



## MINUTES

Wednesday, November 7, 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. Conference with legal Counsel, initiation of litigation pursuant to paragraph (4) of subdivision (d) of CA Govt. Code Section 54956.9 – Three potential cases
  - b. Performance Evaluation, Unrepresented Employee – City Manager

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

Robert Rathie, Assistant City Attorney reported out closed session: Council met at 5:30 pm as indicated on the agenda with regard to the matters listed under Conference with legal Counsel and Performance Evaluation. On 3a, Council received information, gave direction, no reportable action was taken. On 3b, information was provided and this item was continued to November 20<sup>th</sup>.

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

5. SPECIAL PRESENTATIONS:

a 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.*

- Paula Pelot – Pleased that we are going to have a new addition to the Council Lisa Berkley, who received more votes than anyone in our Marina/local election and she has a resume and background that is going to elevate our process, policy and dialog with one another here. Glad she will be on the council.
- Glenn Mell – New sales manager at the new car dealership at 212 Reservation Road and we are looking forward to getting involved in the community and doing some fund raising with them and generating some tax revenue as well.
- Council Member Amadeo – Thanked all who made Marina Youth Arts Wine Tasting event a real success; mark your calendars for February 16, 2019 for the next Marina Youth Arts Annual Tea Party. If you would like to participate in the next Tea Party either as a server or hosting a table, please contact me at 236-2235. Marina Youth Arts serves the children and teens of Marina providing arts programs at no cost to them. We expect to add a new media arts program to the high school this January.
- Council Member Morton – Friday, November 9<sup>th</sup> is the FORA Board meeting at 2:00pm where the board is to consider discussion on the proposed draft FORA Transition Plan; also, on the FORA agenda is Marina Coast Water District update on their annexation.
- Mayor Delgado – Congratulations to Lisa Berkley and Adam Urrutia who will be joining our council. Commented on the numerous volunteers who worked very hard to qualify the three Initiatives, so they could be placed on the election ballot. Appears all three of those initiatives passed (Measures N, P and V) and because they passed in the next 15-years our city will receive at least \$30 million not including the revenue from Measure V, which is related to Cannabis. Congratulated Yuri Anderson for winning her place on the Board of Trustees for MPC to represent Marina, Seaside and portions of unincorporated Monterey County.

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.*

- a Successor Agency Board consider adopting **Resolution No. 2018-11 (SA-MRA)**, authorizing change in signatories on Successor Agency Local Agency Investment Fund (LAIF) Account.

**AMADEO/MORTON: TO APPROVE THE CONSENT AGENDA FOR THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY. 5-0-0-0 Motion Passes**

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 90749-90955, totaling \$628,215.75  
Successor Agency Accounts Payable Check Number 21-23, totaling \$35,676.43  
Wire transfers from Checking and Payroll and Successor Agency for September 2018 totaling: \$509,091.62
  - b. MINUTES:
    - (1) October 2, 2018, Regular City Council Meeting
    - (2) October 16, 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 and Successor Agency Board consider adopting **Resolution No. 2018-123**, and **Resolution No. 2018-12 (SA-MRA)**, designating that the City Manager and the Finance Director are authorized to open investment securities accounts with brokers that meet the City’s investment policy requirements; and, Designate both the City Manager and the Finance Director as officers authorized to effect investment trades on behalf of the City, as authorized by the City’s investment policy.
    - (2) City Council consider adopting **Resolution No. 2018-124**, approving the purchase of one not fully equipped 2019 Dodge Durango from My Dodge of Salinas, California, and the safety equipment necessary to fully equip the vehicle, waiving the City’s formal bid process; finding that competitive bidding would more expensive, would not produce an advantage and would not be in the public interest; authorize the Finance Director to make necessary accounting and budgetary entries, and; authorize the City Manager to execute purchase agreements in an amount not to exceed \$ 56,000 on behalf of the City subject to final review and approval by the City Attorney.
  - g. APPROVAL OF AGREEMENTS: None
  - 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:
  - (1) City Council consider adopting **Resolution No. 2018-125**, approving appointments to Tree Committee and Site and Architectural Design Review Board.

Council Member Morton had clarifying questions for agenda item 8f(2) relating to the purchase of the vehicle and Safety equipment and the Vehicle Replacement Fund amounts.

Mayor Pro-Tem Brown requested to pull agenda item 8b(1) so that he could abstain from them.

**DELGADO/AMADEO: TO APPROVE THE CONSENT AGENDA MINUS 8b(1). 5-0-0-0 Motion Passes**

**DELGADO/AMADEO: TO APPROVE AGENDA ITEM 8b(1). 4-0-1(Brown)-0. Motion Passes**

- 9. PUBLIC HEARINGS:
  - a. City Council to open a Public Hearing to consider adopting Resolutions for: 1) adoption of a Negative Declaration; 2) adoption of a General Plan Amendment (GP 2016-03) to reclassify the property land use designation from “multiple use” to “multi-family residential”; 3) adoption of an Ordinance amending the City of Marina Zoning Map (ZM 2016-04) rezoning the property from “C-1/Retail Business District” to “SP-Shores at Marina”; 4) adoption of a General Plan code text amendment to delete policy 2.63.5 to eliminate the requirement for the provision of childcare; 5) adoption of a Specific Plan; 6) amendment to the Official Plan Line (OPL) to eliminate the cul-de-sac at the end of the De Forest Road extension; and 7) approval of a combined development permit to allow the development of a new five-story, fifty-eight (58) unit apartment complex at 3125 De Forest Road (APN: 032-171-018). CEQA Determination: Negative Declaration.” *To be Continued to a date to be determined. Continued to November 20, 2018*
- 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 adopting **Resolution No. 2018-126**, Transportation Agency for Monterey County (TAMC) Regional Development Impact Fee program.

Mike Zeller, Principal Transportation Planner for TAMC: before you is a resolution to update the fee schedule for the Regional Development Impact Fees (RDIF). The RDIF program is a mechanism for new development to mitigate their CEQA impacts to the regional transportation network for any new cars that a new development (housing or commercial) might add. This program was started in 2008

when the cities and the county unanimously approved JPA's to create the RDIF Program and then all the cities in the county adopted the fee by ordinance, so the fees are collected by each of the cities in the county when new development pulls a building permit. The JPA also set up TAMC as the administrator of the program, so we are legally required to update the fees every five (5) years just to make sure the level of the fees are still consistent with the amount of growth that's expected to occur in the county. Within that update process what we do is look at the AMBAG Regional Travel Demand Model to look at what the patterns are now for people in the county, what they're projected to be in the future years 2035 and then we come up with a list of transportation improvements projects to accommodate that new growth in the county based on those travel patterns.

The 2018 update was reviewed by our technical advisory committee and incorporated feedback from this committee and was approved unanimously by our Board of Directors and was reviewed and supported by CalTrans as well.

Council Question: FORA Sunset and incorporation of fees, is there a process or will it be automatic? Traffic funneling through Monterey Road Interchange and Del Monte Blvd Extension will benefit local and not the peninsula, correct? Has FORA paid any Regional Impact Fees to TAMC for development on former Fort Ord? How much money is FORA obligated to provide TAMC over time and in what timeline? If under your new fee you're creating a new "zone" does that reduce the transportation obligation that FORA has on its current CIP?

**DELGADO/BROWN: TO ADOPT RESOLUTION NO. 2018-126, TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC) REGIONAL DEVELOPMENT IMPACT FEE PROGRAM. 5-0-0-0 Motion Passes**

Public Comments:

- Doug Yount, Marina Community Partners – relevant to the TAMC fees and the current FORA CFD fees it would be our interest that any fee levels in the future do not double count in any way. If there's current fees paid to fund FORA CIP obligations those may continue but those also count for the regional fees/regional impact at this point. So, we wouldn't want to be in a situation post FORA where we pay CFD fees and then on top of that pay impact fees to TAMC for regional improvements. In theory the CFD fee covers both.
  - b. City Council consider discussion and possible action of adopting a City of Marina Transition Plan for the Fort Ord Reuse Authority.

This item was not ready for discussion due to not having information readily available.

12. **COUNCIL & STAFF INFORMATIONAL REPORTS:**

- a. Monterey County Mayor's Association [Mayor Bruce Delgado]

Mayor Delgado – Congressman Jimmy Pannetta attended the Mayor's Association meeting on November 2<sup>nd</sup> with the other 12 County Mayor's. Congressman Pannetta provided updates on issues such as cannabis at the federal level seeming to be eased from its restricted status; updates on a lot of other things not happening due to division; gave opinions about Nancy Pelosi. This was a well-attended meeting.

- 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.

Council Member Amadeo announced that she has been receiving messages from PG&E regarding power being turned off in various counties in the Sierra's due to the fires.

City Manager Long – commented about the e-scooter popping up all around town. The city has received a lot of comments on them and our new Assistant City Manager is working internally on this. CSUMB did enter into an agreement with Lime Scooters to provide scooters on their campus and we were not aware of this agreement. Lime did pull a business license in our city, they did it online and we were not aware of them pulling the business license. Matt has me with Lime and have met with some of the other jurisdictions and their agreements and looking at the impacts and one of the good things is that we're actually able to track and see what's going on and able to get a lot of feedback on the positive and negative things on what working. We will be working on possibly an agreement or something to bring back to the council and figure out how we want to address this scooter situation. It involves Vehicle Codes, they aren't allowed on sidewalks, and they don't have any agreement to use our public right-of-way.

13. ADJOURNMENT: The meeting adjourned at 8:10pm to Wednesday, November 8, 2018 at 5:00pm.

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

ATTEST:

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