITY RESOURCES AND FOLLOWING THAT REVIEW THEY CAN BE SIGNED AND TRANSMITTED. 4-0-1(Delgado)-0 Motion Passes by Roll Call Vote

Public Comments: None

- c. City Council consider adopting **Resolution No. 2018-96**, awarding the 2018 Citywide Street Repair Project for Digouts and Chip Seal contract to Granite Construction Company of Watsonville, California, authorizing the Finance Director to make necessary accounting and budgetary entries and authorizing City Manager to execute contract documents and all change orders on behalf of City subject to final review and approval by the City Attorney.

Council Questions: The contract for \$599,878 would that be affected adversely if SB1 dies? Prevailing wage with this contractor?

BROWN/MORTON: TO APPROVE RESOLUTION NO. 2018-96, AWARDING THE 2018 CITYWIDE STREET REPAIR PROJECT FOR DIGOUTS AND CHIP SEAL CONTRACT TO GRANITE CONSTRUCTION COMPANY OF WATSONVILLE, CALIFORNIA, AUTHORIZING THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS AND ALL CHANGE ORDERS ON BEHALF OF CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY. 4-0-1(Delgado)-0 Motion Passes by Roll Call Vote

Public Comments: None

- a. City Council to discuss and consider adopting Resolution 2018-, authorizing and submitting to the City Elections Official, by 5:00 PM on August 16, 2018, a direct argument on behalf of the City Council, not to exceed 300 words, for or against the Initiative Ordinance Relating to Cannabis Businesses.

Council Member O’Connell, was not aware he was the catalyst for this matter, has no real suggestion as to an argument against the measure. My opinion is to proceed with looking at the proposal that you submitted to us.

Council Member Morton asked that the City put forth these issues: (1) That it's a citizen initiative. Marina City Council has not had any input into the content of the initiative; (2) Council requested a report be prepared as to the outcome of the initiative should it be passed by the voters. HdL Companies prepared report and cited inconsistencies with State law and provisions which will be problematic to implementation. (Link); (3) The initiative proposes city taxes apply for cannabis retailers and manufacturers located within the City of Marina and for undefined fees and charges. These taxes, fees and charges will be added costs for both medical and adult use marijuana; (4) Marijuana remains illegal under federal laws. City Council has identified the concern that monies received from what remains an illegal activity may be subject to forfeiture, although the likelihood of this occurring is unclear; (5) Allowing marijuana businesses within the city may have an adverse impact on Marina's eligibility for federal grants. Marina currently is dependent upon FAA grants for airport improvements, including the expansion of our runway and COPS grants; and (6) Marijuana will remain available for residents from sources outside of city limits.

Mayor Delgado, points that were important in the draft that I prepared: In 1996, Marina voters' approval by a 64%(? Fact check needed here) majority in favor of a State of California initiative to legalize cannabis for medical purposes. In 2016, by a similar majority Marina voters approved of a statewide initiative to legalize cannabis for adult recreational use. The voters of Marina in 2018 are being asked if they approve of cannabis related businesses in Marina. The Marina City Council wishes to implement the will of the people and stands ready to support the establishment of cannabis businesses, if this is the will of the people as expressed by Marina voters in 2018.

Neighboring cities' voters, city councils, and the Monterey County Board of Supervisors have already approved cannabis businesses, and fees and taxes associated with them, that allow them to provide needed community services.

According to a recent report paid for by the City of Marina, cannabis businesses and related taxes and fees will generate hundreds of thousands of dollars (insert estimated HDL numbers?) each year for street maintenance, roads, public safety and other City services as well as help stimulate other economic growth in our City

O'Connell/Delgado: that we adjourn this meeting and if any member of this city council wants to submit an argument in favor of it they can do so as an individual and get the appropriate signatures.

Substitute Motion

Morton/Amadeo: that the city council make an argument that sets forth the disclosures on what I passed out on the dais.

Public Comments:

- Paula Pelot – Thinks this is an important discussion. This is an unfortunate outfall of this being a citizen's initiative. Whished this had come back to council, so the council could have crafted one timely and all of this could have been addressed and worked out before then. Understands all the arguments that are being made because I would suggest is if the city is not required to file a "for or against" that you just don't. just let the city attorney do the analysis and individuals such as the organization that you formed mayor and anyone else can submit their own arguments independently and they can be as strong or as week as possible. People aren't stupid, they can look at those things. I don't think the city should do anything at this point beyond the attorney's analysis. It's too much on both sides and you need to submit your own arguments as best you can, independent of the city at this point.

Council Member Morton withdrew her substitute motion at this time.

Council Member O'Connell withdrew his motion.

Mayor Delgado adjourned the meeting

4. ADJOURNMENT: 1:05 PM

ATTEST:

Anita Sharp, Deputy City Clerk

Bruce C. Delgado, Mayor