



MINUTES

Wednesday, February 20, 2019

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: Lisa Berkley, Adam Urrutia, Frank O'Connell, Mayor Pro-Tem/Vice Chair, Gail Morton, 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, two cases of existing litigation pursuant to paragraph (1) of subdivision (d) of CA Govt. Code Section 54956.9: (1) City of Marina v. Public Utilities Commission of the State of California, Respondent California American Water Company et al. California Supreme Court Case S S253585; (2) Marina Community Partners LLC v. Fort Ord Reuse Authority, Monterey Superior Court Case 18CV000871.
 - b. Labor Negotiations
 - i. Marina Professional Firefighters Association (MPFFA)
 - ii. Marina Employee Association (MEA)

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

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 5:30pm as indicated on the agenda with regard to the matters listed under Conference with Legal Counsel. Council received information and no reportable action was taken.

4. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
5. SPECIAL PRESENTATIONS:

- a Certificate of Recognition, Police Cadet Kevin Cortopassi
- b 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 – Asked follow-up question from last council meeting regarding the Imjin Parkway Widening Project. Hoped staff had a chance to look at ordinance 17.51. Member of the Tree Committee and Public Works Commission and as a PW Commissioner did see the Imjin Widening, removing 566 trees but as a member of the tree Committee I did not see this. Shouldn't this project have gone to the Tree Committee for review? Took a 30-minute walk along Imjin and to come up with questions that should have been able to be asked at the Tree Committee meeting.
- Wes Clark, owner of Sugar-Leaf Trading Company, a boutique cannabis dispensary in Seaside. Announced that he would be putting in a bid with the City in a couple of months. Seaside had a tough process to go through. Sugar-Leaf's commitment to community services did not stop once we got our license we continue Saturday park cleanups with Friends of Seaside Parks. We've given back over \$8,000 to our full and part-time employees. We offer top-tier competitive pay and just received its first surprise inspections from the BCC and passed with flying colors. Zero criminal activity around and in our facility. Process will be tough and fair on both sides and look forward in showing this council and HdL that we are a well ran business with high paying jobs.
- Council Member Berkley – Announced Spector Dance has two events coming up. The first February 23, 2019 and the second is the Monterey Ocean Arts Festival. They are looking for all young artists 21 years and under to submit your art to be part of this festival the deadline is March 7th and will be presented on April 14, 2019.
- Council Member Urrutia – Announced on Saturday, February 22nd from 8:30-12:00 is a CSUMB is hosting an event called Super Saturday in its continuing efforts to improve the preparation and graduation of African-American.
- Mayor Delgado – Thanked all the volunteers for the Clean-up Events along Del Monte/Lapis Road, the Marina Park clean-ups. Spoke about the Marina Youth Arts Mad Hatter Tea Party event held on February 16th, great turnout and noted that all proceeds from this event go to the Marina Youth Arts which is used for their performing arts. On February 23rd from 9:00am-1:00pm is a BLM Planting Event at the Fort Ord National Monument. On March 9th from 9:00-12:00 Del Monte/Lapis Road Clean-up. On April 13th is the 13th Annual Earth Day Event at Locke Paddon Park.

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 91594-91708, totaling \$269,892.28
Successor Agency Accounts Payable Checks Number: 29, totaling: 200.00
Wire transfers from Checking and Payroll for December 2018 totaling: \$505,030.79
 - b. MINUTES:
 - (1) December 4, 2018, Regular City Council Meeting
 - (2) December 18, 2018, Regular City Council Meeting
 - (3) January 8, 2019, Special Joint City Council/Planning Commission Meeting
 - (4) January 15, 2019, Regular City Council Meeting
 - (5) February 5, 2019, 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. 2019 , ordering the City Engineer to prepare and to file a report related to maintenance of the Cypress Cove II Landscape Maintenance Assessment District for Fiscal Year 2019-2020. ***Pulled by public, becomes agenda item 11b.***~~
 - (2) ~~City Council consider adopting Resolution No. 2019 , ordering the City Engineer to prepare and to file a report related to maintenance of the Monterey Bay Estates Lighting and Landscape Maintenance Assessment District for Fiscal Year 2019-2020. ***Pulled by public, becomes agenda item 11c***~~
 - (3) ~~City Council consider adopting Resolution No. 2019 , ordering the City Engineer to prepare and to file a report related to maintenance of the Seabreeze Landscape Maintenance Assessment District for Fiscal Year 2019-2020. ***Pulled by public, becomes agenda item 11d***~~

g. APPROVAL OF AGREEMENTS

- (1) City Council consider adopting **Resolution No. 2019-14**, approving Amendment No. 1 to the agreement between City of Marina and Kimley-Horn and Associates, Inc. of Salinas, California, to provide engineering services for the widening of Imjin Parkway between Reservation Road and Imjin Road; authorize the Finance Director to make the necessary accounting and budgetary entries; authorize the City Manager to execute the agreement on behalf of the City subject to final review and approval by the City Attorney.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) ~~City Council consider adopting Resolution No. 2019 , receiving and filing City of Marina auditor governance letter (SAS 114), and City auditor management letter of comments (SAS 115) for fiscal year ended June 30, 2018. **Continued from February 5, 2019. Pulled by Council Member O’Connell, becomes agenda item 11e**~~

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING): None

m. APPROVE APPOINTMENTS:

- (1) City Council consider appointing to Economic Development Commission: Tess Alcantara, Dawn Alva and Elizabeth Setler. 3 seats expiring February 2021.
- (2) City Council consider appointing to Recreation and Cultural Services Commission: Jeremiah Smith, Gainell Paige and Robert Nolan. 3 Seats expiring February 2021.
- (3) City Council consider appointing to Public Works Commission: Steve Hunt and Cynthia Tanabe. 2 of 3 seats expiring February 2021.

Mike Owen requested to pull agenda item 8f(1), 8f(2) and 8f(3)

Council Member O’Connell requested to pull agenda item 8j(1)

DELGADO/URRUTIA: TO APPROVE THE CONSENT AGENDA MINUS 8f(1), 8f(2), 8f(3) AND 8j(1). 5-0-0-0 Motion Passes

9. PUBLIC HEARINGS:

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 receiving and discussing a report on the Monterey County Homeless Census, the status of Homeless Resources in Marina, and an update on the Homeless Emergency Aid Program (HEAP) Funding and provide staff with further direction as desired by the City Council.

Presented by Matthew Mogensen, Assistant City Manager

Public Comments:

- Reyes Medina, Coalition of Homeless Solutions – We are a big provider not only in Marina but San Benito County and Monterey County. Currently operate five shelters, two of them are specifically or primarily service survivors of domestic violence and their children. The other three is in San Benito County so it's a year-round shelter, 50-beds. 25 for men and 25 for women. We been operating the Salinas Warming Shelter for the last six years and then we opened up care shelter for those coming out of hospitals. We have the largest transition housing programs throughout the county and four transitional housing programs are in Marina. In a private area of Marina, we have 16-beds for survivors of domestic violence. With the HEAP Funds as we provide transitional housing we also have to renovate, so one of the proposals that we're putting together for the April 1st deadline is renovations of our current bed. So, it's not an expansion of those transitional housing program or beds but it's renovating some of those units. We're looking at requesting between \$500,000-\$700,000 as we've looked at each individual unit. A majority of our transitional housing programs are funded through federal government or federal funds. I just wanted to share with the Council that people who come in from shelters or from the streets into our transitional housing programs are no longer homeless or not considered homeless so we are helping those individuals gearing to access permanent or stable living by way of increasing their income, by helping them in securing jobs and improving not only employment but also wages so that they are able to move on.
- Eric Johnson, Coalition of Homeless Solutions – Homelessness is something we want to change in the name because when we get them housed we don't want them homeless anymore. We found historically that if we don't get people housed they don't have a success rate very well in terms of permanent housing and increasing their employment to stability is critical in their recovery process, which is why transitional housing has been so successful. One of the challenges is that we don't have housing that is affordable in any of these lower ranges, there has to be some sort of transitional cost factor that ties to people's wages. With Ag and Hospitality as our biggest industry countywide the wages are unfortunately fairly suppressed and low and people's housing options, by the time you get to even \$350,000 that was the cost of the latest affordable housing development per unit. It's not just about housing. It's all the wrap-around services that are critical. It's the employment, it's the support, it's the spiritual support, it's really actually reengaging people in the community. One thing we want to propose is to start taking advantage of is the Tiny Home movement and there are a lot of cities that are using them. We would like to place 10-12 tiny homes on our Whittenmyer Court Housing area. This would be use for people moving out of our transitional housing into a stable house. We have a partnership we've been setting up for about two years with the prisons at Soledad and Folsom where we can build these tiny homes. We provide them the supplies and they build them as part of their vocational program.

- Jack Murphy, Veterans Transition Center (VTC)– I along with Eric, Reyes and the other community service providers have an interest in helping not only Marina but the entire peninsula and the County and the Continuum of Care solve the homelessness problem. Clarified the confusion with the numbers, believes permanent supportive housing numbers were included in the homeless shelter bed numbers. VTC currently has 68 beds that are either transitional or shelter beds. Everything else at the VTC is permanent. Going into the near future it's going to be permanent support housing but that shouldn't be counted in a Point in Time count. VTC has been around since 1996, we're a nonprofit here in Marina. So far, we exclusively serve the homeless veteran's community. We need additional housing stock to house the increasing number of homeless that are out there. VTC wants to be part of that solution. Feels Council has an open mind about this topic and will be the first to conceive that it's contentious at times. Cities want to look towards their brothers and sisters next door and ask what are you doing about it? Homeless don't abide by city boundaries. The Point in Time Count is a tool but it's not perfect. The fact is there are homeless in your city and we need to help address the solution for them. I have two proposals and one is very high dollar and that's in the basement of Martinez Hall. The other I would like to propose is at the beginning of Hayes Circle are two duplexes that belong to the City of Marina and have been vacant for many years. It's possible to rehab those for not too much money. VTC would love to partner with the city and do something with those units. This is the right opportunity.
- Catrina Blair – Curious if people have talked about condos or townhouses, that might be another way to go to build up vs. building out. Do we know how most of the school aged are living and what their living situations are? Would be nice to have focus groups where we could talk to individual categories to people who are experiencing homelessness. Safe Parking to end soon, is that true? Heard we're not in compliance with all the new development that 20% be affordable, is that correct? Is there something being done in those areas for homelessness? Can we have signs at bus stops showing routes to One-Stop Centers? When doing a bed count can we know exactly how many beds are currently available, or needing renovations?
- Wendy Askew – Thanks Council for having this discussion. It's helpful to have this dialog with the Service Providers to help figure out challenges and work through the issues. Has been personally reaching out to every city on the peninsula regarding this issue. Proud to say that Marina is willing to have this conversation. Marina is doing its fair share when it comes to providing shelter space for homeless individuals. Reality is there are still thousands or homeless needing shelter in our community and on the peninsula. We need to figure out a way to bring the cities together to find a path forward.
- Christine Medina-Dirksen – noted that the numbers that your see in the Point of Time Census are not reflective of other factors. Concerned that the Point in Time Count number are inaccurate and have not taken into consideration how many families are doubled and tripled up.

Council Questions: in future can we get a bed number for each shelter in Marina? Is there a law that requires cities to provide or make actions to help the homeless? Is there anything in the works for the vacant parcels on Hayes Circle? For the Tiny Homes-where would they go? What is the land zoned for? Where would the water come from? What is the occupancy to each shelter speaker's beds? \$6.5 million is being allocation for capital projects which would leave \$2.8 million after the work being done in Salinas, correct? Is the VTC and other shelter projects within the footprint of the former Fort Ord? How is the VTC going to secure water? Is it part of the VTC proposal? Does the Whittenmyer Court project have any additional water allocation that is not currently used? Hayes Court Duplexes – would the revamp of those pre-existing duplexes be considered renovation and within the cap of homes allowed on the former Fort Ord? Tiny Homes – these would be considered new homes within the Base Reuse Plan and Master Resolution and would we have to find where we could secure an entitlement from FORA for an additional 10-homes, correct? Would prevailing wage apply to the construction of

the Tiny Homes for the prisoners doing the construction? Is the FORA CFD applicable for Tiny Homes? How are you defining “sheltered”? Is it a bed, a single room for one person or a gym with 20-beds? What other jurisdictions have you approached in the county relating to the possibility of Tiny Homes? Are there limitations/restrictions on rent for Tiny Homes? Has there been a study on the effect on the market values of other residences in situations where there are homeless shelters? How do you explain to a person who may be concerned about having a homeless shelter in their neighborhood? What project properties does the Community Homeless Solutions operate or own in Marina?

Possible next steps: discuss at the Council retreat; letters of support for those applying for HEAP funding that do not require Zoning Text and Zoning Map amendments; Hayes Circle Duplexes;

- b. City Council consider adopting **Resolution No. 2019-15**, ordering the City Engineer to prepare and to file a report related to maintenance of the Cypress Cove II Landscape Maintenance Assessment District for Fiscal Year 2019-2020. *Pulled by public, was agenda item 8f(1).*

Mike Owen asked if the all the Landscape Maintenance Districts should have gone to the Public Works Commission for review. Commented that each year staff contacts him to ask if the landscapers are doing their jobs correctly and showing up when they’re supposed to. Wanted to know if staff charges the district for making these phone calls and or sending out emails to him with these same questions. Would like to see more citizen/resident participation in guiding the landscaping.

Council Questions: can staff clarify the opportunities the public has on the Landscape Maintenance Districts? So, this is one of the times the residents can come and speak or send us emails on what they want to see done? Do these go through the Public Works Commission? Tonight’s action is to direct the city engineer to prepare to file a report, correct? Is the engineer’s time spent on preparing the report charged as Administrative cost to each of the districts? In the past we’ve had people here challenging if the Districts are being charged adequate or inadequate funds to cover the cost of the work the residents want to have done, correct? If sent to the Public Works Commission that would entail staff to prepare and agenda item, time and expense of holding a commission hearing would increase the administration cost, correct?

MORTON/URRUTIA: TO ADOPT RESOLUTION NO. 2019-15, ORDERING THE CITY ENGINEER TO PREPARE AND TO FILE A REPORT RELATED TO MAINTENANCE OF THE CYPRESS COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2019-2020; AND A RESOLUTION ORDERING THE CITY ENGINEER TO PREPARE AND FILE A REPORT RELATED TO MAINTENANCE OF THE SEABREEZE LANDSCAPE MAINTENANCE DISTRICT FOR FY 2019-2020. 5-0-0-0 Motion Passes

- c. City Council consider adopting **Resolution No. 2019-16**, ordering the City Engineer to prepare and to file a report related to maintenance of the Monterey Bay Estates Lighting and Landscape Maintenance Assessment District for Fiscal Year 2019-2020. *Pulled by public, was agenda item 8f(2)*

Mayor Pro-Tem Morton recused herself from this item.

URRUTIA/BERKLEY: TO ADOPT RESOLUTION NO. 2019-16, ORDERING THE CITY ENGINEER TO PREPARE AND TO FILE A REPORT RELATED TO MAINTENANCE OF THE MONTEREY BAY ESTATES LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2019-2020. 4-0-0-0 Motion Passes

- d. City Council consider adopting **Resolution No. 2019-17**, ordering the City Engineer to prepare and to file a report related to maintenance of the Seabreeze Landscape Maintenance Assessment District for Fiscal Year 2019-2020. *Pulled by public, was agenda item 8f(3)*

MORTON/URRUTIA: TO ADOPT RESOLUTION NO. 2019-17, ORDERING THE CITY ENGINEER TO PREPARE AND TO FILE A REPORT RELATED TO MAINTENANCE OF THE SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2019-2020. 5-0-0-0 Motion Passes

- e. City Council consider adopting **Resolution No. 2019-18**, receiving and filing City of Marina auditor governance letter (SAS 114), and City auditor management letter of comments (SAS 115) for fiscal year ended June 30, 2018. *Continued from February 5, 2019. Pulled by Council Member O’Connell, was agenda item 8j(1)*

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 9:25 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor