



AGENDA

Tuesday, April 19, 2016

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

VISION STATEMENT

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

MISSION STATEMENT

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

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)

Nancy Amadeo, David W. Brown, Gail Morton, Mayor Pro-Tem/Vice Chair Frank O'Connell, 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 – Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of CA Govt. Code Section 54956.9 – One Case; and initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9 – One Case.”

- b. Conference with Legal Counsel re matters of Existing Litigation (GC§54956.9(d)(1)) two cases – City of Marina v. Barich Business Services (16CV000979)
- c. Labor Negotiations
 - i. Marina Employee Association
 - ii. Marina Management Employees Association
 - iii. Marina Public Safety Officers Association
 - iv. Marina Public Safety Manager’s Association
 - v. Marina Professional Firefighters Association
 - vi. 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

- d. Performance Evaluation, Unrepresented Employee – City Manager
- e. Real Property Negotiations
 - a. Property: City’s Airport Property (APN 031-111-013; -035, -036 and -037)
Negotiating Party: Ramco Enterprises LP
Property Negotiator: City Manager
Terms: All terms and conditions
 - b. Property: County Owned Property along Imjin Road between Intergarrison Road; and between 6th Avenue and Reservation Road; South of Blanco & East of Reservation Road.
Negotiating Party: Director, County of Monterey Resource Agency
Property Negotiator: City Manager
Terms: All terms and conditions

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

- 4. **MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE** (Please stand)
- 5. **SPECIAL PRESENTATIONS:**
 - a **Recreation Announcements**
 - b **Certificate of Adjournment** – Sgt. Allan MacDonald
- 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.*

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: 78388-78509, totaling \$328,062.38
Wire transfers totaling: \$379,656.89

 - b. MINUTES:
 - (1) March 15, 2016, Regular City Council Meeting
 - (2) March 22, 2016, Special Joint City Council and Planning Commission Meeting
 - (3) April 5, 2016, 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. 2016-, delegating authority to the City Manager, or his designee, to “allow, compromise, or settle a claim” governed by the Tort Claims Act, California Government Code Sections 900 *et seq*, which do not exceed \$15,000.00; and, rescind that portion of Resolution No 2003-130, which allows the City Manager to settle claims not exceeding \$1,000.00.

 - (2) City Council consider adopting Resolution No. 2016-, authorizing submission of an application to State of California Department of General Services for City participation in the State and Federal Surplus Property Program, and; authorizing City Manager to execute all forms necessary for application to the State and Federal Surplus Property Program.

g. APPROVAL OF AGREEMENTS:

- (1) City Council consider adopting Resolution No. 2016-, authorizing the Mayor to execute a Maintenance Agreement from the Transportation Agency for Monterey County (TAMC) for a portion of TAMC Right of Way near Engineers Station 307+90 of the Monterey Branch Line Project in furtherance of the City of Marina's Del Monte Blvd. and Beach Rd. Improvement Project, and; authorizing City Manager to Execute an Encroachment Permit on behalf of the City of Marina Subject to final review by the City Attorney.
- (2) City Council consider adopting Resolution No. 2016-, approving a professional services agreement between City of Marina and Tartaglia Engineering, of Atascadero, California, in amount of \$103,383 for preparation of an initial study for adoption of the recently completed airport master plan, and; increasing appropriations in the FY 2015-16 Airport Operating Fund 555 in the amount of \$103,383, and; authorizing Finance Director to make necessary accounting and budgetary entries as, and; authorizing City Manager to execute agreement on behalf of the City, subject to final review and approval by City Attorney.
- (3) City Council consider adopting Resolution No. 2016-, authorizing the City Manager to execute a side letter agreement between the City of Marina and the Marina Public Safety Officers Association, and; authorizing adjustments to City Compensation Plan including adjustments to the salary schedule, medical contributions and other specified terms and conditions of employment specified in the Side Letter, and; authorizing Finance Director to make appropriate accounting and budgetary entries.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) City Council consider adopting Resolution No. 2016-, making available the Development Impact Fee Study in accordance with Marina Municipal Code Chapter 3.26.
- (2) City Council receiving Investment Reports for the City of Marina and City of Marina as Successor Agency to the Marina Redevelopment Agency for months ended January 31, February 28, and March 31, 2016.

k. FUNDING & BUDGET MATTERS:

- (1) City Council consider adopting Resolution No. 2016-, approving Public Works Community Center Restoration Project: authorize the Finance Director to make necessary accounting and budgetary entries.

l. APPROVE ORDINANCES (WAIVE SECOND READING): None

m. APPROVE APPOINTMENTS: None

9. PUBLIC HEARINGS:

- a. City Council open public hearing and consider adopting Resolution No. 2016-, confirming diagram, assessment and ordering levy of \$184.42 for FY 2016-17 assessment for Seabreeze Landscape Maintenance Assessment District, and; Authorize City Clerk to file certified copy of diagram and assessment with Monterey County Auditor-Controller prior to Friday, August 1, 2016.
- b. City Council open public hearing and consider adopting Resolution No. 2016-, confirming diagram, assessment and ordering levy of \$180.78 for FY 2016-17 assessment for Cypress Cove II Landscape Maintenance Assessment District, and; Authorize City Clerk to file certified copy of diagram and assessment with Monterey County Auditor-Controller prior to Friday, August 1, 2016.
- c. City Council open public hearing and consider adopting Resolution No. 2016-, confirming diagram, assessment and ordering levy of \$77.14 for FY 2016-17 assessment for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District, and; authorize City Clerk to file certified copy of diagram and assessment with Monterey County Auditor-Controller prior to Friday, August 1, 2016.

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. 2016-, receiving information regarding Utility Users Tax for the City of Marina and to provide staff with further direction.
- b. City Council consider adopting Resolution No. 2016-, receiving Business License Tax information and provide staff with any further direction in the matter.

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: In memory of Sgt. Allan MacDonald

CERTIFICATION

I, Anita Sharp, Deputy City Clerk, of the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at City Hall and Council Chambers Bulletin Board at 211 Hillcrest Avenue, Monterey County Library Marina Branch at 190 Seaside Circle, City Bulletin Board at the corner of Reservation Road and Del Monte Boulevard on or before 7:00 p.m., Friday, April 15, 2016.

ANITA SHARP, DEPUTY CITY CLERK

City Council, Airport Commission and Redevelopment Agency meetings are recorded on tape and available for public review and listening at the Office of the City Clerk, and kept for a period of 90 days after the formal approval of MINUTES.

City Council meetings may be viewed live on the meeting night and at 12:30 p.m. and 3:00 p.m. on Cable Channel 25 on the Sunday following the Regular City Council meeting date. In addition, Council meetings can be viewed at 6:30 p.m. every Monday, Tuesday and Wednesday. For more information about viewing the Council Meetings on Channel 25, you may contact Access Monterey Peninsula directly at 831-333-1267.

Agenda items and staff reports are public record and are available for public review on the City's website (www.ci.marina.ca.us), at the Monterey County Marina Library Branch at 190 Seaside Circle and at the Office of the City Clerk at 211 Hillcrest Avenue, Marina between the hours of 10:00 a.m. 5:00 p.m., on the Monday preceding the meeting.

Supplemental materials received after the close of the final agenda and through noon on the day of the scheduled meeting will be available for public review at the City Clerk's Office during regular office hours and in a 'Supplemental Binder' at the meeting.

Members of the public may receive the City Council, Airport Commission and Successor Agency of the Former Redevelopment Agency Agenda at a cost of \$55 per year or by providing a self-addressed, stamped envelope to the City Clerk. The Agenda is also available at no cost via email by notifying the City Clerk at marina@ci.marina.ca.us.

*ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. meetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. to request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@ci.marina.ca.us. requests must be made at least **48 hours** in advance of the meeting.*

Upcoming 2016 Meetings of the City Council, Airport Commission, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Community Nonprofit Corporation and Successor Agency of the Former Redevelopment Agency
Regular Meetings: 5:30 p.m. Closed Session;
6:30 p.m. Regular Open Sessions

Tuesday, May 3, 2016
Tuesday, May 17, 2016

****Wednesday, September 7, 2016**
Tuesday, September 20, 2016

Tuesday, June 7, 2016
Tuesday, June 21, 2016

Tuesday, October 4, 2016
Tuesday, October 18, 2016

Tuesday, March 1, 2016
Tuesday, March 15, 2016

Tuesday, November 1, 2016
Tuesday, November 15, 2016

**** Wednesday, July 6, 2016**

Tuesday, December 6, 2016

Tuesday, July 19, 2016

Tuesday, December 20, 2016

*****Wednesday, August 3, 2016**

Tuesday, August 16, 2016

** Regular Meeting rescheduled due to Monday Holiday

*** Regular Meeting rescheduled due to National Night Out Event

NOTE: Regular Meeting dates may be rescheduled by City Council only.

CITY HALL HOLIDAYS
(City Hall Closed)

Memorial Day -----Monday, May 30, 2016
Independence Day (City Offices Closed) -----Monday, July 4, 2016
Labor Day -----Monday, September 5, 2016
Veterans Day -----Friday, November 11, 2016
Thanksgiving Day -----Thursday, November 24, 2016
Thanksgiving Break -----Friday, November 25, 2016
Winter Break -----Friday, December 23, 2016 –Monday, January 2, 2017

2016 COMMISSION DATES

Upcoming 2016 Meetings of Design Review Board
3rd Wednesday of every month. Meetings are held at the Council Chambers at 6:30 P.M.
** = Change in location due to conflict with Council meeting

April 20, 2016	July 20, 2016	October 19, 2016
May 18, 2016	August 17, 2016	November 16, 2016
June 15, 2016	September 21, 2016	December 21, 2016

Upcoming 2016 Meetings of Economic Development Commission
1st Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

May 5, 2016	August 4, 2016	October 6, 2016
June 2, 2016	September 1, 2016	December 1, 2016

Upcoming 2016 Meetings of Planning Commission
2nd and 4th Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

April 28, 2016	July 14, 2016	October 13, 2016
May 12, 2016	July 28, 2016	October 27, 2016
May 26, 2016	August 11, 2016	November 10, 2016
June 9, 2016	August 25, 2016	November 24, 2016 (Cancelled)
June 23, 2016	September 8, 2016	December 8, 2016
	September 22, 2016	December 22, 2016 (Cancelled)

Upcoming 2016 Meetings of Public Works Commission
3rd Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

April 21, 2016
May 19, 2016
June 16, 2102

July 21, 2016
August 18, 2016
September 15, 2016

October 20, 2016
November 17, 2016
December 15, 2016

Upcoming 2016 Meetings of Recreation & Cultural Services Commission
1st Wednesday of every quarter month. Meetings are held at the Council Chambers at 6:30 P.M.

June 1, 2016

September 7, 2016

December 7, 2016

City of Marina

Adjournment in Remembrance

PRESENTED TO THE FAMILY OF

Allan MacDonald

The Marina City Council adjourned the meeting of April 19, 2016 in remembrance of Allan MacDonald. He is dearly missed and cherished by all of us.

PRESENTED BY

Bruce C. Delgado, Mayor

Frank O'Connell, Mayor Pro-Tem

Nancy Amadeo, Council Member

David W. Brown Council Member

Gail Morton, Council Member



Dated this 19th day of April 2016

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AP Check Register 04-08-16

Bank Account: 024 - Accounts Payable ZBA
Batch Date: 04/08/2016

Agenda Item: 8a
City Council Meeting of
April 19, 2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: 024 - Accounts Payable ZBA					
Check	04/08/2016	78388 Accounts Payable	Ace Hardware		28.34
	Invoice		Date	Description	Amount
		058180	03/30/2016	Fasteners & crimper for knox box	28.34
Check	04/08/2016	78389 Accounts Payable	Ace Hardware		44.58
	Invoice		Date	Description	Amount
		058191	03/31/2016	Bldg Maint & Repair	24.52
		058075	03/21/2016	Bldg Maint & Repair	3.79
		058215	04/01/2016	Bldg Maint & Repair	16.27
Check	04/08/2016	78390 Accounts Payable	Aramark Uniform Service		157.20
	Invoice		Date	Description	Amount
		757294963	03/28/2016	Uniform Service - Public Works Crew	42.23
		757294964	03/28/2016	Uniform Service - Public Works Crew	40.52
		757294965	03/28/2016	Uniform Service - Public Works Crew	36.15
		757294966	03/28/2016	Uniform Service - Public Works Crew	38.30
Check	04/08/2016	78391 Accounts Payable	AT & T		1,808.71
	Invoice		Date	Description	Amount
		000007863104	03/27/2016	CALNET3-9391023473 (582-2398)	19.20
		000007863102	03/27/2016	CALNET3-9391023471 (582-0100)	41.17
		000007864457	03/28/2016	CALNET3-9391023457 (384-5140)	18.06
		000007864448	03/28/2016	CALNET3-9391023448 (384-2934)	19.20
		000007864439	03/28/2016	CALNET3-9391023439 (384-0552)	19.29
		000007864465	03/28/2016	CALNET3-9391023463 (384-7854)	19.29
		000007864456	03/28/2016	CALNET3-9391023456 (384-4718)	19.29
		000007864464	03/28/2016	CALNET3-9391023462 (384-7547)	21.73
		000007864455	03/28/2016	CALNET3-9391023455 (384-4262)	38.53
		000007864446	03/28/2016	CALNET3-9391023446 (384-2721)	828.77
		000007864437	03/28/2016	CALNET3-9391023437 (384-0425)	17.47
		000007864472	03/28/2016	CALNET3--9391023470 (384-9682)	17.41
		000007864463	03/28/2016	CALNET3-9391023461 (384-7238)	19.29
		000007864471	03/28/2016	CALNET3-9391023469 (384-9337)	19.29
		000007864444	03/28/2016	CALNET3-9391023444 (384-2083)	36.53

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AP Check Register 04-08-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		000007864470	03/28/2016	CALNET3-9391023468 (384-9148)	19.47
		000007864452	03/28/2016	CALNET3-9391023452 (384-3717)	19.16
		000007864443	03/28/2016	CALNET3-9391023443 (384-2081)	36.53
		000007864469	03/28/2016	CALNET3-9391023467 (384-8760)	17.41
		000007864451	03/28/2016	CALNET3-9391023451 (384-3715)	38.19
		000007864442	03/28/2016	CALNET3-9391023442 (384-1702)	19.20
		000007864468	03/28/2016	CALNET3-9391023466 (384-8477)	36.71
		000007864459	03/28/2016	CALNET3-9391023459 (384-5225)	103.75
		000007864441	03/28/2016	CALNET3-9391023441 (384-0888)	55.24
		000007864458	03/28/2016	CALNET3-9391023458 (384-5222)	41.53
		000007864449	03/28/2016	CALNET3-9391023449 (384-2967)	21.27
		0000007864440	03/28/2016	CALNET3-9391023440 (384-0860)	19.43
		000007863108	03/27/2016	CALNET3-9391023477 (582-9803)	19.20
		000007863107	03/27/2016	CALNET3-9391023476 (582-9611)	19.29
		000007863106	03/28/2016	CALNET3-9391023475 (582-9032)	19.29
		000007864460	03/28/2016	CALNET3-9391023460 (384-6009)	168.52
Check	04/08/2016	78392 Accounts Payable	Bogner Sheet Metal		1,504.21
	Invoice		Date	Description	Amount
		11480	03/21/2016	Bldg Maint & Repair - HVAC	1,504.21
Check	04/08/2016	78393 Accounts Payable	Branch's Janitorial		2,059.47
	Invoice		Date	Description	Amount
		225685	03/23/2016	March Bill	2,059.47
Check	04/08/2016	78394 Accounts Payable	California Department of Transportation		9,452.00
	Invoice		Date	Description	Amount
		08-27-15 Mat	08/27/2015	State Furnished Materials (#304 - State Route 1)	6,500.00
		08-27-15 FEE	08/27/2015	Inspection/Permit Fee for Encroachment Permit App (SR1)	2,952.00
Check	04/08/2016	78395 Accounts Payable	Code Publishing Inc.		504.90
	Invoice		Date	Description	Amount
		52552	03/22/2016	Municipal Code Update	504.90
Check	04/08/2016	78396 Accounts Payable	Collins Electric Co.		836.00
	Invoice		Date	Description	Amount

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AP Check Register 04-08-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		90142	03/02/2016	Trouble Shoot Runway/Taxiway Lighting	836.00
Check	04/08/2016	78397 Accounts Payable	CSG Consultants		8,100.16
		Invoice	Date	Description	Amount
		5810	03/01/2016	Traffic Circulation - Negri Casual Fast Food	950.00
		B1520	10/09/2015	Archiving DSD Office Projects	7,150.16
Check	04/08/2016	78398 Accounts Payable	Farmer Brothers Co.		47.32
		Invoice	Date	Description	Amount
		63403371 SO	03/24/2016	Coffee Supplies	47.32
Check	04/08/2016	78399 Accounts Payable	Ferguson Enterprise, Inc. # 1423		8.33
		Invoice	Date	Description	Amount
		4671879	03/24/2016	Bldg Maint & Repar	8.33
Check	04/08/2016	78400 Accounts Payable	First Alarm		983.13
		Invoice	Date	Description	Amount
		911428	03/15/2016	Alarm System Monitor	244.23
		911429	03/15/2016	Alarm System Monitor	331.02
		908328	03/15/2016	209 Cypress Fire Alarm Monitoring	177.00
		911416	03/15/2016	211 Hillcrest Ave - Council Chambers Alarm Monitoring	109.26
		911417	03/15/2016	209 Cypress Ave - Burglar Alarm Monitoring	121.62
Check	04/08/2016	78401 Accounts Payable	Goldfarb & Lipman		78.00
		Invoice	Date	Description	Amount
		118494	02/18/2016	Review Planning Commission Bias - Negri project	78.00
Check	04/08/2016	78402 Accounts Payable	Green Waste Recovery, Inc.		4,999.58
		Invoice	Date	Description	Amount
		0001986095	03/01/2016	Rental of Dumpsters for B527 Demolition	4,999.58
Check	04/08/2016	78403 Accounts Payable	Hub International Insurance Services		107.40
		Invoice	Date	Description	Amount
		03-31-16	03/31/2016	Rental Insurance Preimums	107.40
Check	04/08/2016	78404 Accounts Payable	L.N. Curtis & Sons		924.25
		Invoice	Date	Description	Amount

AP Check Register 04-08-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		1377231-00	03/26/2016	Posichek Annual Service	924.25
Check	04/08/2016	78405 Accounts Payable	LSA Associates, Inc.		6,640.00
		Invoice	Date	Description	Amount
		144327	03/22/2016	Airport Business Park Specific Plan	6,640.00
Check	04/08/2016	78406 Accounts Payable	Marina Coast Water District		355.91
		Invoice	Date	Description	Amount
		000056025 032516	03/25/2016	000056 025 - 327 Reindollar,LA Sports Comp (02/20/16 - 03/25/16)	50.95
		000056005 032516	03/25/2016	000056 005 - Calif and Patton (02/20/16 - 03/25/16)	90.67
		000056026 032516	03/25/2016	000056 026 - ROW Barrett Lane (02/20/16 - 03/25/16)	23.46
		000056027 032516	03/25/2016	000056 027 - Center Median & ROW Calif Ave (02/20/16 - 03/25/16)	100.16
		000056007 032516	03/25/2016	000056 007 California Ave Landscape (02/20/16 - 03/25/16)	90.67
Check	04/08/2016	78407 Accounts Payable	Marina Grocery Outlet		2,411.67
		Invoice	Date	Description	Amount
		01-06-16 sc	01/06/2016	Purchases for Jan & Feb 2016	33.31
		01-08-16 sc	01/08/2016	Purchases for Jan & Feb 2016	156.75
		01-11-16 sc	01/11/2016	Purchases for Jan & Feb 2016	25.98
		01-14-16 sc	01/14/2016	Purchases for Jan & Feb 2016	31.29
		01-19-16 sc	01/19/2016	Purchases for Jan & Feb 2016	20.74
		01-20-16 sc	01/20/2016	Purchases for Jan & Feb 2016	27.46
		01-28-16 sc	01/28/2016	Purchases for Jan & Feb 2016	31.78
		02-03-16 sc	02/03/2016	Purchases for Jan & Feb 2016	124.85
		02-05-16 sc	02/05/2016	Purchases for Jan & Feb 2016	115.21
		02-08-16 sc	02/08/2016	Purchases for Jan & Feb 2016	40.74
		02-12-16 sc	02/12/2016	Purchases for Jan & Feb 2016	116.75
		02-15-16 sc	02/15/2016	Purchases for Jan & Feb 2016	74.76
		02-16-16 sc	02/16/2016	Purchases for Jan & Feb 2016	37.98
		02-18-16 sc	02/18/2016	Purchases for Jan & Feb 2016	75.75
		02-19-16 sc	02/19/2016	Purchases for Jan & Feb 2016	47.58
		02-24-16 sc	02/24/2016	Purchases for Jan & Feb 2016	13.54
		03-01-16 sc	03/01/2016	Senior Purchases for Mar 2016	45.77
		03-01-16 sc 2	03/01/2016	Senior Purchases for Mar 2016	157.03
		03-02-16 sc	03/02/2016	Senior Purchases for Mar 2016	69.81
		03-04-16 sc	03/04/2016	Senior Purchases for Mar 2016	77.84

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AP Check Register 04-08-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	03-09-16	sc	03/09/2016	Senior Purchases for Mar 2016	82.96
	03-10-16	sc	03/10/2016	Senior Purchases for Mar 2016	32.94
	03-15-16	sc	03/15/2016	Senior Purchases for Mar 2016	70.10
	03-16-16	sc	03/16/2016	Senior Purchases for Mar 2016	9.67
	03-17-16	sc	03/17/2016	Senior Purchases for Mar 2016	130.81
	03-18-16	sc	03/18/2016	Senior Purchases for Mar 2016	59.78
	03-22-16	sc	03/22/2016	Senior Purchases for Mar 2016	11.66
	03-11-16	con	03/11/2016	Purchases for Mar 2016	92.70
	03-18-16	con	03/18/2016	Purchases for Mar 2016	172.89
	03-18-16	con 2	03/18/2016	Purchases for Mar 2016	14.07
	03-30-16	con	03/30/2016	Purchases for Mar 2016	164.17
	03-02-16	se	03/02/2016	Purchases for Mar 2016	44.15
	03-01-16	sp	03/01/2016	Purchases for Mar 2016	92.03
	03-15-16	yc	03/15/2016	Purchases for Mar 2016	55.54
	03-17-16	yc	03/17/2019	Purchases for Mar 2016	39.21
	03-30-16	yc	03/30/2016	Purchases for Mar 2016	14.07
Check	04/08/2016	78408 Accounts Payable	Marina Rotary		250.00
	Invoice		Date	Description	Amount
	03-25-16	vd	03/25/2016	Weekend Rentals	250.00
Check	04/08/2016	78409 Accounts Payable	Marina Village Restaurant		102.37
	Invoice		Date	Description	Amount
	88242		02/15/2016	Presidents Day Flag Posting	102.37
Check	04/08/2016	78410 Accounts Payable	Maynard Group Inc.		1,263.23
	Invoice		Date	Description	Amount
	QTP27024c/o		03/23/2016	Intellinet-Power Over Ethernet Injector 3/23/16	46.58
	QTP26749c/o		03/23/2016	IPO R9 3rd Party IP ENDPT 1 ADI License Only 3/23/16	193.90
	QTP27070c/o		03/23/2016	Graybar-General Cable 25pr OSP & labor 3/23/16	1,022.75
Check	04/08/2016	78411 Accounts Payable	Monterey Auto Supply		36.20
	Invoice		Date	Description	Amount
	411334		03/28/2016	Veh - Maint Parts & Supply	20.68
	411386		03/28/2016	Veh - Maint Parts & Supply	15.52
Check	04/08/2016	78412 Accounts Payable	Monterey County Herald		512.99

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		Invoice	Date	Description	Amount
		0005650610	03/15/2016	Cabling: IT STablization (01/11/16 - 01/14/6)	512.99
Check	04/08/2016	78413 Accounts Payable	Monterey County Information Technology		1,675.75
		Invoice	Date	Description	Amount
		03-31-16	03/31/2016	Network User Access & Radio Maint February 2016	1,500.75
		04-05-16 FD	03/31/2016	Network Users Access - February 2016	175.00
Check	04/08/2016	78414 Accounts Payable	Monterey County Mayors Association		1,100.00
		Invoice	Date	Description	Amount
		2016 215	03/09/2016	2016 Annual Membership	1,100.00
Check	04/08/2016	78415 Accounts Payable	Monterey County Petroleum		1,022.96
		Invoice	Date	Description	Amount
		292003	03/29/2016	Diesel Fuel (550 gal)	1,022.96
Check	04/08/2016	78416 Accounts Payable	Monterey Peninsula Chamber of Commerce		336.00
		Invoice	Date	Description	Amount
		16289	03/01/2016	2016-2017 Membership	336.00
Check	04/08/2016	78417 Accounts Payable	MRWPCA		294.30
		Invoice	Date	Description	Amount
		13-000893 033116	03/31/2016	13-000893 - 100 12th Street (03/01/16- 04/30/16)	294.30
Check	04/08/2016	78418 Accounts Payable	New Image Landscape Co.		1,735.00
		Invoice	Date	Description	Amount
		114219	03/31/2016	Landscaping	1,735.00
Check	04/08/2016	78419 Accounts Payable	Nextel Communications		358.05
		Invoice	Date	Description	Amount
		03-22-16	03/22/2016	Feb 19th - March 18th, 2016	358.05
Check	04/08/2016	78420 Accounts Payable	Office Depot		182.33
		Invoice	Date	Description	Amount
		829209430001	03/21/2016	Office Supplies	148.50
		829687056001	03/11/2016	Office Supplies	33.83

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	04/08/2016	78421 Accounts Payable	Office Depot		113.88
	Invoice	Date	Description		Amount
	1916198687	03/18/2016	Office supplies - black cartridge for Sweeney - (SCBA) and paper		113.88
Check	04/08/2016	78422 Accounts Payable	Pacific Gas & Electric		5,482.31
	Invoice	Date	Description		Amount
	533-8.MAR16	03/18/2016	PG&E - 2253666533-8		103.72
	313-6.MAR16	03/28/2016	PG&E 6793435313-6		5,378.59
Check	04/08/2016	78423 Accounts Payable	Pacific Products & Services		1,512.08
	Invoice	Date	Description		Amount
	20528	03/18/2016	Street Materials & Supply		1,512.08
Check	04/08/2016	78424 Accounts Payable	Pitney Bowes		1,064.19
	Invoice	Date	Description		Amount
	3814373-MR16	03/13/2016	Postage Meter Lease - March 2016		1,064.19
Check	04/08/2016	78425 Accounts Payable	PVP Communications, Inc.		1,795.40
	Invoice	Date	Description		Amount
	22581	12/18/2015	Motor Helmet and Communication Components		1,795.40
Check	04/08/2016	78426 Accounts Payable	Rachelle Reyes		250.00
	Invoice	Date	Description		Amount
	04-02-16 vd	04/02/2016	Weekend Rentals		250.00
Check	04/08/2016	78427 Accounts Payable	Redshift		7.85
	Invoice	Date	Description		Amount
	1721107-8	03/01/2016	DNS Hosting/Domain Registration		7.85
Check	04/08/2016	78428 Accounts Payable	Richard B. Standridge		3,000.00
	Invoice	Date	Description		Amount
	16-07	03/31/2016	Service 03-21/03-31-16		3,000.00
Check	04/08/2016	78429 Accounts Payable	Rincon Consultants, Inc.		2,498.43
	Invoice	Date	Description		Amount
	25750	02/28/2016	Marina Beach Townhomes meeting prep		2,498.43
Check	04/08/2016	78430 Accounts Payable	Robert R. Wellington		32,656.00

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	23385		03/08/2016	AMCAL - November 2015	1,496.00
	23386		03/08/2016	Choates Lawsuit - Novmeber 2015	1,163.00
	23388		03/08/2016	Retainer - January 2016	1,800.00
	23390		03/08/2016	Land Use & Operations - November 2015	4,373.00
	23391		03/08/2016	Misc Litigation Matters - November 2015	90.00
	23393		03/08/2016	Police Personnel Matters - November 2015	36.00
	23394		03/08/2016	Preston Park Litigation - November 2015	978.00
	23395		03/08/2016	Public Records Act Requests - November 2015	479.00
	23396		03/08/2016	Recreation Matters - November 2015	108.00
	23397		03/08/2016	Tax & Finance Matters - Novmeber 2015	105.00
	23398		03/08/2016	University Villages - Permits - November 2015	601.00
	23384		03/08/2016	Airport Legal Services	187.00
	23425		03/28/2016	Retainer - February 2016	1,800.00
	23436		03/28/2016	Tax & Finance Matters - December 2015	301.00
	23435		03/28/2016	Recreation Matters - December 2015	45.00
	23434		03/28/2016	PRA Matters - December 2015	85.00
	23432		03/28/2016	Police Personnel Matters - December 2015	144.00
	23428		03/28/2016	Misc Litigation Matters - December 2015	468.00
	23427		03/28/2016	Abrams Park Housing-Marina Heights - December 2015	348.00
	23424		03/28/2016	Fort Ord Reuse Matters - December 2015	48.00
	23423		03/28/2016	Code Enforcement Matters - December 2015	189.00
	23421		03/28/2016	AMCAL Matters - December 2015	1,236.00
	23422		03/28/2016	Choates Lawsuit - December 2015	1,569.00
	23426		03/28/2016	Land Use & Operations	3,043.00
	23433		03/28/2016	Preston Park Litigation - December 2015	754.00
	23431		03/28/2016	Misc Personnel Matters - December 2015	1,000.00
	23392		03/08/2016	Misc Personnel Matters - November 2015	1,422.00
	23430		03/28/2016	Dunes Casual Fast Food Project - Negri	99.00
	23452		03/31/2016	Dunes Casual Fast Food - Negri City Attorney	8,689.00
Check	04/08/2016	78431 Accounts Payable		Sierra Springs & Alhambra	80.28
	Invoice		Date	Description	Amount
	03-25-16		03/25/2016	Water Cooler Rental and Replacement Water	64.10
	14225799031316		03/13/2016	CDD - Sierra Spring - Water Svc	16.18

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	04/08/2016	78432 Accounts Payable	Syn-Tech Systems, Inc.		495.00
	Invoice	Date	Description		Amount
		124291	03/17/2016	Annual Maintenance Service	495.00
Check	04/08/2016	78433 Accounts Payable	TargetSolutions		1,690.00
	Invoice	Date	Description		Amount
		INV00000012859	04/01/2016	Online Training - Annual Maintenance Fees	1,690.00
Check	04/08/2016	78434 Accounts Payable	Usbankcorp - Equipment Finace Service		343.54
	Invoice	Date	Description		Amount
		301101804	03/25/2016	Copier Lease - Bizhub 951	343.54
Check	04/08/2016	78435 Accounts Payable	Vapor Cleaners, Inc.		139.00
	Invoice	Date	Description		Amount
		266855	03/31/2016	Turnout Drycleaning for Sweeney	139.00
Check	04/08/2016	78436 Accounts Payable	Verizon Wireless		314.36
	Invoice	Date	Description		Amount
		9762355610	03/18/2016	CDD Cell Phones (02/19/16 03/18//16)	314.36
Check	04/08/2016	78437 Accounts Payable	Veronica Tam & Associates		2,884.00
	Invoice	Date	Description		Amount
		2136	03/10/2016	Housing Element	2,884.00
Check	04/08/2016	78438 Accounts Payable	Rabobank Visa Card Cardmember Service		291.12
	Invoice	Date	Description		Amount
		03-25-16	03/25/2016	VISA STATEMENT - March 2016	291.12
Check	04/08/2016	78439 Accounts Payable	Rabobank Visa Card Cardmember Service		859.09
	Invoice	Date	Description		Amount
		03-25-16	03/25/2016	Visa-Filice 03/25/16	859.09
Check	04/08/2016	78440 Accounts Payable	Rabobank Visa Card Cardmember Service		984.32
	Invoice	Date	Description		Amount
		03-25-16	03/25/2016	02-26-16 to 03-25-16	984.32
Check	04/08/2016	78441 Accounts Payable	Rabobank Visa Card Cardmember Service		3,439.01

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/08/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	03-25-16		03/25/2016	Visa-Police Dept. 3/25/16	3,439.01
Check	04/08/2016	78442 Accounts Payable		Rabobank Visa Card Cardmember Service	3,108.59
	Invoice		Date	Description	Amount
	03-25-16		04/04/2016	Visa - Comm Dev Dept (Stmt 03/25/16)	3,108.59
Check	04/08/2016	78443 Accounts Payable		Rabobank Visa Card Cardmember Service	2,057.21
	Invoice		Date	Description	Amount
	03-25-16		03/25/2016	VISA March Statement 2016	2,057.21
Check	04/08/2016	78444 Accounts Payable		Rabobank Visa Card Cardmember Service	15.17
	Invoice		Date	Description	Amount
	03-25-16		03/25/2016	DSD VISA - March 2016	15.17
Check	04/08/2016	78445 Accounts Payable		West-Lite Supply	112.68
	Invoice		Date	Description	Amount
	59318H		03/18/2016	Bldg Maint & Repair	112.68
024 Accounts Payable ZBA Totals:			Transactions: 58		\$115,113.85
	Checks:	58		\$115,113.85	

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: 024 - Accounts Payable ZBA					
Check	04/15/2016	78446 Accounts Payable	Abbott's Pro-Power		86.32
	Invoice	Date	Description		Amount
	90683	03/29/2016	Latch & in/out		86.32
Check	04/15/2016	78447 Accounts Payable	Ace Hardware		31.48
	Invoice	Date	Description		Amount
	058169	03/29/2016	Community Center Play Ground Project		29.31
	058259	04/06/2016	Fasteners		2.17
	058197	03/31/2016	Maint & Repair		14.12
	058198	03/31/2016	Maint & Repair		(14.12)
Check	04/15/2016	78448 Accounts Payable	Ace High Designs Inc.		91.56
	Invoice	Date	Description		Amount
	9272	01/11/2016	VIPS-Shirt J.Flores 1/11/16		45.78
	9300	01/12/2016	VIPS-Shirt K.Dow 1/12/16		45.78
Check	04/15/2016	78449 Accounts Payable	Advantage Auto Repair		186.00
	Invoice	Date	Description		Amount
	103675	03/30/2016	Veh - Maint & Repair		186.00
Check	04/15/2016	78450 Accounts Payable	American Floors		3,460.12
	Invoice	Date	Description		Amount
	14044	03/22/2016	Bldg Maint & Repair		3,460.12
Check	04/15/2016	78451 Accounts Payable	American Supply Co.		577.23
	Invoice	Date	Description		Amount
	2720777	04/06/2016	Cleaning Supplies		577.23
Check	04/15/2016	78452 Accounts Payable	Aramark Uniform Service		677.52
	Invoice	Date	Description		Amount
	757306698	04/04/2016	Uniform Service - Public Works Crew		38.30
	757306697	04/04/2016	Uniform Service - Public Works Crew		36.15
	757306695	04/04/2016	Uniform Service - Public Works Crew		42.23
	757306696	04/04/2016	Uniform Service - Public Works Crew		40.52
	000757155119	01/04/2016	Uniform Service - Public Works Crew		36.15

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	03-21-16		03/21/2016	2017 Annual Volunteer Insurance Membership	581.80
Check	04/15/2016	78459 Accounts Payable	Cintas Corporation		58.04
	Invoice		Date	Description	Amount
	630848972		04/04/2016	Mat Service-Police/Fire 4/4/16	58.04
Check	04/15/2016	78460 Accounts Payable	City Of Salinas		9,300.00
	Invoice		Date	Description	Amount
	2016-00000016		04/01/2016	Animal Sheltering-April-June 2016 Quarter 4/1/16	9,300.00
Check	04/15/2016	78461 Accounts Payable	Commercial Environment Landscape		2,500.00
	Invoice		Date	Description	Amount
	2796-0416		04/01/2016	Airport Landscape Maintenance Service	2,500.00
Check	04/15/2016	78462 Accounts Payable	Consolidated Electrical Distributors, Inc.		60.79
	Invoice		Date	Description	Amount
	4914-547282		02/02/2016	Airport Lighting - Replacement Parts	60.79
Check	04/15/2016	78463 Accounts Payable	CSG Consultants		67,859.00
	Invoice		Date	Description	Amount
	6448		03/25/2016	Code Enforcement (01/30/16 - 02/26/16)	3,434.00
	6404		03/25/2016	Permits/Dev (01/30/16 - 02/26/16)	8,607.50
	6402		03/25/2016	MCWD - Engineering (01/30/16 - 02/26/16)	1,020.00
	6403		03/25/2016	RWQCB - Eng Svc (01/30/16 - 02/26/16)	997.50
	6405		03/25/2016	Staff Augmentation (01/30/16 - 02/26/16)	7,910.00
	6406		03/25/2016	Eng Svc -TAMC (01/30/16 - 02/26/16)	105.00
	6393		03/25/2016	FAE - V1 - VA Clinic (01/30/16 - 02/26/16)	2,480.00
	6395		03/25/2016	Permits/Dev(01/30/16 - 02/26/16) Maina Heights	3,132.50
	6400		03/25/2016	CSG - FAE M5 Spring Hill Marriott (01/30/16 - 02/26/16)	340.00
	6398		03/25/2016	FAE- B1 Imjin Office Park (01/30/16 - 02/26/16)	890.00
	6396		03/25/2016	FAE - DU2 - 1C Dunes Phase 2 (01/30/16 - 02/26/16)	472.50
	6397		03/25/2016	CSG - FAE M6 - Medical Office Bldg (01/30/16 - 02/26/16)	660.00
	6323		03/25/2016	Building Inspection (01/30/16 - 02/26/16)	14,387.50
	6401		03/25/2016	FAE S1 - 9th St. Improvement (01/30/16 - 02/26/16)	7,182.50
	6388		03/25/2016	Imjin Microsurfacing R46C (01/30/16 - 02/26/16)	880.00
	6391		03/25/2016	Imjin/SR1 Signalization (01/30/16 - 02/26/16)	105.00

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Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		6387	03/25/2016	CIP - Admin Engineering (01/30/16 - 02/26/16)	945.00
		6389	03/25/2016	Imjin PKWY Widening R46B (01/30/16 - 02/26/16)	630.00
		6384	03/25/2016	CSG - Monterey Bay Est LMD (01/30/16 - 02/26/16)	210.00
		6382	03/25/2016	Seabreeze LMD (01/30/16 - 02/26/16)	210.00
		6385	03/25/2016	Cypress Cove LMD Eng Svc (01/30/16 - 02/26/16)	485.00
		6436	03/25/2016	Permits/Dev (01/30/16 - 02/26/16)	4,200.00
		6386	03/25/2016	Reservation Rd- Seacrest to De Forest R74B (01/30/16 - 02/26/16)	990.00
		6383	03/25/2016	CSG - Locke Paddon CFD (01/30/16 - 02/26/16)	157.50
		6390	03/25/2016	Del Monte/Beach Signalization (01/30/16 - 02/26/16)	3,147.50
		6392	03/25/2016	FAE- B1 Imjin Office Park (01/30/16 - 02/26/16)	3,620.00
		6394	03/25/2016	FAE Eng Svc -DU3 - 1C Phase 3 (01/30/16 - 02/26/16)	660.00
Check	04/15/2016	78464 Accounts Payable	Directv		5.00
		Invoice	Date	Description	Amount
		28156309905	03/26/2016	TV Service_Airport Pilot's Lounge	5.00
Check	04/15/2016	78465 Accounts Payable	Emergency Vehicle Specialists		524.00
		Invoice	Date	Description	Amount
		5271	03/28/2016	Mobile Data Antenna	422.98
		5310	04/06/2016	Gun lock unit 897	50.51
		5316	04/07/2016	Gun Lock Unit 896	50.51
Check	04/15/2016	78466 Accounts Payable	Enterprise Rent-A-Car - EAN Services, LLC		493.68
		Invoice	Date	Description	Amount
		9015810	03/31/2016	Rental for training	493.68
Check	04/15/2016	78467 Accounts Payable	Epic Aviation		14,663.83
		Invoice	Date	Description	Amount
		6836002	03/21/2016	Airport_Jet A Fuel Purchase	14,663.83
Check	04/15/2016	78468 Accounts Payable	Ferguson Enterprise, Inc. # 1423		234.86
		Invoice	Date	Description	Amount
		4414181	10/15/2015	Waterfree urinal rep cart	234.86
Check	04/15/2016	78469 Accounts Payable	First Alarm		411.15
		Invoice	Date	Description	Amount

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	908330		03/15/2016	Fire & Burglar Alarm Svc - CDD (04/01/16 - 06/30/16)	309.00
	908329		03/15/2016	Fire Alarm System Monitoring_B524	102.15
Check	04/15/2016	78470 Accounts Payable	Gavilan Pest Control		1,225.00
	Invoice		Date	Description	Amount
	0097452		03/31/2016	Airport Pest Control Services, B504	75.00
	0097451		03/31/2016	Airport Airfield Pest Control Services	1,150.00
Check	04/15/2016	78471 Accounts Payable	GCS Environmental Equipment Services		662.88
	Invoice		Date	Description	Amount
	13360		03/31/2016	Street Material & Repair	662.88
Check	04/15/2016	78472 Accounts Payable	George T. Powell		950.00
	Invoice		Date	Description	Amount
	04012016		04/01/2016	Shared Parking-Police/Fire 4/1/16	950.00
Check	04/15/2016	78473 Accounts Payable	Goldfarb & Lipman		8,774.61
	Invoice		Date	Description	Amount
	118261		01/25/2016	Marina Heights - December 2015	3,396.75
	118262		01/25/2016	The Dunes - Cinemark - December 2015	156.00
	118492		02/18/2016	Successor Agency - General - January 2016	442.00
	118493		02/18/2016	Marina Heights - January 2016	468.00
	118751		03/17/2016	Preston Park - February 2016	73.86
	118749		03/17/2016	Marina Heights - February 2016	3,978.00
	118750		03/17/2016	The Dunes - February 2016	260.00
Check	04/15/2016	78474 Accounts Payable	Home Depot Credit Service		196.71
	Invoice		Date	Description	Amount
	03-29-16		03/29/2016	Community Center Play Ground Project	196.71
Check	04/15/2016	78475 Accounts Payable	Hydro Turf		32.19
	Invoice		Date	Description	Amount
	11658573		03/25/2016	15" Curved saw	32.19
Check	04/15/2016	78476 Accounts Payable	Interact Public Safety Systems/Colossus		2,555.39
	Invoice		Date	Description	Amount
	MN0000003885		12/25/2015	Annual Maintenance-16 Mobile Cop 2/2016 - 1/2017	2,555.39

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Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	04/15/2016	78477 Accounts Payable	Lakeside Nursery		111.89
	Invoice	Date	Description		Amount
		17668	04/01/2016	Planting Mix	111.89
Check	04/15/2016	78478 Accounts Payable	Liebert Cassidy Whitmore		8,338.50
	Invoice	Date	Description		Amount
		1417660	02/29/2016	LCW - Case# MA130-00029	8,338.50
Check	04/15/2016	78479 Accounts Payable	Mandell M. Counseling		52.00
	Invoice	Date	Description		Amount
		03-31-16	03/31/2016	Revenue Advice - March 2016	52.00
Check	04/15/2016	78480 Accounts Payable	Mar-Ken International K-9 Training Center		9,000.00
	Invoice	Date	Description		Amount
		0266-15	08/06/2015	K-9 Enzo & 10 week certification course 8/6/15	9,000.00
Check	04/15/2016	78481 Accounts Payable	Marina Backflow Co.		540.00
	Invoice	Date	Description		Amount
		4190	04/11/2016	Backflow Test - CW	540.00
Check	04/15/2016	78482 Accounts Payable	Marina Coast Water District		1,030.33
	Invoice	Date	Description		Amount
		00056028 033116	03/31/2016	000056 028 - ROW Calif Ave and Jerry (03/01/26 - 03/31/16)	54.96
		000056006 033116	03/31/2016	000056 006 188 Seaside Cir (03/01/26 - 03/31/16)	34.00
		000056088 033116	03/31/2016	000056 088 - Marina Backflow Accts (03/01/26 - 03/31/16)	765.00
		000056040 033116	03/31/2016	000056 040 - Center Median Hilo Ave (03/01/26 - 03/31/16)	21.07
		000056042 033116	03/31/2016	000056 042 - 3040 Lake Dr, Animal Shelter (03/01/26 - 03/31/16)	89.27
		000056061 033116	03/31/2016	000056 061 - Seaside and Reservation (03/01/26 - 03/31/16)	66.03
Check	04/15/2016	78483 Accounts Payable	Maynard Group Inc.		919.88
	Invoice	Date	Description		Amount
		P226665	04/01/2016	Platinum Service Maintenance 4/1/16	919.88
Check	04/15/2016	78484 Accounts Payable	Monterey Chapter International Code Council		250.00
	Invoice	Date	Description		Amount
		2016	04/05/2016	Membership Renewal - Dan Paolini	250.00

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AP Check Register 04-15-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	04/15/2016	78485 Accounts Payable	Monterey Auto Supply		264.88
	Invoice		Date	Description	Amount
		411807	03/30/2016	Veh - Maint Parts & Supply	119.15
		411648	03/29/2016	Veh - Maint Parts & Supply	35.11
		411690	03/29/2016	Veh - Maint Parts & Supply	31.48
		411682	03/29/2016	Veh - Maint Parts & Supply	(244.34)
		413357	04/07/2016	Veh - Maint Parts & Supply	90.85
		413219	04/06/2016	Veh - Maint Parts & Supply	88.87
		413364	04/07/2016	Veh - Maint Parts & Supply	82.07
		412974	04/05/2016	Veh - Maint Parts & Supply	24.51
		413643	04/08/2016	Veh - Maint Parts & Supply	37.18
Check	04/15/2016	78486 Accounts Payable	Monterey Bay Chrysler Jeep Dodge Ram		31.35
	Invoice		Date	Description	Amount
		202958CHR	03/23/2016	Veh - Maint & Repair	31.35
Check	04/15/2016	78487 Accounts Payable	Monterey Bay Technologies		4,830.00
	Invoice		Date	Description	Amount
		165020	03/15/2016	Services 11-03-15/02-23-16	4,830.00
Check	04/15/2016	78488 Accounts Payable	Monterey County Petroleum		3,094.79
	Invoice		Date	Description	Amount
		292368	04/08/2016	Oil	739.57
		292004	03/29/2016	Unleaded Fuel (1000 gal)	2,355.22
Check	04/15/2016	78489 Accounts Payable	Monterey County Probation - Dept. Finance		21,974.65
	Invoice		Date	Description	Amount
		10-23-15	10/23/2015	1stQuarter FY2016 PPE09-18-2015	21,974.65
Check	04/15/2016	78490 Accounts Payable	Monterey County Treasurer		4,162.83
	Invoice		Date	Description	Amount
		1	04/11/2016	City of Marina/Edwards Abandoned Property Proceeds	4,162.83
Check	04/15/2016	78491 Accounts Payable	Monterey Tire Service		547.34
	Invoice		Date	Description	Amount
		1 - 70374	02/26/2016	CW - Tires	370.11

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AP Check Register 04-15-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		1 - 70987	04/06/2016	CW - Tires	177.23
Check	04/15/2016	78492 Accounts Payable	MRWPCA		363.40
		Invoice	Date	Description	Amount
		12-001627 033116	03/31/2016	12-001627 -211 Hillcrest Ave (03/01/16 - 04/30/16)	83.20
		12-001708 033116	03/31/2016	12-001708 - 304 Hillcrest Ave (03/01/16 - 04/30/16)	20.80
		12-003245 033116	03/31/2016	12-003245 - 0 Cardoza Ave-Abdy Way (03/01/16 - 04/30/16)	20.80
		12-003451 033116	03/31/2016	12-003451 - 0 Seaside Ave & Reservation Rd (03/01/16 - 04/30/16)	20.80
		13-000318 033116	03/31/2016	13-000183 - 4th Ave & DX Dr (03/01/16 - 04/30/16)	124.80
		13-000143 033116	03/31/2016	13-000143 - 3220 Imjin Rd (03/01/16 - 04/30/16)	15.30
		12-003949 033116	03/31/2016	12-003949 - 209/213 Cypress Ave (03/01/16 - 04/30/16)	56.90
		12-000192 033116	03/31/2016	12-000192 - 3200 Del Monte Blvd (03/01/16 - 04/30/16)	20.80
Check	04/15/2016	78493 Accounts Payable	Newton Bros. Tire & Auto		70.00
		Invoice	Date	Description	Amount
		185565	03/30/2016	veh - Maint & Repair	70.00
Check	04/15/2016	78494 Accounts Payable	Office Depot		405.08
		Invoice	Date	Description	Amount
		833407554-001	04/08/2016	Office Supplies - Ink Toner for CM Printer	405.08
Check	04/15/2016	78495 Accounts Payable	Pacific Gas & Electric		2,622.42
		Invoice	Date	Description	Amount
		809-3.MAR16	03/10/2016	Electric Charges, B510	439.81
		582-7.MAR16	03/10/2016	PG&E - 8161432582-7	141.24
		347-0.MAR16	03/10/2016	PG&E - 6258961347-0	213.22
		098-7.MAR16	03/10/2016	PG&E - 6800558098-7	1,008.31
		943-2.MAR16	03/10/2016	PG&E - 6150212943-2	64.69
		535-3.MAR16/2	03/15/2016	PG&E - 6161832535-3	220.76
		03-10-16	03/10/2016	PG&E-PD South Field Office 3/10/16	232.73
		04-25-16	04/08/2016	PG&E-PD South Field Office 4/8/16	183.07
		533-8.MAR16/2	03/08/2016	2253666533-8	118.59
Check	04/15/2016	78496 Accounts Payable	Pacific Truck Parts		15.22
		Invoice	Date	Description	Amount
		1736019	04/06/2016	Cover for engine #5412	15.22

LIVE Marina, CA *LIVE*

AP Check Register 04-15-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	04/15/2016	78497 Accounts Payable	Peninsula Messenger LLC		280.00
	Invoice		Date	Description	Amount
		12599	03/31/2016	Messenger Service 3/31/16	280.00
Check	04/15/2016	78498 Accounts Payable	Redshift		7.85
	Invoice		Date	Description	Amount
		1725010-1	04/01/2016	DNS Hosting/Domain Redirecting - April 2016	7.85
Check	04/15/2016	78499 Accounts Payable	Robert R. Wellington		479.00
	Invoice		Date	Description	Amount
		23420	03/28/2016	Airport Legal Services - City Attorney	479.00
Check	04/15/2016	78500 Accounts Payable	Roto-Rooter Sewer & Plumbing		127.53
	Invoice		Date	Description	Amount
		81576	03/23/2016	Bldg Maint & Repair	127.53
Check	04/15/2016	78501 Accounts Payable	Ryan Ranch Printers		188.27
	Invoice		Date	Description	Amount
		17799	04/07/2016	Envelope # 10	188.27
Check	04/15/2016	78502 Accounts Payable	Scudder Roofing Company		456.42
	Invoice		Date	Description	Amount
		R25727-001	04/01/2016	Airport_B507 Roof Repair	456.42
Check	04/15/2016	78503 Accounts Payable	Shred-it USA		100.33
	Invoice		Date	Description	Amount
		9410057301	03/31/2016	Shredding Service 3/30/16	100.33
Check	04/15/2016	78504 Accounts Payable	SpeakWrite		311.07
	Invoice		Date	Description	Amount
		58ac0951	04/01/2016	Transcription Service - March 2016	311.07
Check	04/15/2016	78505 Accounts Payable	Suburban Propane		1,241.03
	Invoice		Date	Description	Amount
		1602-074815	04/07/2016	Propane Gas- CW	1,241.03
Check	04/15/2016	78506 Accounts Payable	Summit Uniforms		89.16

LIVE Marina, CA *LIVE*

AP Check Register 04-15-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 04/15/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	27438		11/13/2015	Uniform Eddie Anderson	89.16
Check	04/15/2016	78507 Accounts Payable	Tartaglia Engineering		12,537.00
	Invoice		Date	Description	Amount
	AMP25		03/07/2016	Airport Master Plan Consultant Services	12,537.00
Check	04/15/2016	78508 Accounts Payable	Cardmember Service		3.41
	Invoice		Date	Description	Amount
	03-25-16		03/25/2016	Airport Visa Card Charges	3.41
Check	04/15/2016	78509 Accounts Payable	Zoom Imaging Solutions		148.01
	Invoice		Date	Description	Amount
	1615136		03/25/2016	Meter Read-Records 3/25/16	148.01
024 Accounts Payable ZBA Totals:			Transactions: 64		\$212,948.53
Checks:	64	\$212,948.53			

Payment Register

From Payment Date: 2/1/2016 - To Payment Date: 2/28/2016

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
032 - Checking Account									
<u>EFT</u>									
7	02/01/2016	Open			Accounts Payable	PERS Health Services Division	\$99,959.00		
8	02/01/2016	Open			Accounts Payable	PERS Health Services Division	\$722.20		
9	02/01/2016	Open			Accounts Payable	PERS Health Services Division	\$101.28		
10	02/12/2016	Open			Accounts Payable	CalPERS - Retirement	\$60,703.81		
11	02/12/2016	Open			Accounts Payable	CalPERS - Retirement	(\$112.70)		
15	02/25/2016	Open			Accounts Payable	CalPERS - Retirement	\$210.00		
16	02/25/2016	Open			Accounts Payable	CalPERS - Retirement	\$42.00		
17	02/25/2016	Open			Accounts Payable	CalPERS - Retirement	\$42.00		
18	02/24/2016	Open			Accounts Payable	CalPERS - Retirement	\$1,554.00		
19	02/25/2016	Open			Accounts Payable	CalPERS - Retirement	\$378.00		
20	02/25/2016	Open			Accounts Payable	CalPERS - Retirement	\$1,302.00		
22	02/26/2016	Open			Accounts Payable	CalPERS - Retirement	\$65,159.14		
23	02/26/2016	Open			Accounts Payable	CalPERS - Retirement	(\$929.82)		
Type EFT Totals:									
032 - Checking Account Totals								\$229,130.91	

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	13	\$229,130.91	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	13	\$229,130.91	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	13	\$229,130.91	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	13	\$229,130.91	\$0.00

Grand Totals:

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	13	\$229,130.91	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	13	\$229,130.91	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	13	\$229,130.91	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	13	\$229,130.91	\$0.00

Payment Register

From Payment Date: 2/1/2016 - To Payment Date: 2/28/2016

Number	Date	Status	Void Reason	Reconciled/ Voided Date	Source	Payee Name	Transaction Amount	Reconciled Amount	Difference
028 - Payroll ZBA									
EFT									
442	02/12/2016	Open			Accounts Payable	California State Disbursement Unit	\$1,491.78		
443	02/12/2016	Open			Accounts Payable	EFTPS Electronic Federal Tax Payment System	\$58,195.65		
444	02/12/2016	Open			Accounts Payable	Employment Development Department	\$15,579.86		
445	02/12/2016	Open			Accounts Payable	Rebecca Minuth	\$527.52		
673	02/26/2016	Open			Accounts Payable	California State Disbursement Unit	\$1,491.78		
674	02/26/2016	Open			Accounts Payable	EFTPS Electronic Federal Tax Payment System	\$56,641.36		
675	02/26/2016	Open			Accounts Payable	Employment Development Department	\$16,070.51		
676	02/26/2016	Open			Accounts Payable	Rebecca Minuth	\$527.52		
Type EFT Totals:							\$150,525.98		
028 - Payroll ZBA Totals									

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	8	\$150,525.98	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	8	\$150,525.98	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	8	\$150,525.98	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	8	\$150,525.98	\$0.00

Grand Totals:

EFTs	Status	Count	Transaction Amount	Reconciled Amount
	Open	8	\$150,525.98	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Total	8	\$150,525.98	\$0.00

All	Status	Count	Transaction Amount	Reconciled Amount
	Open	8	\$150,525.98	\$0.00
	Reconciled	0	\$0.00	\$0.00
	Voided	0	\$0.00	\$0.00
	Stopped	0	\$0.00	\$0.00
	Total	8	\$150,525.98	\$0.00



DRAFT

Agenda Item **8b(1)**
City Council Meeting of
April 19, 2016

MINUTES

Tuesday, March 15, 2016

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, David W. Brown, Gail Morton, Mayor Pro-Tem/Vice Chair Frank O'Connell, 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 Employee Association
 - ii. Marina Management Employees Association
 - iii. Marina Public Safety Officers Association
 - iv. Marina Public Safety Manager's Association
 - v. Marina Professional Firefighters Association
 - vi. Department Directors
 1. Community Development Director
 2. Finance Director
 3. Fire Chief
 4. Police Chief
 5. Recreation and Cultural Services Director

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

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 on the matter listed on the agenda listed as Labor Negotiations. Council received information, discussed findings and recommendations from the fact finders report from the Marina Public Safety Office Association negotiations with the City Manager and the city’s negotiator, direction was provided to resume negotiations with the Marina Public Safety Officers Association on a successor contract, next step would be for the city manager and the city’s negotiator Rick Bolanos to make with the associations representative Larry Katz to discuss the next steps in resuming negotiations.

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.*

- Dan Amadeo – Marina In Motion April 2nd in the Council Chambers will be hosting two candidate forums/debates. First one will be from 10:00am to Noon for the 4th District Supervisor and from 1:00-3:00 for the 20th Congressional District. This will be broadcasted on AMP Channel 25 and online at ampmedia.org.
- Kevin P. Saunders – Commented on running for 2016 election; asking for Chief Rodriguez to initiate Bodycams and drug testing for all Marina Police Officers and the Council’s support of medical marijuana. Commented on the pending case against him
- Scott Clegg – Marina Public Safety Officers Association (MPSOA) representative, commented on the 9 senior member’s years of combined service of 150 years to the Marina community and council’s willingness to cut Specialty Pay for the dual services they perform. Association asked to convert the Specialty Pay into a negotiated system for current skillsets. The Association has been without a contract for some time and recently entered into a fact finding mediation with a State mediator, which agrees with the Association. Commented on recent pay raises for staff outside of their negotiations.
- The following Members of the Marina Public Safety Officers Association (MPSOA) made comments related to current labor negotiations, job duties & functions and the need to retain the Specialty Pay:
 - Vince Troia, Field Training Officer (FTO), Homeless Liaison Officer, Defensive Tactics Instructor, Impact Weapons Instructor, Taser Instructor and Information Technology Committee Member.
 - Eric Garcia, School Resource Officer (SRO) for J.C. Crumpton, Marina Vista, Olson, Los Arboles and Marina High School.
 - Justine McMahan, Corporal - Volunteers In Police Services Coordinator (VIPS)
 - Jeff Cattaneo, Patrol, Homeless Liaison Officer (HLO)

- Pablo Andrade, Cadet Program Advisor, Marina Police Cadet Program & PAL Reestablished in 2008
- John Magana, Monterey Peninsula Regional Special Response Unit (SRU) consisting of two team elements of special weapons tactic team and hostage negotiation team.
- Jeff Carr, Senior Sgt. and legacy officer. Held many specialty assignments of FTO, SRO, detective, firearms instructor, FTS, K-9 Supervisor, and Range Master.
- Eddie Anderson, Held many assignments over 19 years, currently Traffic Bureau Supervisor. Monterey Regional STOP Program.
- Steve Russo, Corporal, Supervising the Detective Division.
- Andy Rosas – MPSOA President – Presented closing remarks about the previous speakers. Recent report by state fact finder indicates that Marina finds itself in a unique situation in which eliminating \$30,000 from their MPSOA bargaining unit through the elimination of the Skills Bonus Pay it finds itself in that situation, however it also continues to refuse to recognize specialty pay or pay specialty assignments. The fact finder states that it’s an industry standard to compensate for these duties and recommend that the City of Marina compensate these officers for these duties. Through the information presented here today and through the California State Mediator findings and recommendation which were presented to both the City of Marina and the MPSOA we’re respectfully calling upon you to solve this problem. We are happy to hear that you’re willing to reopen negotiations. We look forward to those talks and we look forward to fair compensation for the police officers, sergeants and corporals of the Marina Police Department.
- Adam Urrutia – Commented on the need for council support of the city’s police officers. Happy to hear that negotiation will resume with MPSOA. Agrees with Fact Finders Report with regard to Specialty Pay. Dismayed that council refused to meet with MPSOA members. Asked that council members agree to meet with the leaders of MPSOA. Specialty pay is a great way to compensate workers who have no other salary increases coming due after reaching longevity. Salinas is hiring and offering great incentives.
- Margaret Davis – Thinks excellent points have been made, and important in all of this that this discussion not be personal. Labor negotiation should not be taken as a personal issue. Council has to balance budgetary consideration. There should be no personal feeling and hopes it can maintain that tenor.
- Ron Russo – Council should support its officer; noted that Salinas is hiring police officers and providing great incentives. Not sure who came up with this idea of trying to take away these benefits away or substitute pay for the extra work they do.
- Council Member Amadeo – Attended California Mosquito and Vector Control Association and one of the issue that have received a lot of press is the Zeka virus and was the primary topic. Affirmed that the Zeka virus has not made it to California. No mosquitos have been found carrying the virus at this point.
- Mayor Delgado – thanks to the PW crew on pothole repairs, signal light during storms, Doug Swartz volunteers at the Marina Library site for the Oak Restoration. Special thanks to all the city’s volunteers.

Mayor Delgado announced that agenda item 8d(1) regarding Johnson Electronics is being pulled from the agenda.

7. CONSENT AGENDA FOR THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: None

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: 78063-78126, totaling \$590,186.99

b. MINUTES:

~~(1) February 17, 2016, Regular City Council Meeting~~

~~(2) March 1, 2016, Regular City Council Meeting~~

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID:

(1) ~~City Council consider adopting Resolution No. 2016, authorizing and awarding bid proposal to Johnson Electronics to complete the work for the Network Cabling Upgrade Project; and authorizing the City Manager to execute all contract documents on behalf of the City subject to final review and approval by the City Attorney. **Pulled from agenda**~~

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS:

(1) City Council consider adopting **Resolution No. 2016-27**, authorizing submission of a grant application to the Federal Aviation Administration (FAA) for participation in the Military Airport Program (MAP) for a period up to five years for rehabilitation and capital development at the Marina Municipal Airport.

(2) City Council consider adopting **Resolution No. 2016-28**, amending the City's Salary Schedule for the Marina Employees Association bargaining unit.

g. APPROVAL OF AGREEMENTS:

(1) City Council consider adopting **Resolution No. 2016-29**, approving a professional services agreement between City of Marina and Tartaglia Engineering, of Atascadero, California, in amount of \$83,700 for preliminary engineering, surveying, engineering design, preparation of plans and specifications, bidding support, construction administration, inspection, construction surveying, and materials testing services for the beacon replacement project, and for preparation of an airfield Pavement Maintenance Management Plan (PMMP), and; increasing appropriations in the FY 2015-16 Airport Capital Projects Fund 460 in the amount of \$166,000, and; increasing appropriations in the FY 2015-16 Airport Operating Fund 555 in the amount of \$9,130, and; authorizing Finance Director to make necessary accounting and budgetary entries, and; authorizing City Manager to execute agreement on behalf of the City, subject to final review and approval by City Attorney.

(2) City Council consider adopting **Resolution No. 2016-30**, approving Amendment No. 1 and renewing the agreement between the City of Marina and Access Monterey Peninsula, Inc.

- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
- i. MAPS: None
- j. REPORTS: (RECEIVE AND FILE):
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None

8d(1) pulled from consent agenda

Council Member Amadeo announce that she needed abstain/recuse herself from item 8b(2) as she was absent.

Council Member Morton commented on receiving corrected minutes (8b(1) and 8b(2)) prior to the council meeting that were not provided on the dais and asked that the be moved to the next meeting.

DELGADO/BROWN: TO APPROVE CONSENT AGENDA MINUS 8b(1), 8b(2) AND 8d(1). 5-0-0-0 Motion Passes.

9. PUBLIC HEARINGS:

- a. City Council open a public hearing, take any testimony from the public and consider adopting **Resolution No. 2016-31**, approving the Mitigated Negative Declaration of environmental impact and the associated Mitigation Monitoring and Reporting Program (MMRP) for demolition of an existing single family dwelling and duplex and construction of sixteen (16) new townhomes and two (2) apartments on a ±0.8 acre project site located at 3033-3039 Marina Drive (APN 033-171-002); **Resolution No. 2016-32**, approving General Plan Land Use Map amendment GP 2014-01 to change the land use designation from "Single Family Residential" to "Multi-Family Residential" for a ±0.8 acre project site located at 3033-3039 Marina Drive (APN 033-171-002); **Introducing Ordinance No. 2016-02**, approving Zoning Map amendment ZM 2014-01 to change the Zoning District from "Multiple Family Residential (R-4)" to "Specific Plan (SP)" for a ±0.8 acre project site located at 3033-3039 Marina Drive (APN 033-171-002); **Resolution No. 2016-33**, approving Specific Plan SP 2014-01, including Site and Architectural Design Review DR 2014-01 for the Site Plan, Building Elevations, Conceptual Landscape Plan, and colors and materials for demolition of an existing single family dwelling and duplex and construction of sixteen (16) new townhomes and two (2) apartments, and Tree Removal Permit TP 2014-01 for the removal of seven (7) trees on a ±0.8 acre project site located at 3033-3039 Marina Drive (APN 033-171-002), subject to conditions; **Resolution No. 2016-34**, approving an Affordable Housing Plan and an Affordable Housing Agreement. *Continued from February 2, 2016 and March 1, 2016*

Mayor opened public hearing for public comments:

- Margaret Davis – Observation about covered parking is that most cars dwell 24/7 outside and people have the option in their own driveway to erect some kind of canopy but they don't and partly that is an aesthetic consideration and partly because it doesn't rain that much and it's not that unusual to be there with a grocery bag, just a thought.
- Karen Wolfe – questioned how the affordable housing would be managed going forward in terms of tenant payment and costs? Seen many affordable units go in throughout the peninsula and within a few years was completely unaffordable.

BROWN/DELGADO: TO APPROVE RESOLUTION NO. 2016-31, APPROVING THE MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND THE ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR DEMOLITION OF AN EXISTING SINGLE FAMILY DWELLING AND DUPLEX AND CONSTRUCTION OF SIXTEEN (16) NEW TOWNHOMES AND TWO (2) APARTMENTS ON A ±0.8 ACRE PROJECT SITE LOCATED AT 3033-3039 MARINA DRIVE (APN 033-171-002). 3-2(Morton, O’Connell)-0-0 Motion Passes

Public Comments: None Received

Roll Call Vote: Morton, NO; O’Connell, NO; Delgado, YES; Brown, YES; Amadeo, YES

DELGADO/AMADEO: RESOLUTION NO. 2016-32, APPROVING GENERAL PLAN LAND USE MAP AMENDMENT GP 2014-01 TO CHANGE THE LAND USE DESIGNATION FROM "SINGLE FAMILY RESIDENTIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR A ±0.8 ACRE PROJECT SITE LOCATED AT 3033-3039 MARINA DRIVE (APN 033-171-002). 5-0-0-0 Motion Passes

Roll Call Vote: Morton, YES; O’Connell, YES; Delgado, YES; Brown, YES; Amadeo, YES

Public Comments: None Received

AMADEO/BROWN: INTRODUCING ORDINANCE NO. 2016-, APPROVING ZONING MAP AMENDMENT ZM 2014-01 TO CHANGE THE ZONING DISTRICT FROM "MULTIPLE FAMILY RESIDENTIAL (R-4)" TO "SPECIFIC PLAN (SP)" FOR A ±0.8 ACRE PROJECT SITE LOCATED AT 3033-3039 MARINA DRIVE (APN 033-171-002). 3-2(Morton, O’Connell)-0-0 Motion Passes

Roll Call Vote: Morton, NO; O’Connell, NO; Delgado, YES; Brown, YES; Amadeo, YES

Public Comments: None Received

DELGADO/AMADEO: RESOLUTION NO. 2016-33, APPROVING SPECIFIC PLAN SP 2014-01, INCLUDING SITE AND ARCHITECTURAL DESIGN REVIEW DR 2014-01 FOR THE SITE PLAN, BUILDING ELEVATIONS, CONCEPTUAL LANDSCAPE PLAN, AND COLORS AND MATERIALS FOR DEMOLITION OF AN EXISTING SINGLE FAMILY DWELLING AND DUPLEX AND CONSTRUCTION OF SIXTEEN (16) NEW TOWNHOMES AND TWO (2) APARTMENTS, AND TREE REMOVAL PERMIT TP 2014-01 FOR THE REMOVAL OF SEVEN (7) TREES ON A ±0.8 ACRE PROJECT SITE LOCATED AT 3033-3039 MARINA DRIVE (APN 033-171-002), SUBJECT TO CONDITIONS OF APPROVING 39 PARKING SPACES; CONVERSION OF ONE (1) OF THE TWO (2) BEDROOM APARTMENT TO A ONE (1) BEDROOM; REMOVAL OF ONE MOTORCYCLE PARKING SPACE; DEVELOPER TO SEEK TAMC APPROVAL ON RIGHT OF WAY USE; DEVELOPER USE YELLOW AND WHITE STRIPING COMBO; AND DEVELOPER TO MEET WITH MAYOR AND RICHARD BOYNTON TO DO CONSIDER SITE TOURS OF EXISTING AREAS FOR LOCAL NATIVE SPECIES. 5-0-0-0 Motion Passes

Roll Call Vote: Morton, YES; O’Connell, YES; Delgado, YES; Brown, YES; Amadeo, YES

Public Comments:

- Karen Wolfe – Commented on the extra 10 parking space located on the street that are not being counted for that are directly in front of the project.

- Margaret Davis – Planning Commission was concerned about the parking, supports motion. Appreciates the flexibility and goodwill of the applicant even when it’s not to his financial advantage. Rare and refreshing.

DELGADO/AMADEO: RESOLUTION NO. 2016-34, APPROVING AN AFFORDABLE HOUSING PLAN AND AN AFFORDABLE HOUSING AGREEMENT. 5-0-0-0 Motion Passes

Roll Call Vote: Morton, YES; O’Connell, YES; Delgado, YES; Brown, YES; Amadeo, YES

Public Comments: None Received.

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. 2016-35**, approving Public Improvement Agreement between City of Marina and Shea Homes, LP, (“Developer”), and; consider authorizing the City Manager to execute the Public Improvement Agreement on behalf of City subject to final review and approval by the City Attorney.

9:55 PM

O’CONNELL/DELGADO: TO EXTEND TO FINISH THROUGH TO 11c. 5-0-0-0 Motion Passes.

O’CONNELL/AMADEO: TO APPROVE THE RESOLUTION AS SET FORTH ON PAGE 176 OF THE STAFF REPORT SUBJECT TO THE FOLLOWING:

SLIGHT CHANGE IN THE PUBLIC IMPROVEMENT AGREEMENT, WHICH IS ATTACHED, ON PAGE 6 OF THAT AGREEMENT THE SECOND PARAGRAPH OF PAGE 6, DOWN TO THE 7TH LINE GOING FORWARD READS AS FOLLOW: THE PERFORMANCE BOND SHALL BY ITS TERMS REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF NOT LESS THAN ONE YEAR AFTER COMPLETION OF THE IMPROVEMENTS BY THE DEVELOPER AND ACCEPTANCE OF THE IMPROVEMENTS BY THE CITY PROVIDED THAT” “(NEW WORDING – AFTER COMPLETION OF THE IMPROVEMENTS BY THE DEVELOPER AND ACCEPTANCE OF THE IMPROVEMENTS BY THE CITY DEVELOPER MAY SUBSTITUTE FOR THE PERFORMANCE BONDS SECURING A WARRANTY DESCRIBED ABOVE WITH A SEPARATE WARRANTY BOND ISSUED BY THE ADMITTED SURETY IN THE AMOUNT OF TEN PERCENT (10%) OF THE TOTAL CONTRACT PRICE OF THE IMPROVEMENTS PROVIDED THAT AMOUNT OF SAID BOND” AND SO ON..... UNTIL THE END OF THAT PARAGRAPH.

Council Member Morton requested a friendly amendment: *“and be conditioned upon that there is no conflict with the multiuse trail that’s to go along 9th Street.”*

Motion maker accepts friendly amendment, Second still holds

Final Motion

O’CONNELL/AMADEO: TO APPROVE THE RESOLUTION AS SET FORTH ON PAGE 176 OF THE STAFF REPORT SUBJECT TO THE FOLLOWING:

SLIGHT CHANGE IN THE PUBLIC IMPROVEMENT AGREEMENT, WHICH IS ATTACHED, ON PAGE 6 OF THAT AGREEMENT THE SECOND PARAGRAPH OF PAGE 6, DOWN TO THE 7TH LINE GOING FORWARD READS AS FOLLOW: THE PERFORMANCE BOND SHALL BY ITS TERMS REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF NOT LESS THAN ONE YEAR AFTER COMPLETION OF THE IMPROVEMENTS BY THE DEVELOPER AND ACCEPTANCE OF THE IMPROVEMENTS BY THE CITY PROVIDED THAT” “(NEW WORDING – AFTER COMPLETION OF THE IMPROVEMENTS BY THE DEVELOPER AND ACCEPTANCE OF THE IMPROVEMENTS BY THE CITY DEVELOPER MAY SUBSTITUTE FOR THE PERFORMANCE BONDS SECURING A WARRANTY DESCRIBED ABOVE WITH A SEPARATE WARRANTY BOND ISSUED BY THE ADMITTED SURETY IN THE AMOUNT OF TEN PERCENT (10%) OF THE TOTAL CONTRACT PRICE OF THE IMPROVEMENTS PROVIDED THAT AMOUNT OF SAID BOND” AND SO ON..... UNTIL THE END OF THAT PARAGRAPH; AND BE CONDITIONED UPON THAT THERE IS NO CONFLICT WITH THE MULTI-USE TRAIL THAT’S TO GO ALONG NINTH STREET.” 5-0-0-0 Motion Passes

Public Comments:

- Fred Watson – Showed 7 different maps of Ninth Street depicting trails and improvement plans. Made suggestions on improving maps, reconfigurations of ramps, crosswalks.
- Chris Stump – Shea Homes, misconception on where we are in the process. Final map approved in November for Phase II shows property lines for the project and that’s the action were asking for approved for this evening which is to establish the property lines like we did in the Phase II Final Map. In this case we established the 9th Street Right of Way. Contemplation of pulling grading permits within the next 4-weeks for this project. Working on landscape design and details what were are proposing to do with this corridor.
- Margaret Davis – Made comments related to 9th Street connectivity to the Equestrian Center Park out to the State Beach and the complexity of design that is needed. Friends of the Fort Ord Warhorse worked hard to get recognition and incorporation of the Marina Equestrian Center Park into City Plans and awareness. Would like to see clear language that no infrastructure such as curb or gutter is going to be put in without the council’s awareness and approval.

- b. City Council consider adopting **Resolution No. 2016-36**, approving the Phase 3 Final Map of Phase 1C for The Dunes on Monterey Bay Development Project Subdivision, and; consider authorizing the City Manager to execute the Final Map on behalf of City subject to final review and approval by the City Attorney.

Morton/Delagdo: to adopt **Resolution No. 2016-36**, approving the Phase 3 Final Map of Phase 1c for The Dunes on Monterey Bay Development Project Subdivision, and; authorizing the City Manager to execute the Final Map on behalf of City “provided that the final map facilitates the flow of the multi-purpose trail along 9th street, meeting engineering, ADA and other applicable standards” subject to final review and approval by the City Attorney.

Council Member Morton modified the motion:

MORTON/AMADEO: TO APPROVE THE PHASE 3 FINAL MAP OF PHASE 1C FOR THE DUNES ON MONTEREY BAY DEVELOPMENT PROJECT SUBDIVISION. 5-0-0-0 Motion Passes

Public Comments: None

DELGADO/AMADEO: THAT WE RECONSIDER AGENDA ITEM 11a. 5-0-0-0 Motion Passes

11a. for Reconsideration

11a Reconsideration of Motion

O’Connell/Delgado: that the council approve the resolution as set forth on page 176 of the staff report with the attached public improvement agreement subject to one (1) change on page 6 of the agreement, down to the second paragraph of that page, line 7 the sentence shall read: the performance bond shall by its terms remain in full force and effect for a period of not less than one year after completion of the improvements by the developer and acceptance of the improvements by the city provided that” “(new wording – after completion of the improvements by the developer and acceptance of the improvements by the city developer may substitute for the performance bonds securing a warranty described” and the rest of the paragraph is correct.; and be conditioned upon that there is no conflict with the multiuse trail that’s to go along 9th Street.”

Don Hofer – stated possible amendment language: “Requires that the conceptual design for the recreational multi-model purpose trail be brought back to council for consideration prior to approval of the final landscape documents for that corridor”.

Council Member Morton asked that Don Hofer’s language be added to the motion: “*that the condition of approval of the public improvement agreement include as a condition the conceptual recreation and multi-use trail map come back to council prior to the final approval of landscaping.*”

Final Motion

O’CONNELL/DELGADO: THAT THE COUNCIL APPROVE THE RESOLUTION AS SET FORTH ON PAGE 176 OF THE STAFF REPORT WITH THE ATTACHED PUBLIC IMPROVEMENT AGREEMENT SUBJECT TO ONE (1) CHANGE ON PAGE 6 OF THE AGREEMENT, DOWN TO THE SECOND PARAGRAPH OF THAT PAGE, LINE 7 THE SENTENCE SHALL READ: THE PERFORMANCE BOND SHALL BY ITS TERMS REMAIN IN FULL FORCE AND EFFECT FOR A PERIOD OF NOT LESS THAN ONE YEAR AFTER COMPLETION OF THE IMPROVEMENTS BY THE DEVELOPER AND ACCEPTANCE OF THE IMPROVEMENTS BY THE CITY PROVIDED THAT” “(NEW WORDING – AFTER COMPLETION OF THE IMPROVEMENTS BY THE DEVELOPER AND ACCEPTANCE OF THE IMPROVEMENTS BY THE CITY DEVELOPER MAY SUBSTITUTE FOR THE PERFORMANCE BONDS SECURING A WARRANTY DESCRIBED” AND THE REST OF THE PARAGRAPH IS CORRECT.; AND BE CONDITIONED UPON THAT THERE IS NO CONFLICT WITH THE MULTIUSE TRAIL THAT’S TO GO ALONG 9TH STREET.”; AND THAT THE CONDITION OF APPROVAL OF THE PUBLIC IMPROVEMENT AGREEMENT INCLUDE AS A CONDITION THE CONCEPTUAL RECREATION AND MULTI-USE TRAIL MAP COME BACK TO COUNCIL PRIOR TO THE FINAL APPROVAL OF LANDSCAPING.” 5-0-0-0 Motion Passes

Public Comments: None

- c. City Council consider adopting **Resolution No. 2016-37**, authorizing City Manager to request the California Coastal Commission to assist the city with and/or assume responsibility for, in coordination and consultation with the city, any enforcement proceedings that may be pursued relative to possible violations of the California Coastal Act and the Marina Local Coastal Program by the CEMEX Sand Mining Operations.

DELGADO/MORTON: THAT WE ADOPT RESOLUTION NO. 2016-37, AUTHORIZING CITY MANAGER TO REQUEST THE CALIFORNIA COASTAL COMMISSION TO ASSIST THE CITY WITH AND/OR ASSUME RESPONSIBILITY FOR, IN COORDINATION AND CONSULTATION WITH THE CITY, ANY ENFORCEMENT PROCEEDINGS THAT MAY BE PURSUED RELATIVE TO POSSIBLE VIOLATIONS OF THE CALIFORNIA COASTAL ACT AND THE MARINA LOCAL COASTAL PROGRAM BY THE CEMEX SAND MINING OPERATIONS. 5-0-0-0 Motion Passes

Roll Call Vote: Morton, Yes; O’Connell, Yes; Delgado, Yes; Brown, Yes; Amadeo, Yes.

Public Comments:

- Kathy Biala – Commented on receiving letter of support from Surf Rider Foundation that was addressed to Council but did not make it into the packet. Echo’s the support from Surf Riders Foundation on the passing of a resolution. Thank you for taking the proactive steps on this important issue.
- Margaret Davis – Urged Council to approve this and show the Coastal Commission you support them doing their job. Long overdue.

- d. ~~City Council consider adopting Resolution No. 2016, requiring the establishment of a Facility, Equipment and Vehicle Reserve Account and an Emergency Reserve Account in the FY 2016/17 Budget, and; authorizing the funding of each account, and; authorizing the Finance Director to make the appropriate accounting and budgetary entries necessary to establish said accounts, and: provide staff with any further direction subject to review and approval by the city attorney. Continued to April 5, 2016~~

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 at 11:07 PM

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



DRAFT

Agenda Item **8b(2)**
City Council Meeting of
April 19, 2016

MINUTES

Tuesday, March 22, 2016

6:30 P.M.

SPECIAL JOINT MEETING OF CITY COUNCIL AND PLANNING COMMISSION

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 Redevelopment Agency Members) and Marina Planning Commission

Council Members Present: Gail Morton, David W. Brown, Mayor Pro Tem/Vice Chair Frank O'Connell

Council Members Absent: Nancy Amadeo, Mayor/Chair Bruce C. Delgado

Planning Commission Present: Katherine Biala, David Bielsker, Tim Ledesma, Adam Urrutia, Vice Chair Margaret Davis, Chair David Burnett

Planning Commissioners Absent: Virgil Piper (Excused)

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

4. SPECIAL ANNOUNCEMENTS: *Announcements of special events or meetings of interest as information to Council and Public.*

- Mike Owen – Marina In Motion Forum on Saturday, April 2, 2016 in the Council Chamber from 10:00am-12:00pm for the 4th District Supervisors Candidates and 20th Congressional District Candidate from 1:00-3:00pm. Public is invited and will be aired on Channel 25. Commented on Ken Gray memorial service last year and the planting of his favorite tree the California Live Oak outside the Council Chambers and bench with a plaque will be presented as well.
- Commission Davis – Mark your calendars for Saturday, May 7th for the 6th Warhorse Day starting at 11:00am. Volunteer meeting on Monday, March 28th at 6:00 pm at the Starbucks in the Target in The Dunes.

5. 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 – commented on the large contingent of speakers at the last council meeting that dealt with labor negotiations. There was a ruling that the point of order that was raised by the Mayor Pro-tem was not in fact founded and I’m quite sorry to tell you it was founded. That the time to speak should have been before the closed session, that that item was on the agenda. So I hope going forward the council will really take particular care to follow those rules.
- Planning Chair Burnett – Welcome to our new commissioner David Bielsker.

6. SPECIAL PRESENTATION/STUDY SESSION:

- a. City Council and Planning Commission to receive a presentation of the 2015-2023 Housing Element Update Process Moving Forward.

2015-2023 Housing Element Update presented by Taven Kinison Brown and Veronica Tam of Veronica Tam & Associates and Rincon

Housing Element Update - Staff/Consultant Presentation: Overview of Housing Element Requirements - Process of Updating - Marina Today

What is the Housing Element?

Policy document to plan for existing and projected housing needs of all economic segments of the community.

CA State requirement; required chapter of General Plan - Must be reviewed by the State Dept. of Housing and Community Development

Statutory Deadline – December 15, 2015

Four-Year Update for Marina - Next Update – December 15, 2019

Why Update the Housing Element?

Finding Substantial Compliance = Legally adequate General Plan; Presumption of validity in case of lawsuit; Priority for housing and related funds; State CDBG and HOME funds; CalHFA, CalHOME, BEGIN loans; Affordable Housing and Sustainable Communities (AHSC) Program

Housing Element Requirements: Provide a variety of housing types for all income levels; Assist in the development of lower and moderate income housing; Remove constraints to housing; Conserve and improve existing housing; Promote fair housing

Components of the Housing Element: Housing Plan = Needs Assessment (General and Special Needs), Constraints (Governmental, Market, Environmental), Resources (Financial, Land Administrative), Public Input (Residents, Stakeholders)

How are Future Housing Needs Defined? - State requirement for every region to accommodate “fair share” of future housing; AMBAG calculates targets for every city in region with **projection of new housing** units needed; Housing targets at all income levels: very low income, low income, moderate income, and above moderate

Regional Housing Needs Allocation (RHNA) = RHNA is NOT a production obligation; Must demonstrate adequate sites, with appropriate zoning and development standards:

Income Level	RHNA Units	Housing Types
Very Low Income	315	State-Mandate Default – 20 du/ac
Low Income	205	State-Mandate Default – 20 du/ac

Moderate Income	238	Small-Lot Subdivision, townhome, Condos
Above Moderate	550	Single Family Homes
Total	1,308	

Potential Strategies for Meeting the Housing Targets - Sites identified in current Housing Element mostly still available - Central Marina/Downtown Specific Plan; Marina Station; South Marina – Former Fort Ord

Availability of Water vs. Housing Element Requirements - No construction obligation; only to facilitate and encourage; Recognized water shortage is often beyond local control; Water/sewer service providers must adopt a policy to provide priority allocation to affordable housing projects (SB 1087)

Key Existing Housing Programs and Anticipated Changes:

Adequate Sites = Rezone with Downtown Specific Plan Area – for RHNA shortfall of 532 units; Marina Transit Station (55 units) *Changes/Comments: Rezoning did not occur – must demonstrate adequate sites were available or the 532 units would roll over to new cycle*

Mobile Home Park Zoning = Rezone existing MHP with Residential zoning to allow only MHP use *Changes/Comments: Is this program still appropriate?*

Redevelopment-Related = Use of set-aside funds to facilitate affordable housing; Offer Agency-owned properties for affordable housing; Pursue new Mortgage Revenue Bonds; Continue Rehab Assistance; Establish First-Time Homebuyer Program *Changes/Comments: Revised housing programs to pursue affordable housing funds, Remove MRB and First-Time Homebuyer Programs*

Removal of Governmental Constraints = Adopt a Reasonable Accommodation Ordinance; Amend Zoning Ordinance to allow emergency shelters in R-4 and C-R zones; Amend Zoning Ordinance to address provision of transitional and supportive housing *Changes/Comments: Zoning for emergency shelters must be completed prior to adoption of Housing Element*

Housing Element Process:

Tentative Schedule = CC/PC Study Session, March 2016; Draft Housing Element, May/June 2016; Mandatory State Review (60-day), June/July 2016; Environmental Clearance, July/August, 2016; Adoption, August 2016

Marina Today:

Demographics = Population Characteristics 43% Owners vs. 57% Renters; 11.4% Seniors (65+); 24% Children (under 18); Median Age: 34 – **Household Characteristics** = 68% Family-Households; 32% Families with Children; 14% Large Households (5+ members); 23% Singles Living Alone; 8% Seniors Living Alone; Average Household Size: 2.75

Planning Commission Questions

Is there a database or statistics on what kind of housing stock the city currently has? Could council focus on over the next few months what its priorities are in terms of policy changes or where you're looking to address some of these items outlined; example of "environmental" constraint; RHNA Targets & designated areas; Potential strategies for meeting Housing Target, if we resurrected the Downtown Specific Pan does that alleviate some of the pressures to conform to the new standards of the RHNA? Can the units be simply intrinsically be affordable because it's small? Would developing small units meet the demand, would it count? Financial resources, will the analysis include whether or not there are any zones in the city eligible for maybe AB2 funding to help support affordable housing? RHNA Targets, are moderate income and above moderate income units

necessarily units for sale? Does the Cypress Knolls development, has it been counted in any of our years, past years Housing Element and if not will the redevelopment of that specific Cypress Knolls property bring us up to par with our Housing Element needs/requirements? Clarification on emergency shelters, are these existing homeless populations or the designation emergency as in the event of an emergency, emergency housing would have to be constructed?

Council Questions

Mobile Home Park Zoning, the area where our five mobile home parks are located are zoned single family such that at any time a park owner can propose demolition of all mobile homes and put in condos? If the city had met the December 2015 deadline our allocation would have been 1308 homes? If we had met the deadline would we in the next 8 years be required to have this 1308 or in 2019 is there going to be an additional sum to the zoning requirements? Marina did not meet our target and 500 more units are needed, what was the 1 year grace period measured from, what date? Count starts from when it was permitted, that it had to be permitted as of January 1, 2014, so any of our projects count (Promontory, Seacrest Property)? Does the housing at The Dunes on Ninth Street count? Water limitations, what is our responsibility? Do we need to make sure they have a policy in place? Who determines the percentages of the 1,308 units? Can we as a city challenge AMBAG's findings as to the 1,308 and as the percentage breakdown? Once a jurisdiction is completely built out, does that jurisdiction get zero requirement or do they have to rezone, say a park and make it residential? How frequently is AMBAG required to give the arena number? When is the next time AMBAG will have to update the arena number for Marina?

Public Comments:

- Paula Pelot – Income designation, what are the percentages of the median income levels? Will these be percentages of median income at the State level or local County level? Mobile Home Park Zoning, why this was singled out for the Housing Element? Key Existing Programs, what the offer agency owned properties for affordable housing, what are the “agency owned properties”? Removal of governmental constraints, does the VA Transition Center count towards this? Concerned about the time constraint on this. Demographic, decrease in population but an increase in units, who can this be? Population Characteristics, what was the data source used for this? Why in 2015 there was a jump up in the 5 units or more category?
- Karen Wolfe – What are our plans for obtaining public comment and involvement? Our income and rental costs and figures have greatly changed from 2010, what sources are going to be used for “current” market conditions for the new tables? Disturbing to read that this is just an exercise, away to show the state that we’re making space for affordable housing but there is no requirement, there’s no way to compel anyone to do it, there’s no production requirements. What is in the heart of the City Council and Staff in terms of building affordable housing?
- Mike Owen – what would be the obstacles or problems with just making Marina Station zoned to meet this requirement? Of the different cities list not meeting this requirement, where there any others besides Marina that didn’t meet this and which cities might they be? Is there a Census number for homeless people in Marina?
- Terry Bear, Executive Director VTC, great to get insight into the Housing Element planning. We have part of the solution to the requirements you need meet under the RHNA. We have a few acres that was set aside for permanent housing, for affordable housing and for the last 15 years we have not been able to develop that parcel. Now we have a golden opportunity. We have \$6 million from the state to develop a 70 unit affordable and permanent supportive housing unit in Marina, on VTC property which is designated for this type of us. Hopes council will continue supporting this.

- Jay Fagan – thanks for having this meeting, agrees it should have been more publicized. Affordable housing and workforces housing is probably the single most important issue facing the peninsula and certainly Marina. VTC has a huge opportunity in supporting the Housing Element. Would like to see Marina view the VTC model as how we can not only see that model succeed but us that level of service and integration and planning for other project within the city.
- Kevin P. Saunders – Commented on rent control needed in Marina. COLA has not increase and CIP wipes out rent.
- Denise Turley – Housing Stock slide, it goes from 1992-2000. It goes by 10’s and then by 5’s and then back to 10’s needs to be one or the other not both.

Planning Commission Motion

BURNETT/DAVIS: THAT WE RECEIVE THE PRESENTATION TO CITY COUNCIL/PLANNING COMMISSION 2015-2023 HOUSING ELEMENT UPDATE PROCESS MOVING FORWARD. 6-0-0-1(Piper) Motion Passes

City Council Motion

BROWN/MORTON: TO RECEIVE THE PRESENTATION TO COUNCIL AND THE PLANNING COMMISSION OF THE HOUSING ELEMENT PRESENTATION PRESENTED THIS EVENING. 3-0-0-2(Amadeo/Delgado) Motion Passes.

Public Comments: None

7. ADJOURNMENT: The meeting adjourned at 8:57 PM

Frank O’Connell, Mayor Pro-Temp

ATTEST:

Anita Sharp, Deputy City Clerk



DRAFT

Agenda Item **8b(3)**
City Council Meeting of
April 19, 2016

MINUTES

Tuesday, April 5, 2016

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

TELECONFERENCE LOCATION

1004 Saga St
Glendora, California 91740

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, David W. Brown, Gail Morton, Mayor Pro-Tem/Vice Chair Frank O'Connell, 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 re matters of Existing Litigation (GC§54956.9(d)(1)) two cases – City of Marina v. Barich Business Services (16CV000979); Darryl Choates v. City of Marina (M131188)

Note: Pursuant to Government Code Section 54953(b), this meeting will include teleconference participation by Mayor Bruce C. Delgado from the address above. This Notice and Agenda will be posted at the teleconference location.

- b. Labor Negotiations
 - i. Marina Employee Association
 - ii. Marina Management Employees Association
 - iii. Marina Public Safety Officers Association
 - iv. Marina Public Safety Manager’s Association
 - v. Marina Professional Firefighters Association
 - vi. 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

- c. Performance Evaluation, Unrepresented Employee – City Manager

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

Assistant City Attorney Deb Mall reported out Closed Session: Council met at 5:30 we had 2 legal matters on the agenda one was City of Marina vs. Barich Business Service, direction was given to legal counsel; second was City of Marina vs. Choates, direction was also give to legal counsel. There were two labor negotiations matters, which was heard. First concerned the Marina Public Safety Officer Association, where direction was given to the labor negotiator and the second concerned the Marina Management Employees Association where direction was given to the labor negotiator and closed session ended at 6:30.

Mayor Pro-Tem O’Connell – the other items that are listed on closed session were not able to get to them, there is a possibility we will be going back to closed session later today after this open session.

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

- 5. **SPECIAL PRESENTATIONS:**

- a **Recreation Announcements** – Announcements provided by Terry Siegrist

- 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.*

- Earl Rowlen – Summer Madness Event Coordinator asked thanked council for approving their event scheduled for this summer but due to a family event taking place during the same timeframe is requesting council to consider approving moving their Summer Madness Music Festival to the Summer of 2017.

- Mike Owen – Commented on an article published in the Monterey Herald regarding Marina’s future developments and expressed concerns about the lack of staffing in the Planning Department. Asked council what is being done to replace the Community Development Director position?
- Kathy Biala – Commented on Downtown Revitalization and the need to doing something about it. Asked is council could possibly create a community task force to hold meetings to gather information on revitalizing the downtown.
- Kevin P. Saunders – announced his intent to run for the mayor seat in the November election; supports medical marijuana and hopes council will eventually lift the ban on medical marijuana dispensaries in Marina.
- Council Member Amadeo – Marina In Motion held two Forums on Saturday, one for the 4th District Supervisors and the other for the 20th Congressional District and are now available for viewing on Video on Demand at www.ampmedia.org
- Council Member Morton – Friday, April 8th at 2:00 pm is the Fort Ord Reuse Authority (FORA) Board meeting; also tomorrow morning at 9:00am in the FORA offices is the Post Reassessment Committee (PAC) meeting.
- Mayor Pro-Tem O’Connell – May 5th at 6:30pm is a Town Hall Meeting at the Library Community Room, topic is the Transition Plan related to FORA; on April 20th is the 100th Birthday Celebration of the National Parks Service will be held at the Pinnacles National Park from 3:30-6:30pm.

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 78127-78387, totaling \$576,155.46

b. MINUTES:

- (1) February 17, 2016, Regular City Council Meeting
- (2) March 1, 2016, Regular City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID:

- (1) Adopting **Resolution No. 2016-38**, authorizing and awarding bid proposal to Johnson Engineering Systems, Inc. of Salinas, California, doing business as Johnson Electronics, to complete the work for the Network Cabling Upgrade Project and Authorizing the City Manager to execute all contract documents on behalf of the City subject to final review and approval by the City Attorney.

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS:

- (1) City Council consider adopting **Resolution No. 2016-39**, approving Fiscal Year 2016-17 Budget Meeting Calendar.
- (2) City Council consider adopting **Resolution No. 2016-40**, preliminarily approving the Fiscal Year 2016-17 Engineer's Report for the Seabreeze Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2016-17 in that district; and calling a public hearing for April 19, 2016.
- (3) City Council consider adopting **Resolution No. 2016-41**, preliminarily approving the Fiscal Year 2016-17 Engineer's Report for the Cypress Cove II Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2016-17 in that district; and calling a public hearing for April 19, 2016.
- (4) City Council consider adopting **Resolution No. 2016-42**, preliminarily approving the Fiscal Year 2016-17 Engineer's Report for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2016-17 in that district; and calling a public hearing for April 19, 2016.
- (5) City Council consider adopting **Resolution No. 2016-43**, setting public hearing for April 19, 2016, on proposed intention to amend Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development within the City of Marina.

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):

- (1) City Council consider adopting **Ordinance No. 2016-02**, approving Zoning Map amendment ZM 2014-01 to change the Zoning District from "Multiple Family Residential (R-4)" to "Specific Plan (SP)" for a ±0.8 acre project site located at 3033-3039 Marina Drive (APN 033-171-002).

m. APPROVE APPOINTMENTS: None

Council Member Morton had a question related to agenda item 8f(5) – asked if there was an updated development impact fee study council to look at.

Council Member Amadeo requested to agenda item 8b(2) be pulled so that it can be vote on separately as she has to abstain on the vote.

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

MORTON/BROWN: TO APPROVE AGENDA ITEM 8b(2). 4-0-1(Amadeo)-0 Motion Passes

- 9. PUBLIC HEARINGS: None
- 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. 2016-44**, approving the Transportation Safety & Investment Plan to be placed before the voters on a future ballot and approve the list of examples of local road repair and safety projects anticipated to receive tax revenues, if the ballot measure is approved.

Presentation by Todd Muck

Safety & Investment Plan – \$600 million (est.) = The Safety & Investment Plan is estimated to receive \$20 million per year, or \$600 million total, funded by a 3/8-percent sales tax over 30-years. The revenues are split with 60% dedicated to local road maintenance, pothole repairs and safety projects, and 40% dedicated to regional safety and mobility projects

Local Road Maintenance, Pothole Repairs & Safety – \$360 million (est.) = Funding is divided among the cities and the County according to the formula 50% population/50% lane miles - Cities and County select their projects, with Transportation Agency oversight. – Funding is restricted to expenditures for local road maintenance and safety projects. – Local safety projects are defined as projects that directly correlate to safety of the user and do not increase motor vehicle lane miles with the exception of the Pinnacles Parkway Connection project. - Maintenance of prior years’ funding levels from other sources is required.

Local Road Maintenance, Pothole Repairs & Safety = Carmel \$4,292,000; Del Rey oaks \$1,566,000; Gonzales \$4,386,000; Greenfield \$9,131,000; King City \$8,097,000; Marina \$14,370,000; Monterey \$22,643,000; Pacific Grove \$12,314,000; Salinas \$91,383,000; Sand City \$586,000; Seaside \$22,193,000; Soledad \$12,595,000; County Roads \$156,444,000

Our Plan: The Transportation Agency for Monterey County's mission is to proactively fund and plan a transportation system that enhances mobility, safety, access, environmental quality and economic activities by investing in regional transportation projects for Monterey County residents, business and visitors

\$600 Million Estimated Tax Revenues = \$360 million to Local Road Maintenance; \$160 million to Regional Road Safety & Congestion Improvements and \$80 million to Pedestrian & Bike Safety and Mobility Projects

Local Road Maintenance, Pothole Repairs & Safety = \$360 million for maintenance of local streets, pothole repairs, and safety improvements.

Transportation for Youth, Seniors, Disabled & Working Families = Investing in transportation options for older adults to support their ability to live independently in their homes and communities. Also, funding for youth transportation and new bus and vanpool service for workers to reach jobs throughout the region.

Increase Safety and Reduce Traffic Congestion = Constructing regionally significant improvements based on input from key community leaders, the TAMC Board, city managers and mayors. These projects include safety improvements at the top collision locations and/or corridors within the county.

Make Walking and Biking Safer = Improving the safety and health of children by funding Safe Routes to Schools projects and programs that promote safe walking, bicycling and rides to schools, including transportation to Rancho Cielo. Also includes funding for a safe, paved regional biking and walking path that links California State University Monterey Bay, local schools and residents to parks, shops and jobs in Seaside, Marina, Del Rey Oaks, and Monterey (the Fort Ord Recreational Trail and Greenway).

Matching Funds = with an approved transportation measure, our County will qualify for State and federal matching funds, essentially doubling our money. Making this investment now in our future transportation needs will help to maintain our quality of life and ensure safer travel for all of Monterey County's residents, workers and visitors.

Taxpayer Safeguards = to ensure proper safeguards for these funds, this Investment Plan will be approved by the County, the cities, and then the voters. Strong taxpayer safeguards have been put in place to ensure that the projects and programs proposed in this balanced plan can be funded over its lifetime. This plan: *Guarantees that funding raised by the sales tax can only be used for the transportation projects and programs in this investment plan; Specifies that the Transportation Agency for Monterey County will oversee the distribution of revenues to the projects and programs in this plan; Assures that these local monies cannot be taken and used for other purposes by TAMC or another government agency; Appoints an independent Citizens Oversight Committee to assure that revenues are spent according to the plan; Requires annual independent audits and reports to the taxpayers; Limits the ability to change the programs or projects in the Investment Plan; Limits funds for administrative costs; and Provides the ability to issue bonds to deliver projects ahead of schedule*

Council Questions:

Would cities be able to access that other funding because of the countywide transportation tax or will they only be able to be accessed through TAMC? Is the estimated \$600 million in revenue over the 30 years, does that include revenue that would be generated through projected growth or is that just what we take in now over sales tax over a 30 years span? Is the action being asked to approve is are we committed to funding a proportional share for the election costs should the tax measure not be approved, if it is approved we do not pay? How is the proportional costs calculated if we do have to pay? What does the cost of election cover (getting on ballot, promotional material, lobbying efforts)? What are we signing up to pay? Item #4 in the resolution, what we are incorporating into our action

examples of local road repair and safety projects rather than identifying specifically what road projects/items that we want, is that sufficient action by the council or do we need to specify more particularly what projects they are and if we are to do that do we have additional time to do that before the ballot? Tax portion safeguards said no fund shifting, if we are taking action tonight as to examples we're going to have some fund shifting, are we taking the right action? Does fund shifting mean the amount/percentage that we're getting or does that mean that once we get the money we cannot do certain things with it? On the Regional Project itemized costs Imjin Parkway shows \$25 million, has that been notched down to \$20 million? What is the percentage to get this passed, is it 66% plus 1? If it were to pass in November when would we anticipate receiving some funds?

AMADEO/BROWN: ADOPT RESOLUTION NO. 2016-44, APPROVING THE TRANSPORTATION SAFETY & INVESTMENT PLAN TO BE PLACED BEFORE THE VOTERS ON A FUTURE BALLOT AND APPROVE THE LIST OF EXAMPLES OF LOCAL ROAD REPAIR AND SAFETY PROJECTS ANTICIPATED TO RECEIVE TAX REVENUES, IF THE BALLOT MEASURE IS APPROVED AND INCLUDE IN THE EXAMPLES ITEM #7 TRAFFIC CALMING MEASURES AND # 8 CROSSWAYS OVER OR UNDER SECOND AVENUE. 5-0-0-0 Motion Passes

Council Member Morton requested a friendly amendment to the examples of local roads, amending to add that we would include traffic calming measures and crossways over or under Second Avenue.

Motion maker and Secunder accepted friendly amendment.

Public Comments:

- Fred Watson – Proponent of the Fort Ord Reuse Trail and Greenway (FORTAG) Project. Supports the motion. Recognized some of the support from some of the organizations with a strong role as to Marina.
 - b. City Council consider adopting **Resolution No. 2016-45**, Approving an update to five (5) year City Capital Improvement Program (CIP), and Authorizing the Finance Director to make any necessary budgetary and accounting entries.

Presentation by Edrie Delos Santos

CIP 5-Year Update Summary = Capital Improvement Program; Funding Sources; Active CIP Projects (*Mitigation Monitoring Programs, Local Agency Coordination, Strategic Planning with General Plan*) and Proposed CIP Project

Strategic Financial Planning = General Plan; Bicycle & Pedestrian Master Plan Parks & Recreation Facilities; Master Plan

Mitigation Monitoring Program – Cypress Knolls; Marina Heights; Marina Station; The Dunes on Monterey Bay

CIP Funding Sources = Public Facilities Impact Fees (PFIF) A fee imposed on a new or proposed development project to pay for all or portion of the costs of providing public services to the new development – **Other Funding Sources** = Ex: Federal & State Grants, FORA, PG&E, Gas Tax, City General Fund.

CIP Budget = Public Facilities Impact Fees (PFIF) Account Balance: Roadway \$2.3 Million; Traffic Intersection \$879,370; Public Safety \$249,653; Public Buildings \$1.3 million; Parks \$2.4 Million

CIP Traffic Intersection Projects = Del Monte / Beach; Imjin /SR 1

Imjin Parkway (12th) & SB Ramp SR1 (TI 22A) = Project Description: Traffic Signalization; Project Schedule: Construction 2016; Funding Source: Public Facilities Impact Fees - **Del Monte Blvd & Beach Road (TI 29)** = Project Description: Roundabout, Grade Revisions; Project Schedule: Construction 2016; Funding Source: Highway Safety Improvement Program (HSIP) Grant with Impact Fees.

CIP Roadway Projects = Del Monte Blvd. – Sta. 42+00 to Sta. 48+00 (R 28 B) = Project Description: Public facilities improvements including drainage improvements; Project Schedule: Design 2016 with Construction 2017; Funding Source: Public Facilities Impact Fees.

Coordination with Local Agencies = Monterey Peninsula Unified School District; Fort Ord Reuse Authority; Monterey-Salinas Transit; Transportation Agency for Monterey County; Monterey Peninsula Regional Parks District

Imjin Parkway Widening Project (R 46 B) = Project Description: Widen Roadway to 4-Lanes w/Roundabouts; Project Schedule: Preliminary Engineering 2016-2018; Funding Source: TAMC/Caltrans.

Veterans Memorial Trail, Parks Master Plan Update (P 26) = Project Description: Update to Parks Master Plan; Project Schedule: 2016; Funding Source: Impact Fees

Strategic Planning = General Plan, Bicycle & Pedestrian Master Plan, Parks & Recreation Facilities Master Plan, Public facility Programs.

Roadway Projects = Reservation Rd. – Beach Rd. to SR1 (R 55) = Project Description: Public facilities improvements including sidewalks, bike lanes and roundabout, Project Schedule: Design 2016-17; Funding Source: Public Facilities Impact Fees – **Sign Retro-reflectivity Program (R 68)** = Project Description: Replacement of Non-Compliant Signs; Project Schedule: Survey Complete, Replace Annually; Funding Source: Gas Tax / Abrams B – **ADA Transition/Compliance Program (R 70 & 71)** = Project Description: Update for Accessibility Compliance; Project Schedule: Presented to PWC in 2014; Funding Source: Gas Tax & Grant Funds – **City-wide Pavement Management Program (R 69)** = Project Description: Roadway Assessment & Rehabilitation; Project Schedule: Presented to Council 2013, Annual Review; Funding Source: Gas Tax, RSTP Funds (TAMC)

Parks Projects = Vince DiMaggio Park – ADA Pathway Improvements (P 02 A) = Project Description: New pathways and additional ADA parking; Project Schedule: Construction 2017 (Grant Dependent); Funding Source: Monterey Peninsula Regional Parks District – **Community Center Park Upgrades (P05)** = Project Description: Upgrade Playground; Project Schedule: Construction 2016; Funding Source: Impact Fees/Grant Funding.

Proposed New Unfunded Projects = Priority Intersection Projects for Funding Consideration: (TI 48) Del Monte Blvd. & Reservation Rd.; (TI 51) Cardoza/Abdy Intersection Improvement Project - **Priority Roadway Projects for Funding Consideration:** (R 76) Marina Dr. – Drainage improvements; • (R 77) Reservation Rd. – 300ft. East of Crescent Ave; (R 78) Marina High School Crescent Avenue Neighborhood Traffic Study; (R 79) Reindollar Ave. Sidewalk Improvement Project.

CIP Budget – 5 Year Update = CIP Update Summary: Public Facilities Impact Fees - *Presenting Update Next Meeting;* Other Funding Sources - *Grant Programs, New Tax Measures;* Expanding Strategic Planning; *Council Workshops, Community Outreach.*

Non-CIP Programs and Project: 1. Landscape Maintenance Districts & Community Facilities District 2. Dunes Mitigation Measures for SR1/Del Monte/Imjin Interchange 3. NPDES Permit & WDR Permit 4. Locke Paddon Park – Phase III 5. Pavement Management Program 6. Interagency coordination 7. Council / Public works Reports / meetings 8. Construction management 9. Development projects 10. Permitting 11. Citizen' requests 12. Council's requests

Council Questions: Account Balance, is the \$7million for the FY 15-16 or FY 16-17 or for the 5 year period? Where is this figure found in the exhibit? Veterans Trail Park Vision Plan Update \$50,000 is that to be continued over to the remarks as all one description (FORTAG, Parks Master Plan Update) or is it limited to one thing? Completion of the FY15-16 have they been completed or not started and will be moved to the FY 16-17? Is staff asking council to approve the funding for the unfunded projects at this time?

MORTON/AMADEO: TO APPROVE RESOLUTION NO. 2016-45, APPROVING AN UPDATE TO FIVE (5) YEAR CITY CAPITAL IMPROVEMENT PROGRAM (CIP), AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE ANY NECESSARY BUDGETARY AND ACCOUNTING ENTRIES; AND DIRECT STAFF TO PRIORITIZE ENFORCEMENT OF FUNDING AGREEMENTS BETWEEN THE CITY OF MARINA AND FORA ALONE OR WITH OTHER THAT ARE IDENTIFIED ON THIS PROJECT; AND THAT STAFF COME BACK TO US SHOULD THE 3/8 CENT SALES TAX PASSES AND OR OTHER FUNDING SOURCES ARE IDENTIFIED TO LOOK AT PROJECTS THAT ARE CURRENTLY UNFUNDED BUT MAY BE NECESSARY; AND IDENTIFYING FORTAG AND VETERANS TRAIL MASTER PLANS UPDATE IN THE CIP; AND THAT THE DOWNTOWN REVITALIZATION CONCEPTUAL PLAN FROM DOVER KOHL BE ADDED TO THE CIP.

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

Council Member Amadeo asked for a friendly amendment to the motion: that staff come back to us should the 3/8 cent sales tax be passed to look at projects that are currently unfunded but may be necessary.

Motion maker accepted but added: “and or other funding sources are identified” after the words *3/8 cent sale tax passes*.

Public Comments:

- Fred Watson – Suggested that Veterans Trail Plan and FORA Retro and Greenway Plan be changed to Veterans Trail and FORTAG and then the acronym FORTAG would be defined in the list of already defined acronyms.
- Harvey Biala – Addressed the R78 CIP item Marina High School Crescent Street Neighborhood Traffic Study. Attended many meetings. Commented that there is no other access to the high school other than the one Paddon Parkway except the north/south connection via Crescent Street. Neighbors has submitted significant complaints to the Mayor, City Manager and Police Chief related to safety.
- Agnes Morrison – Crescent Street resident, major concern is the traffic before and after school. House is on corner and traffic jam at Crescent and Patton is a safety concern. Experiences many traffic issues and having to deal with cars using driveway as turnaround spot and loading and unloading area. People do not see the need to stop when make left or right turns onto Crescent Street. Traffic congestion makes it difficult to get out of driveway. How can this issue be corrected.
- Kathy Biala – Commented on CIP item R05 Second Avenue Extension – we cannot afford to develop new areas such as Imjin Parkway only to see our downtown wither from increased business competition and lack of attention, Downtown is the heart of Marina. There is a disconnect between the Downtown Marina and Imjin Parkway like two separate cities. We need a city road to accomplish this and not a freeway connection. Please put this item higher on the priority list.

Council Member Morton amended the motion to include identifying FORTAG and Veterans Trail Master Plans Update in the CIP and that the Downtown Revitalization Conceptual Plan from Dover Kohl be added to the CIP

- c. City Council consider adopting **Resolution No. 2016-46**, requiring the establishment of a Facility, Equipment and Vehicle Reserve Account and an Emergency Reserve Account in the FY 2016/17 Budget, and; authorizing the funding of each account, and; authorizing the Finance Director to make the appropriate accounting and budgetary entries necessary to establish said accounts, and: provide staff with any further direction subject to review and approval by the city attorney.

AMADEO/BROWN: TO APPROVE RESOLUTION NO. 2016-46, REQUIRING THE ESTABLISHMENT OF A FACILITY, EQUIPMENT AND VEHICLE RESERVE ACCOUNT AND AN EMERGENCY RESERVE ACCOUNT IN THE FY 2016/17 BUDGET, AND; AUTHORIZING THE FUNDING OF EACH ACCOUNT, AND; AUTHORIZING THE FINANCE DIRECTOR TO MAKE THE APPROPRIATE ACCOUNTING AND BUDGETARY ENTRIES NECESSARY TO ESTABLISH SAID ACCOUNTS, AND: PROVIDE STAFF WITH ANY FURTHER DIRECTION SUBJECT TO REVIEW AND APPROVAL BY THE CITY ATTORNEY. 5-0-0-0 Motion Passes

12. COUNCIL & STAFF INFORMATIONAL REPORTS:

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

Mayor Pro-Tem O’Connell attended Mayors Association meeting representing Marina, presentation by the Executive Officer Houlemard related to the transition plan. Monterey County Airport Land Use Commission, Mayor Gunter was appointed to that commission; LAFCO stayed the same.

- 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.

Mayor Delgado – lot of focus on Los Arboles Sports Complex and Tate Park on maintaining our parks is not up to the standards and made comment to the locked restrooms. I and many volunteers are doing what can with no budget.

13. ADJOURNMENT: meeting adjourned back to closed session at 9:02 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Frank O’Connell, Mayor Pro-Tem

April 1, 2016

Item No. **8f(1)**

To: Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

From: Deborah Mall, Assistant City Attorney

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-
DELEGATING AUTHORITY TO THE CITY MANAGER, OR HIS
DESIGNEE, TO ALLOW, COMPROMISE OR SETTLE CLAIMS
UNDER \$15,000.00**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2016- ,delegating authority to the City Manager, or his designee, to “allow, compromise, or settle a claim” governed by the Tort Claims Act, California Government Code Sections 900 *et seq*, which do not exceed \$15,000.00; and,
2. Rescind that portion of Resolution No 2003-130, which allows the City Manager to settle claims not exceeding \$1,000.00

BACKGROUND:

Many cities delegate responsibility to a staff member to handle small claims so as to reduce the burden on the City Council. For example, Monterey allows the Risk Manager to approve or deny claims less than \$15,000 and the City Attorney to approve or deny claims up to \$50,000, and to settle claims between \$15,000 and \$25,000. Other cities have various configurations with the delegation of authority to either the Risk Manager, the City Manager or the City Attorney (or sometime a committee of all three) and various monetary thresholds. As a member of the Monterey Bay Area Self Insurance Authority (MBASIA), Marina operates under the various Administrative Policies and Procedures of the Authority. The liability claims handling and settlement authority policy authorizes the MBASIA Claims Administrator for the City of Marina to settle all claims between \$0 to \$10,000. (Claims above \$10,000 go to an MBASIA Coverage and Claims Committee.) The Claims Administrator must receive prior approval of the City of Marina before any claim is denied or settled.

Under Marina’s current procedures, the Human Resources Department processes liability claims. When the claim is received it is sent to the City Attorney and to Ken Maolini, who is the Risk Manager for MBASIA. After the claim is reviewed and investigated a determination is made to deny or settle the claim with approval from the City Manager.

Resolution No. 2003-130 (Exhibit A) allows the City Manager to settle claims not exceeding \$1,000. However, current City practice allows the City Manager to settle claims up to \$10,000. A formal delegation of City Council authority by Ordinance or Resolution is required by Government Code Section 935.4. As such, staff would like to formalize the procedure, as set forth in the attached Resolution and make city practice consistent with authority delegated by the City Council.

FISCAL IMPACT:

There will be cost savings if staff does not have to bring each small claim to the City Council and write the accompanying staff report.

ANALYSIS:

Should the City Council agree that a delegation of authority related to small claims is efficient and appropriate, the issues then are the dollar amount and the appropriate staff member to make the decision. A dollar amount of \$15,000.00 is initially recommended. This is lower than the amount usually delegated to staff in other cities. However, if this delegation of authority proves successful, staff may return to the City Council and request a larger amount.

In the Resolution presented, the delegation of authority is vested in the City Manager, as the Risk Manager and the City Attorney serve by contract and are not in-house employees. However, the City Manager is required to consult with the Risk Manager and the City Attorney's office prior to making any decision. (For the City Council's information, the City's deductible is \$10,000.00. As such, if a claim were settled by the City Manager, the City would be responsible in most cases for payment of the first \$10,000.)

Additionally, staff will keep a list of all claims which would indicate their current status at any point in time, and whether they were denied or settled. This list can be made available to Council at any time.

This request is submitted for City Council consideration and action is required by resolution to delegate claim authority to the City Manager.

FISCAL IMPACT:

There will be no fiscal impact, as the proposed resolution formalizes current policy, practice and procedures. This request is submitted for City Council consideration and action is required by resolution to delegate claim authority to a staff member.

Respectfully submitted,

//ss//
Deborah Mall
Assistant City Attorney

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA,
DELEGATING AUTHORITY TO THE CITY MANAGER, OR HIS DESIGNEE, TO ALLOW,
COMPROMISE OR SETTLE CLAIMS UNDER \$15,000.

WHEREAS, Government Code Section 935.4 allows the City Council to delegate authority by Resolution to an employee of the City to “allow, compromise, or settle a claim” governed by the Tort Claims Act, California Government Code Sections 900 *et seq*, which do not exceed \$50,000.00;and,

WHEREAS, there would be cost savings and it would be efficient for the City Council to delegate authority to the City Manager or his designee, after coordination with the Risk Manager and the City Attorney, to allow, compromise or settle claims under \$15,000.00.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve this Resolution, and
2. Authorize the City Manager or his designee to approve, deny or settle claims, after coordination with the Risk Manager and the City Attorney, in an amount not to exceed \$15,000.00.
3. Rescind those portions of Resolution 2003-130, which only allow the City Manager to sign off on Settlements not to exceed \$1,000.00.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April, 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

RESOLUTION NO. 2003-130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AUTHORIZING CITY MANAGER THE DISCRETION TO MAKE PAYMENT
ON CLAIMS AGAINST THE CITY UP TO AN AMOUNT NOT TO EXCEED
ONE THOUSAND DOLLARS (\$1,000)

WHEREAS, the City of Marina is self insured and a member of the Monterey Bay Area Insurance Fund (MBAIF), and;

WHEREAS, the first \$10,000 of funding from MBAIF is provided to municipalities per claim and allows municipalities to settle claims within the maximum amount of \$10,000, and;

WHEREAS, in the event the city accepts to take the claim filed against the City, the City of Marina will become fully responsible for the claim over the allotted \$10,000.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina hereby.

1. Authorizes the discretion of the City Manager to make payment on claims filed against the City of Marina up to an amount not to exceed \$1,000, and;

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on September 2, 2003 by the following vote:

AYES, COUNCIL MEMBERS: Delgado, Gray, McCall, Morrison and Mettee-McCutchon

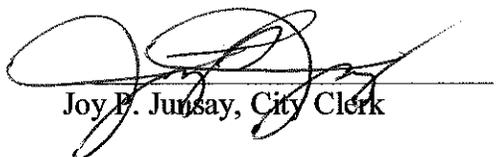
NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None



Ila Mettee-McCutchon, Mayor

ATTEST:



Joy E. Jursay, City Clerk

April 15, 2016

Item No. **8f(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
AUTHORIZING SUBMISSION OF AN APPLICATION TO STATE OF
CALIFORNIA DEPARTMENT OF GENERAL SERVICES FOR CITY
PARTICIPATION IN THE STATE AND FEDERAL SURPLUS PROPERTY
PROGRAM AND AUTHORIZING CITY MANAGER TO EXECUTE ALL
FORMS NECESSARY FOR APPLICATION TO THE STATE AND
FEDERAL SURPLUS PROPERTY PROGRAM**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2016-, authorizing submission of an application to State of California Department of General Services for City participation in the State and Federal Surplus Property Program, and;
2. Authorizing City Manager to execute all forms necessary for application to the State and Federal Surplus Property Program.

BACKGROUND:

The State of California Department of General Services manages and administers the State and Federal Surplus Property Program. The focus of this program is to provide state and federal surplus property for qualifying non-federal organizations within the State for their operational and business needs. The program refers to such a non-federal qualifying organization as a donee.

All public agencies are eligible to receive federal, state, and local government surplus property. This program offers the opportunity to acquire equipment for operational and business needs for the City, including the Public Works Division, Police Department, Fire Department, Recreation Department and Airport, for the cost of transportation and service and handling fees.

ANALYSIS:

A complete application must be submitted to the California Department of General Services and on file for participation in the State and Federal Surplus Property Program. A complete application includes:

1. State of California New Application for Eligibility, State and Federal Surplus Property Program (“**EXHIBIT A**”)
2. State of California Department of General Services Office of Fleet and Asset Management Resolution (“**EXHIBIT B**”)
3. State of California Department of General Services Office of Fleet and Asset Management Non-Discrimination Certification (“**EXHIBIT C**”)
4. State of California Department of General Services Office of Fleet and Asset Management Racial and National Origins Certification (“**EXHIBIT D**”)

5. State of California Department of General Services Office of Fleet and Asset Management Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (“**EXHIBIT E**”)
6. State of California Department of General Services Office of Fleet and Asset Management Certifications and Agreements including Terms, Conditions Reservations and Restrictions (“**EXHIBIT F**”)

Other Program requirements include:

- Direct Pickup: as an additional condition for determining eligibility, the donee must be able to pick up federal surplus property directly from where the property is located or must have the resources to arrange for the item to be picked up.
- Eligibility: all public agencies are eligible to receive federal, state, and local government surplus property. The application establishes the identity of the authorized buyers for the agency and who to contact for compliance reviews and for eligibility renewals (every three years).
- Renewal: in order to renew as a donee, the organization must meet all of the requirements of the strict renewal eligibility guidelines established by the federal government. To determine whether your organization is eligible to receive federal surplus personal property, refer to the eligibility guidelines. It provides a detailed listing of the types of qualifying non-federal organizations and instructions, including all necessary forms, for obtaining a renewal application. The California Federal Surplus Personal Property (CFSPP) makes the final determination as to eligibility.
- Restrictions: in order to receive an item of federal surplus personal property, the donee must agree to specific restrictions for its use and specific time periods for placing it in use. The restrictions are tied to the original acquisition cost of the item, or if the item is a motor vehicle, or if it is an item that the Federal Government has categorized as an "In Perpetuity Item." Refer to the restrictions page to review the use and time period restrictions.
 - If the item had an **original acquisition cost of less than \$5,000**, the Donee must agree to place the item in use for the purpose for which it was intended within 12 months from the date the Donee picked it up and must agree to place it in continuous use for 12 months from the date the Donee first placed it in use. During this period of restriction, the Donee may not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of the item or remove it permanently for use outside the State of California without the prior approval of the California Federal Surplus Personal Property (CFSPP) program or the Federal General Services Administration.
 - If the item had an **original acquisition cost of \$5,000 or more or is a passenger motor vehicle**, regardless of its original acquisition cost, the Donee must agree to place it in use for the purpose for which it was intended within 12 months from the date the Donee picked it up, and must agree to place it in continuous use for 18 months from the date the Donee first placed it in use. During this period of restriction the Donee may not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of the item or remove it permanently for use outside the State of California without the prior approval of the CFSPP or the Federal General Services Administration.

- If the **item is categorized as an "In Perpetuity Item"**, regardless of the original acquisition cost of the item, title to the item remains with the Federal Government and never passes to the Donee, and the Donee is never permitted to sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of the item or remove it permanently outside the State of California.
- **Service and Handling Charges:** in order to sustain its operations as a self-supporting entity, the CFSPP assesses the donee a service and handling charge for each item of federal surplus personal property that the donee picks up.
 - **Effective November 1, 2013**, the service and handling fee will be the greater of either \$100 or 9% of an item's Original Acquisition Cost. However, the service and handling fees for livestock will continue to be the greater of either \$100 or \$20 a head, and all aircraft over \$100,000 shall remain at the \$5,000 service and handling fee.

FISCAL IMPACT:

Should the City Council approve this request, there is no cost to apply for participation in the State and Federal Surplus Property Program.

Should a City Department or Division acquire surplus equipment, the service and handling fee will be the greater of either \$100 or 9% of an item's Original Acquisition Cost. However, the service and handling fees for livestock will continue to be the greater of either \$100 or \$20 a head, and all aircraft over \$100,000 shall remain at the \$5,000 service and handling fee. Other cost will include the transportation to pick up state and federal surplus property directly from where the property is located or the cost to arrange for the item to be picked up.

Costs for the acquisition of state and federal surplus property will be recorded accordingly in the City Department/Division budget that requests such property.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Jeff Crechriou
 Airport Services Manager
 City of Marina

REVIEWED/CONCUR:

Layne Long
 City Manager
 City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AUTHORIZING SUBMISSION OF AN APPLICATION TO STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES FOR CITY PARTICIPATION IN THE
STATE AND FEDERAL SURPLUS PROPERTY PROGRAM AND AUTHORIZING
CITY MANAGER TO EXECUTE ALL FORMS NECESSARY FOR APPLICATION TO
THE STATE AND FEDERAL SURPLUS PROPERTY PROGRAM

WHEREAS, the State of California Department of General Services manages and administers the State and Federal Surplus Property Program. The focus of this program is to provide state and federal surplus property for qualifying non-federal organizations within the State for their operational and business needs. The program refers to such a non-federal qualifying organization as a donee, and;

WHEREAS, all public agencies are eligible to receive federal, state, and local government surplus property. This program offers the opportunity to acquire equipment for operational and business needs for the City, including the Public Works Division, Police Department, Fire Department, Recreation Department and Airport, for the cost of transportation and service and handling fees, and;

WHEREAS, a complete application must be submitted to the California Department of General Services and on file for participation in the State and Federal Surplus Property Program. A complete application includes:

1. State of California New Application for Eligibility, State and Federal Surplus Property Program (“**EXHIBIT A**”)
2. State of California Department of General Services Office of Fleet and Asset Management Resolution (“**EXHIBIT B**”)
3. State of California Department of General Services Office of Fleet and Asset Management Non-Discrimination Certification (“**EXHIBIT C**”)
4. State of California Department of General Services Office of Fleet and Asset Management Racial and National Origins Certification (“**EXHIBIT D**”)
5. State of California Department of General Services Office of Fleet and Asset Management Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion (“**EXHIBIT E**”).
6. State of California Department of General Services Office of Fleet and Asset Management Certifications and Agreements including Terms, Conditions Reservations and Restrictions (“**EXHIBIT F**”), and;

WHEREAS, there is no cost to apply for participation in the State and Federal Surplus Property Program, and;

WHEREAS, should a City Department or Division acquire surplus equipment, the service and handling fee will be the greater of either \$100 or 9% of an item's Original Acquisition Cost. However, the service and handling fees for livestock will continue to be the greater of either \$100 or \$20 a head, and all aircraft over \$100,000 shall remain at the \$5,000 service and handling fee.

Other cost will include the transportation to pick up state and federal surplus property directly from where the property is located or the cost to arrange for the item to be picked up, and;

WHEREAS, costs for the acquisition of state and federal surplus property will be recorded accordingly in the City Department/Division budget that requests such property.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Authorize submission of an application to State of California Department of General Services for City participation in the State and Federal Surplus Property Program, and;
2. Authorize City Manager to execute all forms necessary for application to the State and Federal Surplus Property Program.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

STATE OF CALIFORNIA
NEW APPLICATION FOR ELIGIBILITY
STATE & FEDERAL SURPLUS PROPERTY PROGRAM

In completing this form please print or type information.

A. Name of Organization Telephone
Address City County Zip
E-Mail Address Fax Number

1. Application is being made as a (please check one) (a) Public agency or (b) qualified nonprofit and tax-exempt organization. Check all spaces that apply and provide all requested data.

B. PUBLIC AGENCY: Check either state or local

NONPROFIT AGENCY OR ORGANIZATION:

- Conservation
Economic Development
Education
Grade Level
Enrollment
No. of faculty
No. of days in school year
Parks & Recreation
Public Health
Public Safety
Two or more of above
Other (specify)

- Education
Grade Level
School for the mentally or physically handicapped
Enrollment
No. of faculty
No. of days in school year
No. of school sites
Educational radio or television station
Museum
Library
Medical institution
Hospital
Health center
Clinic
Other (specify)

1. Are the applicant's services available to the public at large? If only a specified group of people is served, please indicate who comprises this group.

- 2. Checklist of signed and completed documents submitted with this application:
SASP Form No. 202 "Resolution," properly signed and approved by the Governing Board designating representatives, including their signatures, authorized to bind the applicant organization to service fees submitted by the State of California.
SASP Form No. 203, nondiscrimination compliance assurance.
Certification Regarding Debarment, Suspension, Ineligibility, & Voluntary Exclusion as required by the General Services Administration of the U.S. Government.
Other statements or documentation required, as may be specified.

Printed Name and Title of Administrator or Director:

Date: Signature of Administrator or Director:

FOR STATE SURPLUS AGENCY USE ONLY

Application approved Application disapproved

Comments or additional information:

Date: Signed:

Donee Number: Billing Code:

RESOLUTION

"BE IT RESOLVED by the Governing Board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire surplus property through the auspices of the California State Agency for Surplus Property and accept responsibility for payment of incidental fees by the surplus property agency under the Terms and Conditions accompanying this form or listed on the reverse side of this form."

NAME (Print or Type)	TITLE	SIGNATURE*	E-MAIL ADDRESS
A.			
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

***Note: All signatures must be in original form. No copied or stamped signatures**

B. The above resolution was PASSED AND ADOPTED this _____ day of _____, 20____, by the Governing Board of the:
 _____ by the following vote: AYES: _____; NOES: _____; ABSENT: _____
 Agency Name

I, _____ Clerk of the Governing Board known as _____

Do hereby certify that the foregoing is a full, true and correct resolution adopted by the governing board of the below named organization at the meeting thereof held at its regular place of meeting on this date and by the vote above stated, a copy of said resolution is on file in the principap office of the Governing Board.

Signed by: _____

 Name of Organization

 Mailing Address
 _____ / _____ / _____
 City Zip Code County

NOTE: ALL LOCAL GOVERNMENT & NON-PROFIT INCORPORATED ORGANIZATIONS HAVE A GOVERNING BOARD, THEREFORE COMPLETE ONLY SECTIONS "A" & "B". THE FOLLOWING SECTION "C" IS FOR STATE AGENCIES ONLY

C. AUTHORIZED this _____ day of _____, 20____, by: _____
 Signature of Administrative Officer

 Printed Name of Chief Administrative Officer Title

 Organization Name Street Address
 _____ / _____ / _____
 City ZIP Code County

STATE OF CALIFORNIA AGENCIES ARE REQUIRED TO PROVIDE THEIR STATE BILLING CODE: _____

STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES
OFFICE OF FLEET AND ASSET MANAGEMENT
NON-DISCRIMINATION CERTIFICATION
SASP 203 (Rev 11/14)

ASSURANCE OF COMPLIANCE WITH GSA REGULATIONS UNDER TITLE VI OF THE CIVIL RIGHTS ACT OF 1964, SECTION 606 OF TITLE VI OF THE FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED, SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED, TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AS AMENDED AND SECTION 303 OF THE AGE DISCRIMINATION ACT OF 1975

_____, (hereinafter called the “donee”),
(Name of donee organization)

HEREBY AGREES THAT the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with, all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and HEREBY GIVES ASSURANCE THAT it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement of this agreement; and, this agreement shall be binding upon any successor in interest of the donee and the word “donee” as used herein includes any such successor in interest.

Date _____

Donee Organization

BY _____
(President/Chairman of the Board
or comparable authorized official)

Donee Mailing Address

**STATE OF CALIFORNIA
 NEW APPLICATION FOR ELIGIBILITY
 STATE & FEDERAL SURPLUS PROPERTY PROGRAM**

Pursuant to Federal Regulation 28 C.F.R. §§ 42.401 - 42.415, a recipient is mandated to report to the Federal Government the racial and national origins of all persons within your service area. You are therefore asked to supply the Office of Fleet and Asset Management with the race and national origins of individuals you serve in your service area (it may be helpful to refer to the US Census to determine the racial makeup of your service area at www.factfinder.census.gov/). This form must be completed and returned with the rest of the eligibility packet in order to qualify for the Federal Surplus Property Program. Your answers on this form in no way affect your eligibility; however, not returning the form will delay the processing of your application.

American Indian or Alaskan Native % _____	Persons having origins in any of the tribal people of North America, and who maintain cultural identification through tribal affiliation or community recognition.
Asian / Pacific Islander % _____	Persons having origins in any of the original peoples of the far east, Southeast Asia, Pacific Islands, or the Indian Subcontinent. This includes China, Japan, Korea, The Philippines, and Samoa.
Black % _____	Persons having origins in any of the black racial groups of Africa.
Hispanic % _____	Persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
White % _____	Person having origins in any of the original people of Europe, North Africa, or the Middle East.
Other % _____	(Specify) _____

Print Name _____

Title _____

Signature _____

Date _____

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS

This certification is required by the General Services Administration regulations implementing Executive Order 12549-41 CFR 105-68 – for all lower tier transactions meeting the requirements stated at 41 CFR 105-68.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department of agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage section of rule implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitation for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF DONEE APPLICANT

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE DATE

**Certifications and Agreements including Terms, Conditions, Reservations and Restrictions to be included
On Agency Issued or Distribution Documents**

A) The Donee Certifies That:

- 1) It is a public agency; or an approved non-profit institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1986; within the meaning of Section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the General Services Administration (GSA).
- 2) The property is needed and will be used by the recipient for carrying out for the residents of a given political area one or more public purposes, or, if a nonprofit tax-exempt institution or organization or 8(a) business, the property is needed for and will be used by the recipient for educational or public health purposes, or for programs for older individuals, or for business purposes. The property is not acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the State, except with prior approval of the CSASP.
- 3) Funds are available to pay any and all costs and charges incidental to the receipt of surplus property, and that property is not being acquired for any other use(s) or purpose(s), is not for sale. The fee schedule is available upon request from the CSASP.
- 4) Any transaction shall be subject to the nondiscrimination regulations governing the donation of federal surplus personal property issued under Title VI of the Civil Rights Act of 1964 (41 USC 2000d-2000d-4a), as amended, section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, section 303 of the Age Discrimination Act of 1975, and the Civil Rights Restoration Act of 1987.
- 5) If the Donee is designated by the Federal Small Business Administration 8(a) Program as a socially and economically disadvantaged small business and the SBA and CSASP have both determined the Donee is eligible to receive federal surplus property as a donation, the Donee certifies that the property acquired is needed and will be used solely for the conduct of the Donee's business enterprise: and the Donee certifies to A. (3), (4) and (5),

B) The Donee Agrees to the Following Federal Conditions:

- 1) All items of property, other than items with a unit acquisition cost of \$5000 or more and passenger motor vehicles, regardless of acquisition cost, shall be placed in use for the purpose(s) for which it was acquired within one year or receipt, and shall be placed in continuous use for one year from the date the property was placed in use. In the event the Donee does not place the property in use, or continuous use, the Donee shall immediately notify the CSASP, and, at the Donee's expense, make the property available for transfer or other disposal as directed by the CSASP.
- 2) Special handling or use limitations as are imposed by Federal GSA on any item(s) under which the item(s) are being allocated to the Donee.
- 3) In the event the Donee does not use the property as required by *Sections C (1) and (2)* below, at the option of the GSA, title and right to the possession of such property shall revert to the United States of America and, upon demand, the Donee shall release such property to such person as GSA or its designee shall direct.

C) The Donee Agrees to the Following Conditions Applicable to Items with a Unit Acquisition Cost of \$5,000 or More and Passenger Motor Vehicles, Regardless of Cost. Except Vessels 50 Feet or More in Length and Aircraft Regardless of Acquisition Cost:

- 1) The property shall be placed in use within one year of receipt, and shall be used only for the purpose(s) for which it was acquired and for no other purpose(s).
- 2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which it is acquired for a period of 18 months from the date the property is placed in use, except for such item(s) of major equipment for which the CSASP designates a further period of restriction.
- 3) In the event the property is not so used as required by *Sections C (1) and (2)*, at the option of the CSASP, title and right to the possession of such property shall, at the option of the CSASP, revert to the State of California, and the Donee shall release such property to such person as the CSASP shall direct.

D) The Donee Agrees to the Following Terms, Reservations and Restrictions:

- 1) From the date it receives the property and throughout the time period(s) imposed by Sections B and C (as applicable) remain in effect, the Donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently, for use outside the State of California, without the prior approval of GSA or the CSASP. The proceeds from any sale, trade, lease, loan, bailment, encumbrance or other disposal of the property, when the GSA or the CSASP authorizes such action, shall be remitted promptly by the Donee to GSA or the CSASP, as applicable. If the Donee takes action in ignoring or disregarding the foregoing restrictions after the date the Donee received the property and before expiration of the time periods imposed by Sections C or D as applicable, at the option of the GSA or the CSASP, the Donee shall pay to the GSA or the CSASP any proceeds derived from the disposal, and/or the fair market or rental value of the property at the time of such unauthorized disposal as determined by the GSA or the CSASP as applicable.
- 2) If at any time, from the date the Donee receives the property throughout the time periods by Sections B and C as applicable, the Donee determines that some or all of the property is no longer suitable, usable, or further needed for the purpose(s) for which it was acquired, the Donee shall promptly notify the CSASP and shall, as directed by the CSASP, return the property to the CSASP, or release the property to another Donee or another state agency, or a department or agency of the United States, or sell or otherwise dispose of the property. The Donee shall remit the proceeds from the sale promptly to the CSASP.
- 3) The Donee shall make reports to the CSASP which shall state the use, condition, and location of the property, and shall report on other pertinent matters as may be required from time to time by the CSASP.
- 4) At the option of the CSASP, the Donee may abrogate the conditions set forth in Section B and the terms, reservations and restrictions pertaining in Section D by payment of an amount as determined by the CSASP.

E) The donee Agrees to the Following Conditions, Applicable to all Items of Property:

- 1) The property acquired by the Donee is on an "As Is," "where is" basis, without warranty of any kind.
- 2) If the Donee carries insurance against damages to or loss of property due because of fire or other hazards, and the damage to, loss or destruction to donated property with unexpired terms, conditions, reservations or restrictions, occurs, the CSASP will be entitled to reimbursement from the Donee out of the insurance proceeds, in an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated property.

F) Terms, conditions, reservations and restrictions set forth in the Conditional Transfer Document executed by the authorized Donee representative are applicable to the donation of Aircraft and Vessels of 50 Feet or more in length having an acquisition cost of \$5,000 or more in length or more, regardless of the purpose for which acquired.

SIGNATURE: _____

DATE: _____

Honorable Mayor and Members
of the Marina City Council

City Council Meeting of
April 19, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016,
AUTHORIZING THE MAYOR TO EXECUTE A MAINTENANCE
AGREEMENT FROM THE TRANSPORTATION AGENCY FOR
MONTEREY COUNTY (TAMC) FOR A PORTION OF TAMC RIGHT OF
WAY NEAR ENGINEERS STATION 307+90 OF THE MONTEREY
BRANCH LINE PROJECT IN FURTHERANCE OF THE CITY OF
MARINA'S DEL MONTE BLVD. AND BEACH ROAD IMPROVEMENT
PROJECT, AND AUTHORIZING CITY MANAGER TO EXECUTE A
CONSTRUCTION ENCROACHMENT PERMIT ON BEHALF OF THE
CITY OF MARINA SUBJECT TO FINAL REVIEW BY THE CITY
ATTORNEY**

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2016-, authorizing the Mayor to execute a Maintenance Agreement from the Transportation Agency for Monterey County (TAMC) for a portion of TAMC Right of Way near Engineers Station 307+90 of the Monterey Branch Line Project in furtherance of the City of Marina's Del Monte Blvd. and Beach Rd. Improvement Project, and;
2. Authorizing City Manager to Execute an Encroachment Permit on behalf of the City of Marina Subject to final review by the City Attorney

BACKGROUND:

The 2006-07 Capital Improvement Program (CIP) budget included projects for improvements to the intersection of Del Monte Boulevard and Beach Road (TI 29) and the widening of Del Monte Boulevard from Beach Road to Marina Green Drive (R28). Funding for the projects was identified as Public Facilities Impact Fees (PFIF), however, appropriations were not authorized at that time. The total estimated cost for the combined projects is \$4,058,000.

At the regular meeting of August 7, 2007, the City Council adopted Resolution No. 2007-185, approving agreement between City of Marina and RBF Consulting of Walnut Creek, California to provide design services for Del Monte Boulevard from Beach Road to Marina Green Drive.

At the regular meeting of December 18, 2012, the City Council adopted Resolution No. 2012-197, approving an update to the five (5) year City Capital Improvement Program (CIP). Included in the approved CIP project list was the Del Monte Boulevard & Beach Rd. Improvement project for intersection improvements.

On July 16, 2015, City staff conducted a public meeting to discuss the proposed improvements including the proposed roundabout at the intersection of Del Monte Boulevard and Beach Road, identify project area constraints, and invite public comments for consideration of the design engineers in developing the preliminary design for City Council review.

At the regular meeting of August 18, 2015, the City Council of the City of Marina adopted Resolution No. 2015-101, approving the construction of a Roundabout in lieu of a traffic signal for the Del Monte Boulevard and Beach Road Intersection Improvement Project.

As the proposed project improvements include new drainage improvements within TAMC right-of-way, TAMC staff has provided a maintenance agreement for these improvements (EXHIBIT "A").

ANALYSIS:

The Del Monte Blvd. and Beach Rd. Improvement Project includes demolition and removal of existing concrete medians, curb and gutter, and roadway sections; Reconfiguring the existing roadway, including one new traffic roundabout; Installing new concrete curb and gutter, roadway section as required, sidewalk, driveway and curb ramps; Placing an asphalt concrete overlay over the street sections to remain; Installation of a new pathway; Installation of new landscaping and irrigation; Placement of underground storm drain piping and appurtenances; New striping and pavement markings and traffic signage; and all other miscellaneous improvements.

Staff has coordinated with the Transportation Agency for Monterey County (TAMC) for the projects storm drain improvements which includes construction of a drainage basin, a portion of which lies within the Monterey Branch Line right of way.

This maintenance agreement will require the City of Marina to bear the entire cost of constructing, operating, and maintaining the project's drainage improvements that are within the Monterey Branch Line's right of way (improvement area approximately 10 feet wide by 170 feet long). The City is also required to coordinate with TAMC should the drainage improvements conflict with the future improvements of the proposed Monterey Branch Line project.

The encroachment permit shall expire on the fifth anniversary of the issuance of the permit, at which time the City will be required to apply for a new encroachment permit.

FISCAL IMPACT:

There is no fiscal impact at this time.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer, Engineering Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

Nourdin Khayata, P.E.
Acting City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AUTHORIZING THE MAYOR TO EXECUTE A MAINTENANCE
AGREEMENT FROM THE TRANSPORTATION AGENCY FOR MONTEREY
COUNTY (TAMC) FOR A PORTION OF TAMC RIGHT OF WAY NEAR
ENGINEERS STATION 307+90 OF THE MONTEREY BRANCH LINE PROJECT
IN FURTHERANCE OF THE CITY OF MARINA'S DEL MONTE BLVD. AND
BEACH RD. IMPROVEMENT PROJECT, AND AUTHORIZING CITY
MANAGER TO EXECUTE A CONSTRUCTION ENCROACHMENT PERMIT
ON BEHALF OF THE CITY OF MARINA SUBJECT TO FINAL REVIEW BY
THE CITY ATTORNEY

WHEREAS, the 2006-07 Capital Improvement Program (CIP) budget included projects for improvements to the intersection of Del Monte Boulevard and Beach Road (TI 29) and the widening of Del Monte Boulevard from Beach Road to Marina Green Drive (R28). Funding for the projects was identified as Public Facilities Impact Fees (PFIF), however, appropriations were not authorized at that time. The total estimated cost for the combined projects is \$4,058,000, and;

WHEREAS, at the regular meeting of August 7, 2007, the City Council adopted Resolution No. 2007-185, approving agreement between City of Marina and RBF Consulting of Walnut Creek, California to provide design services for Del Monte Boulevard from Beach Road to Marina Green Drive, and;

WHEREAS, at the regular meeting of December 18, 2012, the City Council adopted Resolution No. 2012-197, approving an update to the five (5) year City Capital Improvement Program (CIP). Included in the approved CIP project list was the Del Monte Boulevard & Beach Rd. Improvement project for intersection improvements, and;

WHEREAS, on July 16, 2015, City staff conducted a public meeting to discuss the proposed improvements including the proposed roundabout at the intersection of Del Monte Boulevard and Beach Road, identify project area constraints, and invite public comments for consideration of the design engineers in developing the preliminary design for City Council review, and;

WHEREAS, at the regular meeting of August 18, 2015, the City Council of the City of Marina adopted Resolution No. 2015-101, approving the construction of a Roundabout in lieu of a traffic signal for the Del Monte Boulevard and Beach Road Intersection Improvement Project, and;

WHEREAS, as the proposed project improvements include new drainage improvements within TAMC right-of-way, TAMC staff has provided a maintenance agreement for these improvements (EXHIBIT "A"), and;

WHEREAS, the Del Monte Blvd. and Beach Rd. Improvement Project includes demolition and removal of existing concrete medians, curb and gutter, and roadway sections; Reconfiguring the existing roadway, including one new traffic roundabout; Installing new concrete curb and gutter, roadway section as required, sidewalk, driveway and curb ramps; Placing an asphalt concrete overlay over the street sections to remain; Installation of a new pathway; Installation of new landscaping and irrigation; Placement of underground storm drain piping and appurtenances; New striping and pavement markings and traffic signage; and all other miscellaneous improvements, and;

WHEREAS, staff has coordinated with the Transportation Agency for Monterey County (TAMC) for the projects storm drain improvements which includes construction of a drainage basin, a portion of which lies within the Monterey Branch Line right of way, and;

WHEREAS, this maintenance agreement will require the City of Marina to bear the entire cost of constructing, operating, and maintaining the project's drainage improvements that are within the Monterey Branch Line's right of way (improvement area approximately 10 feet wide by 170 feet long). The City is also required to coordinate with TAMC should the drainage improvements conflict with the future improvements of the proposed Monterey Branch Line project, and;

WHEREAS, the encroachment permit shall expire on the fifth anniversary of the issuance of the permit, at which time the City will be required to apply for a new encroachment permit.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby

1. Authorize the Mayor to execute a Maintenance Agreement from the Transportation Agency for Monterey County (TAMC) for a portion of TAMC Right of Way near Engineers Station 307+90 of the Monterey Branch Line Project in furtherance of the City of Marina's Del Monte Blvd. and Beach Rd. Improvement Project, and;
2. Authorize City Manager to Execute an Encroachment Permit on behalf of the City of Marina subject to final review by the City Attorney.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Marina, duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk

**Agreement for Maintenance of City Of Marina
Del Monte Boulevard and Beach Road Improvements
Located Within TAMC Monterey Branch Line Rail Right of Way**

Location: MBL Engineers Station 307+90

THIS AGREEMENT, made this _____ day of _____, 2016, by and between the Transportation Agency for Monterey County, hereinafter called "TAMC," and the City of Marina, a public agency, address: 211 Hillcrest Avenue, Marina, California 93933, hereinafter called "CITY."

WITNESSETH:

- A. WHEREAS, CITY wishes to construct, operate, and maintain, subject to the terms of this Agreement, a roadway improvement project (herein called "Project"), at or near the City of Marina, County of Monterey, State of California, in the location shown on the attached Improvement Plans for the Del Monte Boulevard and Beach Road Improvement Project dated January 2016.
- B. WHEREAS, the Project includes reconstruction of the intersection of Del Monte Boulevard and Beach Road into a new "roundabout" type intersection.
- C. WHEREAS, a portion of the Project includes construction of roadway and drainage improvements on Beach Road located within the TAMC Monterey Branch Line rail right-of-way.
- D. WHEREAS, TAMC has as one of its goals and purposes the improvement of rail transit within the County of Monterey and has as an established project the return of rail transit to the Monterey Peninsula through, among other things, a "Monterey Branch Line."
- E. WHEREAS, the TAMC Board has selected the Monterey Branch Line project as the "preferred alternative" after extensive analysis and has shared the preliminary plans with the City.
- F. WHEREAS, said roadway and drainage improvements particularly include construction of a storm drainage system, outfall end section structure, rock slope into an existing low lying drainage area (south basin) located within the TAMC Monterey Branch Line rail right of way at the Beach Road crossing. The drainage improvements encroachment into the east side of the Monterey Branch Line right of way would be approximately 170 feet long by 10 feet wide (1,700 SF area).
- G. WHEREAS, the Drainage Report, entitled Del Monte Improvements from Beach Road to Marina Green Drive prepared by RBF Consulting, dated July 2008 states that the southerly storm drainage basin area located approximately 100 feet north of Beach Road and Del Monte Boulevard, and between Del Monte Boulevard and the Railroad tracks, has sufficient capacity to retain and infiltrate a 100-year storm, and CITY has represented that TAMC may rely upon such Drainage Report.
- H. WHEREAS, said roadway and drainage improvements are a key element of the CITY's Del Monte Boulevard and Beach Road Improvement Project.
- I. WHEREAS, CITY will be required to modify said roadway and drainage improvements within the TAMC Rail Right of Way in the event of a future conflict with the proposed Monterey Branch Line project.

- J. WHEREAS, the parties mutually agree that it is appropriate for the CITY and TAMC enter into a maintenance agreement for the roadway and drainage improvements located within the TAMC Monterey Branch Line Rail Right of Way.
- K. WHEREAS, the TAMC encroachment permit shall expire on the fifth anniversary of the issuance of the permit, at which time the CITY shall be required to apply for and be granted a new encroachment permit.

NOW THEREFORE, IT IS AGREED:

1. Cost: CITY shall bear the entire cost of constructing, operating and maintaining said roadway and drainage improvements within the TAMC right of way.
2. Encroachment Permit: CITY shall obtain an Encroachment Permit from TAMC prior to entering and constructing any roadway and drainage improvements on TAMC premises and shall comply with all General and Special Conditions of Approval. CITY shall apply a renewed encroachment permit on the fifth anniversary of the issuance of the issuance of the permit.
3. Construction and Maintenance: Said roadway and drainage improvements shall be constructed, operated, and maintained by CITY in accordance with referenced CITY improvement plans. Approval shall not constitute a warranty by TAMC that such plans conform with federal, state and/or local codes and regulations applicable thereto. All work upon said roadway and drainage improvements shall be done to TAMC's satisfaction, and in a manner not to interfere with TAMC's operations. CITY will be required, at CITY's cost, to modify the roadway and drainage improvements within the TAMC Rail Right of Way in the event of a future conflict with the proposed Monterey Branch Line project or with TAMC's ability to utilize the right of way for construction, operation and maintenance for railway purposes. In the construction, operation, and maintenance of said roadway and drainage improvements, CITY shall keep TAMC's premises in a neat and safe condition, and free from weeds, and trash; failing which, TAMC may do so at CITY's expense. CITY shall protect the existing railroad tracks in-place and shall not allow activities that would affect the operational track profile requirements for the railway. If required by TAMC in use of TAMC's premises, CITY shall reconstruct, relocate, or alter said roadway and drainage improvements to TAMC's satisfaction. Except in emergencies, CITY shall give TAMC five (5) business day's written notice of the day and hour it proposes to do any work on said roadway and drainage improvements. CITY shall cooperate with TAMC in making any tests TAMC requires of any installation or condition which in its judgment may have an adverse effect on any of the facilities of TAMC. All costs incurred by the tests, or any corrections thereafter, shall be borne by the CITY.
4. Term of Agreement: The term of this Agreement shall begin upon execution hereof by CITY and TAMC and shall remain in force until CITY's improvements within the TAMC Right of Way shall be removed.

5. Indemnification. To the fullest extent permitted by law, including California Civil Code sections 2782 and 2782.6, CONTRACTOR shall defend (with legal counsel reasonably acceptable to TAMC), indemnify and hold harmless the TAMC, its officers, agents, and employees, from and against any and all claims, losses, costs, damages, injuries (including injury to or death of an employee of CITY or its contractors or subcontractors), expenses and liabilities of every kind, nature and description (including incidental and consequential damages, court costs, attorneys' fees, litigation expenses and fees of expert consultants or expert witnesses incurred in connection therewith and costs of investigation) that arise out of, pertain to, or relate to, directly or indirectly, in whole or in part, the negligence, recklessness, or willful misconduct of CITY, any contractor or subcontractor, anyone directly or indirectly employed by them, or anyone that they control (collectively "Liabilities") relating to the construction, operation or maintenance of the Project. Such obligations to defend hold harmless and indemnify the TAMC, its officers, agents, and employees, shall not apply to the extent that such Liabilities are caused in part by the sole negligence, active negligence, or willful misconduct of the TAMC, its officers, agents, and employees. To the extent there is an obligation to indemnify under this Paragraph, CITY shall be responsible for incidental and consequential damages resulting directly or indirectly, in whole or in part, from CITY's negligence, recklessness, or willful misconduct. The CITY's obligations to defend, indemnify and hold harmless shall survive any termination of this Agreement.

6. Environmental Protection: CITY shall at its expense, comply with all applicable laws, regulations, rules and orders regardless of when they become or became effective, including, without limitation, those relating to health, safety, noise, environmental protection, waste disposal, hazardous waste, waste disposal, and water and air quality, and furnish satisfactory evidence of such compliance upon request of TAMC. Should any discharge, leakage, spillage, emission, or pollution of any type occur or arise from the premises covered hereunder as a result of CITY's use, presence, operations or exercise of the rights herein granted hereunder, CITY shall immediately notify TAMC and shall at CITY's expense, be obligated to clean all property affected thereby, whether owned or controlled by TAMC or any third persons to the satisfaction of TAMC (insofar as the property owned or controlled by TAMC is concerned) and any governmental body having jurisdiction in the matter. TAMC may at its option, clean TAMC's Premises; if TAMC elects to do so, CITY shall pay TAMC the cost of such cleanup promptly upon receipt of a bill therefor. CITY agrees to release, indemnify and defend TAMC from and against all liability, cost and expense (including, without limitation, any fines, penalties, judgments, litigation costs, and attorney fees) incurred by TAMC as a result of CITY's breach of this section, or as a result of any such discharge, leakage, spillage, emission or pollution, regardless of whether such liability, cost or expense is proximately caused solely and exclusively by the active negligence of TAMC, its officers, agents or employees.

7. Annual Inspection and Maintenance: CITY agrees to inspect and maintain, annually, prior or October 15 of each year, the storm drainage improvements on TAMC premises shown on the above referenced improvement plans. CITY shall maintain a Water Pollution Control Plan and said drainage improvements shall be maintained in accordance with Best Management Practices (BMP) applicable to storm drainage facilities. CITY shall provide to a letter to TAMC providing proof of BMP inspection and maintenance prior to October 15 of each year.

8. Exhibits: The following exhibits are attaché hereto and incorporated by reference:
 - Exhibit A - TAMC Encroachment Permit with Special Provisions of Approval

 - Exhibit B – Final Improvement Plans for the Del Monte Boulevard and Beach Road Improvement Project dated January 2016.

 - Exhibit C – Drainage Report, Del Monte Improvements from Beach Road to Marina Green Drive Prepared by RBF Consulting, dated July 2008.

9. Termination: TAMC may terminate this Agreement at any time for good cause. “Good Cause” includes, without limitation, the failure of CITY to comply with the terms of this Agreement for the maintenance of the roadway and drainage improvements in the manner provided herein. If CITY makes default in respect to any covenant or condition on CITY’s part hereunder and fails to correct such default within thirty (30) days after receipt of notice from TAMC to do so, TAMC may terminate this Agreement by notice to CITY and CITY shall thereupon remove said roadway and drainage improvements and restore the premises of TAMC to TAMC’s satisfaction; failing which, TAMC may arrange to do so at CITY’s expense. TAMC shall give written notice of termination to CITY at least thirty (30) days prior to the effective date of termination, which date shall be specified in any such notice.

10. Amendments and Modifications. No modification or amendment of this agreement shall be valid unless it is set forth in writing and executed by the parties hereto.

11. Governing Laws. This Agreement shall be construed and enforced according to the laws of the State of California, and the parties hereby agree that the County of Monterey shall be the proper venue for any dispute arising hereunder.

12. Construction of Agreement. The parties agree that each party has fully participated in the review and revision of this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any exhibit or amendment. To that end, it is understood and agreed that this Agreement has been arrived at through negotiation, and that neither party is to be deemed the party which prepared this Agreement within the meaning of Civil Code Section 1654. Section and paragraph headings appearing herein are for convenience only and shall not be used to interpret the terms of this Agreement.

13. Waiver. Any waiver of any term or condition hereof must be in writing. No such waiver shall be construed as a waiver of any other term or condition herein.
14. Time is of the Essence. The parties mutually acknowledge and agree that time is of the essence with respect to every provision hereof in which time is an element. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act, nor shall any such extension create a precedent for any further or future extension.
15. Execution of Agreement. Any individual executing this Agreement on behalf of an entity represents and warrants that he or she has the requisite authority to enter into this Agreement on behalf of such entity and to bind the entity to the terms and conditions hereof. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.
16. Entire Agreement. This document, including all exhibits hereto, constitutes the entire agreement between the parties, and supersedes any and all prior written or oral negotiations and representations between the parties concerning all matters relating to the subject of this Agreement.

IN WITNESS WHEREOF, TAMC and CITY OF MARINA execute this agreement as follows:

TAMC	CITY OF MARINA
By _____ Debra L. Hale Executive Director	By: _____ Name: Title: MAYOR
Dated: _____	Dated: _____
Approved as to form: By: _____ Legal Counsel	By: _____ Name: Title: CITY CLERK Dated: _____
	By: _____ Name: Title: CITY ATTORNEY Dated: _____

INSTRUCTIONS: If Consultant is a corporation (including limited liability and nonprofit corporations), the full legal name of the corporation shall be set forth together with the signatures of two specified officers. If Consultant is a partnership, the name of the partnership shall be set forth together with the signature of a partner with authority to execute this Agreement on behalf of the partnership. If Consultant is contracting in an individual capacity, the individual shall set forth the name of his or her business, if any, and shall personally sign the Agreement.

Date: 4/1/2016

Application No. 2016-03

TRANSPORTATION AGENCY FOR MONTEREY COUNTY (TAMC)
APPLICATION FOR
ENCROACHMENT PERMIT (PERMIT TO ENTER AND CONSTRUCT)

City Of Marina
(Applicant's Name)

Of 211 Hillcrest Ave, Marina CA 93933
(Mailing Address)

Del Monte Blvd and Beach Rd Improvement Project
(Address of Property)

(Assessor's Parcel Number)

Applicant hereby applies for an encroachment permit for the purpose of entering and construction on TAMC property at the above-noted property, pursuant to the final policy with respect to encroachments in Monterey Peninsula Branch Line Right-of-Way for the following reasons:

Description of Use: Construction of roadway and drainage improvements for the City of Marina "Del Monte Blvd and Beach Road Improvement Project".

Proposed Starting Date: June 2016
Estimated Date of Completion: October 2016

Drawings submitted: Plan View: Improvement Plans Dated Jan2016
Details: See Attachments 1-A & 1-B

Applicant agrees that work will comply with the General Conditions listed on the reverse side of this application.

(Signature of Applicant)

(Phone Number of Applicant)

*****YOUR APPROVED APPLICATION IS THE ENCROACHMENT PERMIT*****

- Encroachment Permit is approved.
- Encroachment Permit is approved with Special Conditions of Approval, which are a part of the Encroachment Permit.
- Encroachment Permit is disapproved.
- Encroachment Permit application is referred to the TAMC Board for their consideration and action.

Executive Director

Date

Approved as to Form:

TAMC Counsel

Date

Note: Encroachment permit actions by the TAMC Executive Director may be appealed to the TAMC Board by filing an appeal with the TAMC Administrative Services Manager within fifteen (15) days of the date of notice to the applicant.

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

As condition for the granting of an encroachment permit from TAMC, I hereby agree to the following conditions:

GENERAL CONDITIONS

1. **Hold Harmless:** Permittee shall hold harmless and defend TAMC, its officers, employees or agents, against any claims or suits, from any cause whatever, arising from the construction, maintenance or existence of the encroachment permitted pursuant to this permit.
2. **Maintenance:** Permittee shall at all times maintain the public property covered by this permit and any structures or landscaping placed thereon in a safe, neat and attractive manner.
3. **Revocability:** This permit shall be revocable at any time without cause unless otherwise specified. TAMC shall give written notice of such revocation and a reasonable time to remove the encroachment. Permittee agrees to remove the encroachment after said notice and to restore the public property to a safe condition. If permittee fails to do so, TAMC may do said work, either with its own employees or by private contract, and the permittee shall be liable for said costs.
4. **Transferability:** This permit is for the benefit of the adjacent property (other than temporary encroachments) and may be transferred to the successor of the permittee without consent of TAMC, provided, however, that no transfer of this permit shall become effective until the transferee executes an agreement with TAMC that he/she has read and accepts the terms and conditions of the permit. It shall be the duty of the permittee to notify his/her successor of this permit and the terms and conditions herein.
5. **Signs:** There shall be no signs or other forms of advertising within the area covered by this permit unless specifically authorized.
6. **Inspection Notice:** Prior to any construction activity the applicant shall contact the TAMC Inspector for a field inspection of the work to be done within the public right-of-way. A twenty-four (24) hour notice shall be given to the TAMC Inspector prior to any work activity.
7. **Insurance:**

(a) Without limiting Permittee's duty to indemnify, Permittee shall maintain, at no cost to TAMC, throughout the term of this Agreement, a policy or policies of insurance with the following coverage and minimum limits of liability (check if applicable):

- Commercial general liability insurance, including but not limited to premises, personal injury, products, and completed operations, with a combined single limit of \$1,000,000 per occurrence.
- Professional liability insurance in the amount of not less than \$1,000,000 per claim and \$3,000,000 in the aggregate, to cover liability for malpractice or errors or omissions made in the course of rendering professional services. If professional liability insurance is written on a "claims made" basis rather than an "occurrence" basis, Permittee shall, upon the expiration or termination of this Agreement, obtain extended reporting coverage ("tail coverage") with the same liability limits. Any such tail coverage shall continue for at least three years following the expiration or termination of this Agreement.
- Comprehensive automobile liability insurance covering all motor vehicles, including owned, leased, hired and non-owned vehicles used in providing services under this Agreement, with a combined single limit of not less than \$1,000,000 per occurrence.

- (b) All insurance required under this Agreement shall be with a company acceptable to TAMC and authorized by law to transact insurance business in the State of California. Unless otherwise provided herein, all such insurance shall be written on an occurrence basis; or, if any policy cannot be written on an occurrence basis, such policy shall continue in effect for a period of two years following the date of Permittee's completion of performance hereunder.
 - (c) Each policy of insurance required under this Agreement shall provide that TAMC shall be given written notice at least thirty days in advance of any change, cancellation or non-renewal thereof. Each policy shall provide identical coverage for each subcontractor performing work under this Agreement, or be accompanied by a certificate of insurance for each subcontractor showing identical insurance coverage.
 - (d) Commercial general liability and automobile liability policies shall provide an endorsement naming TAMC, its officers, agents, and employees, as additional insured's and shall further provide that such insurance is primary to any insurance or self-insurance maintained by TAMC, and that no insurance of any additional insured shall be called upon to contribute to a loss covered by Permittee's insurance.
 - (e) Workers Compensation Insurance. If during the performance of this contract, Permittee employs one or more employees, then Permittee shall maintain a workers' compensation plan covering all of its employees as required by Labor Code Sec. 3700, either (a) through workers' compensation insurance issued by an insurance company, with coverage meeting the statutory limits and with a minimum of \$100,000.00 per occurrence for employer's liability, or (b) through a plan of self-insurance certified by the State Director of Industrial Relations, with equivalent coverage. If Permittee elects to be self-insured, the certificate of insurance otherwise required by this agreement shall be replaced with consent to self-insure issued by the State Director of Industrial Relations. The provisions of this paragraph apply to any subcontractor employing one or more employees, and Permittee shall be responsible for all subcontractors' compliance herewith.
- 8. Engineering Provisions:** Permittee shall follow the American Railway Engineering and Maintenance of Way Associations 2004 Manual for Railway Engineering engineering specification for work performed on the TAMC Railroad Right-of-Way.

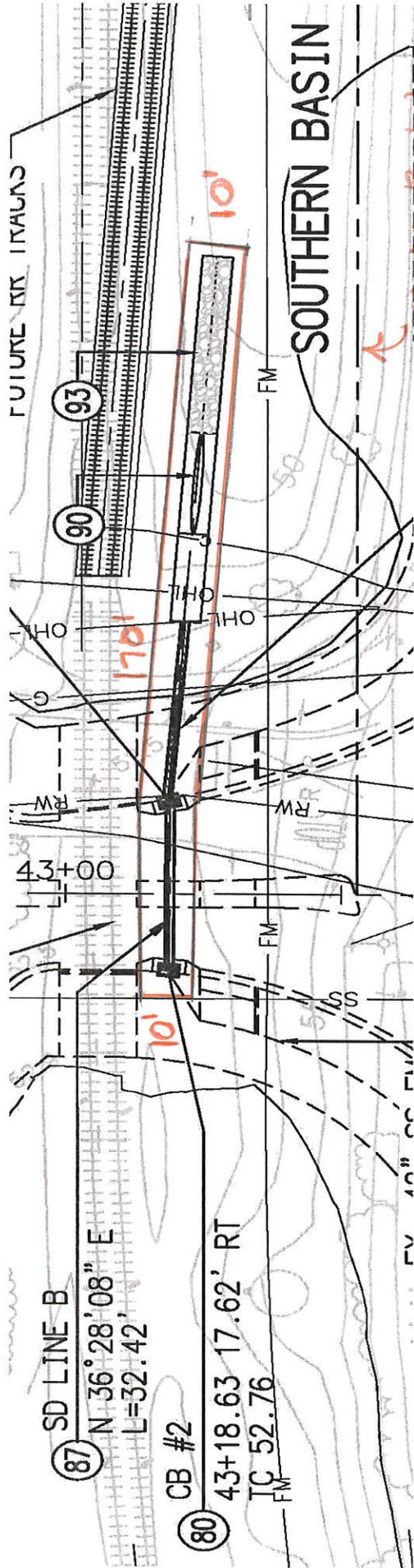
Special Conditions of Approval

- a. The work of construction shall be conducted in accordance with the City of Marina Plans and Specifications for the “Del Monte Boulevard and Beach Street Improvements Project” dated January 2016.
- b. The top of slope for the proposed storm drainage outfall (south basin) shall be adequately offset so that it does not conflict with the proposed second track line location of the Monterey Branch Line (MBL) rail project.
- c. The City of Marina is responsible for all maintenance of the roadway and drainage improvements constructed on TAMC property pursuant to this Encroachment Permit. The City of Marina shall execute a Maintenance Agreement between TAMC and Marina no later than **May XX, 2016** and **this Encroachment Permit shall not be effective until such execution.**
- d. The City of Marina will be required to modify the roadway and drainage improvements within the TAMC right of way in the event of a future conflict with the Monterey Branch Line (MBL) rail project.
- e. The City of Marina indemnifies the TAMC for injury or loss arising out of the City installed facilities.
- f. The City of Marina shall maintain a Water Pollution Control Plan and apply the plan’s Best Management Practices to the use of the site.
- g. The City of Marina shall obtain any applicable local land use jurisdiction permits/approvals prior to occupying the site.
- h. Workers Compensation Insurance shall be maintained at a minimum of \$1,000,000.00 per occurrence.
- i. Unless revoked earlier pursuant to Paragraph 3 of General Conditions, this Encroachment Permit shall terminate on the fifth anniversary of issuance and a new Encroachment Permit shall be required to be obtained with a new writing.

DELMONTE - BEACH FOUNDATION

STORM DRAIN

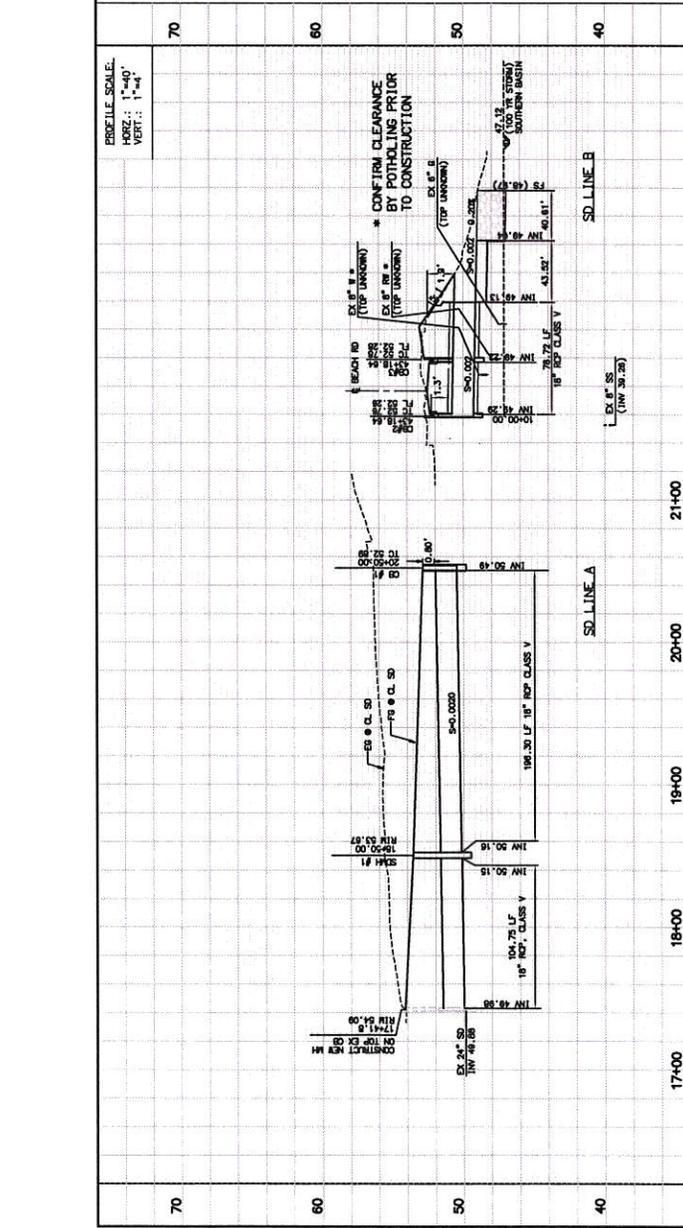
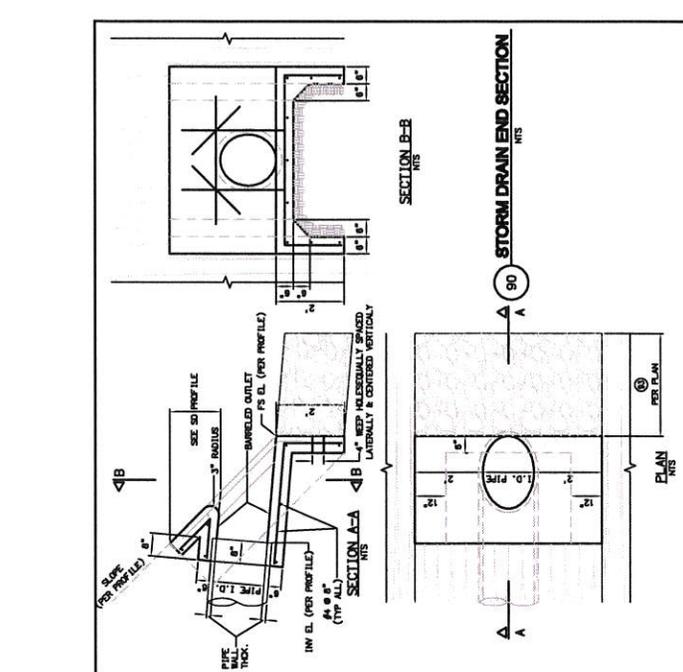
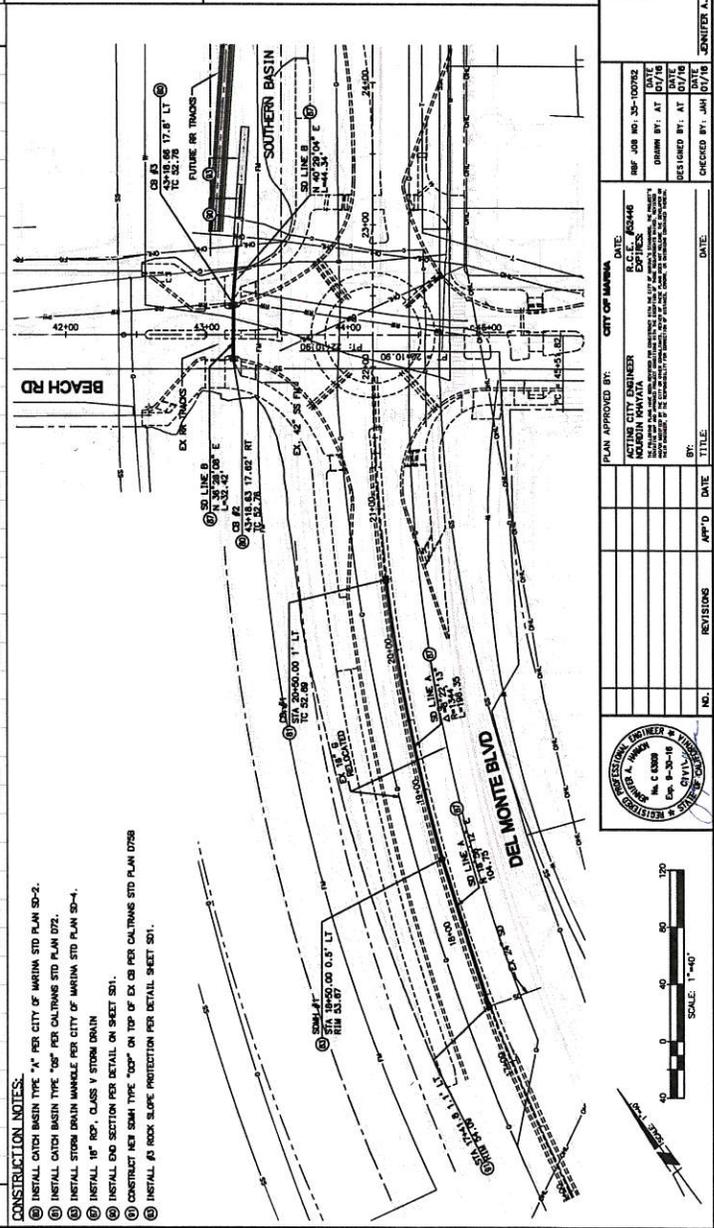
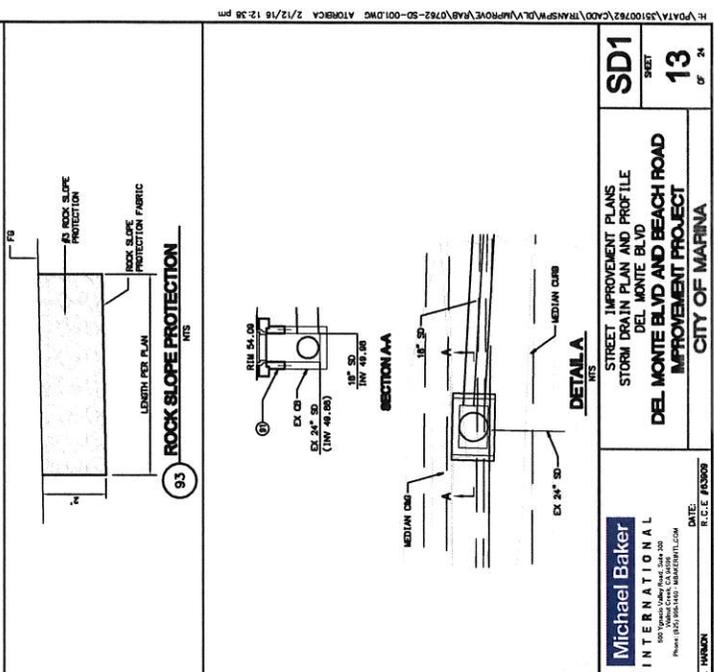
ENCROACHMENT = $170'L \times 10'W = 1700 \text{ SF}$
 INTO TAMC ROW.



SD LINE B
 18" STORM DRAIN
 OUTFALL END SECTION
 ROCK SLOPE PROTECTION

TAMC ROW

RBF JOB NO: 35-100762 DRAWN BY: AT DESIGNED BY: AT CHECKED BY: JAH	DATE: 01/16 DATE: 01/16 DATE: 01/16	Michael Baker INTERNATIONAL 500 Ygnacio Valley Road, Suite 300 Walnut Creek, CA 94598 Phone: (925) 936-1460 • MBAKERINTL.COM	JENNIFER A. HARMON DATE: 01/16 R.C.E # 63909	STREET IMPROVEMENT PLANS STORM DRAIN PLAN AND PROFILE DEL MONTE BLVD DEL MONTE BLVD AND BEACH ROAD IMPROVEMENT PROJECT CITY OF MARINA	SD1 SHEET 13 OF 24
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Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
AWARDING A PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF MARINA AND TARTAGLIA ENGINEERING, OF
ATASCADERO, CALIFORNIA, IN THE AMOUNT OF \$103,383 FOR
PREPARATION OF AN INITIAL STUDY FOR ADOPTION OF THE
RECENTLY COMPLETED AIRPORT MASTER PLAN, INCREASING
APPROPRIATIONS IN THE FY2015-16, AIRPORT OPERATING FUND
555 IN THE AMOUNT OF \$103,383, AUTHORIZING FINANCE
DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY
ENTRIES AND AUTHORIZING CITY MANAGER TO EXECUTE
AGREEMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW
AND APPROVAL BY THE CITY ATTORNEY**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2016-, approving a professional services agreement between City of Marina and Tartaglia Engineering, of Atascadero, California, in amount of \$103,383 for preparation of an initial study for adoption of the recently completed airport master plan, and;
2. Increasing appropriations in the FY 2015-16 Airport Operating Fund 555 in the amount of \$103,383, and;
3. Authorizing Finance Director to make necessary accounting and budgetary entries as, and;
4. Authorizing City Manager to execute agreement on behalf of the City, subject to final review and approval by City Attorney.

BACKGROUND:

At the regular meeting of September 17, 2013, the City Council adopted Resolution No. 2013-130, authorizing acceptance of a FAA Airport Improvement Grant in the amount of \$300,000 for update of the Marina Municipal Airport Master Plan.

At the regular meeting of October 15, 2013, the City Council adopted Resolution No. 2013-146, approving a professional services agreement between City of Marina and Tartaglia Engineering, of Atascadero, California, and Coffman Associates, Airport Consultants, of Salinas, California, in the amount of \$350,864 to prepare the Marina Municipal Airport Master Plan Update.

Tartaglia Engineering, together with Coffman Associates, completed a Draft Final Airport Master Plan Update in September 2015.

At a special meeting of February 9, 2016, the City Council adopted Resolution No. 2016-13(a) receiving an informational presentation from Coffman Associates, Airport Consultants, regarding the Draft Final Airport Master Plan Update.

ANALYSIS:

The updated Airport Master Plan was prepared in accordance with Federal Aviation Administration (FAA) guidelines. The effort documents existing airport facilities and levels of activity, makes projections for the type and volume of anticipated activities in the future and, through the use of FAA design standards, creates a vision for the Marina Municipal Airport for the next 20 years.

CEQA guidelines require the local agency (City of Marina) perform an Initial Study, at a minimum, in advance of formal adoption of the completed planning effort. The focus of this professional services agreement is completion of the Initial Study. This environmental effort does not address any proposed developments, improvements, or enhancements to the airport, other than to review at a programmatic level. The expanded biological review is included to provide initial analysis of any biological issues that could exist on undeveloped airport property, creating a base line for future comparison and review at such time as future developments, improvements, or enhancements to the airport are pursued.

The purpose of this Initial Study is to determine if an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND) is the next appropriate step for implementation of the Airport Master Plan at programmatic level. The Initial Study does not address any specific development or improvement projects or activities at the Airport. The goal is to facilitate City Council adoption of the Airport Master Plan.

The Scope of Services is in line with the requirements of the California Environmental Quality Act (CEQA) for a programmatic-level Initial Study. With a pro-active approach towards pursuit of a MND, the scope of services includes an expanded biological resources field study and report.

Tartaglia Engineering, together with Coffman Associates, has prepared the scope of professional services for preparation of an Initial Study (“**EXHIBIT A**”) and associated cost summary (“**EXHIBIT B**”).

FISCAL IMPACT:

Should the City Council approve this request, the proposed professional services agreement, \$103,383, represents the City of Marina’s financial obligation for this work within this agreement. Federal and state grants are not available for environmental review at this level. Funding will come from available Fund Balance of the FY2015-16 Airport Operating Fund 555.

The Adopted FY 2015-16 Budget, Airport Operating Fund 555 will be amended to increase expenditures by \$103,383. Costs for the professional services to prepare an Initial Study will be recorded to an account TBD in the FY 2015-16 Budget, Airport Operating Fund 555.

Federal grants administered through the FAA are available for National Environmental Protection Act (NEPA) efforts specific to development projects. In addition, the FAA on occasion, can refund the CEQA effort for development projects as part of the grant received for design and/or construction of improvements. Should the airport pursue future development or enhancements, it is the intent of the City of Marina to pursue federal funding for associated NEPA and CEQA environmental work to the fullest extent possible, at that time.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Jeff Crechriou
Airport Services Manager
City of Marina

REVIEWED/CONCUR:

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF MARINA AND TARTAGLIA ENGINEERING, OF ATASCADERO, CALIFORNIA, IN AMOUNT OF \$103,383 FOR PREPARATION OF AN INITIAL STUDY FOR ADOPTION OF THE RECENTLY COMPLETED AIRPORT MASTER PLAN, INCREASING APPROPRIATIONS IN THE FY2015-16, AIRPORT OPERATING FUND 555 IN THE AMOUNT OF \$103,383, AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES AND AUTHORIZING CITY MANAGER TO EXECUTE AGREEMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, at the regular meeting of September 17, 2013, the City Council adopted Resolution No. 2013-130, authorizing acceptance of a FAA Airport Improvement Grant in the amount of \$300,000 for update of the Marina Municipal Airport Master Plan, and;

WHEREAS, at the regular meeting of October 15, 2013, the City Council adopted Resolution No. 2013-146, approving a professional services agreement between City of Marina and Tartaglia Engineering, of Atascadero, California, and Coffman Associates, Airport Consultants, of Salinas, California, in the amount of \$350,864 to prepare the Marina Municipal Airport Master Plan Update, and;

WHEREAS, Tartaglia Engineering, together with Coffman Associates, completed a Draft Final Airport Master Plan Update in September 2015, and;

WHEREAS, at a special meeting of February 9, 2016, the City Council adopted Resolution No. 2016-13(a) receiving an informational presentation from Coffman Associates, Airport Consultants, regarding the Draft Final Airport Master Plan Update, and;

WHEREAS, the updated Airport Master Plan was prepared in accordance with Federal Aviation Administration (FAA) guidelines. The effort documents existing airport facilities and levels of activity, makes projections for the type and volume of anticipated activities in the future and, through the use of FAA design standards, creates a vision for the Marina Municipal Airport for the next 20 years, and;

WHEREAS, California Environmental Quality Act (CEQA) requires the Airport Master Plan proceed through an Initial Study in advance of programmatic adoption of the planning effort by the local authority (City of Marina), and;

WHEREAS, the purpose of this Initial Study is to determine if an Environmental Impact Report (EIR) or a Mitigated Negative Declaration (MND) is the next appropriate step for implementation of the Airport Master Plan at programmatic level. The Initial Study does not address any specific development or improvement projects or activities at the Airport. The goal is to facilitate City Council adoption of the Airport Master Plan, and;

WHEREAS, the scope of professional services included in the agreement are in-line with CEQA guidelines, and;

WHEREAS, Tartaglia Engineering, together with Coffman Associates, has prepared the scope of professional services for preparation of an Initial Study (“EXHIBIT A”) and associated cost summary (“EXHIBIT B”), and;

WHEREAS, through the qualifications-based, FAA prescribed consultant selection process, Tartaglia Engineering was determined well qualified and ranked No 1 for engineering firms and continues to serve the City of Marina at Marina Municipal Airport through the approval period, and;

WHEREAS, the proposed professional services agreement, \$103,383, represents the City of Marina's financial obligation for this work within this agreement. Federal and state grants are not available for environmental review at this level. Funding will come from available Fund Balance of the FY2015-16 Airport Operating Fund 555, and;

WHEREAS, the Adopted FY 2015-16 Budget, Airport Operating Fund 555 will be amended to increase expenditures by \$103,383. Costs for the professional services to prepare an Initial Study will be recorded to an account TBD in the FY 2015-16 Budget, Airport Operating Fund 555, and;

WHEREAS, Federal grants administered through the FAA are available for National Environmental Protection Act (NEPA) efforts specific to development projects. In addition, the FAA on occasion, can re-fund the CEQA effort for development projects as part of the grant received for design and/or construction of improvements. Should the airport pursue future development or enhancements, it is the intent of the City of Marina to pursue federal funding for associated NEPA and CEQA environmental work to the fullest extent possible, at that time.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve a professional services agreement between City of Marina and Tartaglia Engineering, of Atascadero, California, in amount of \$103,383 for preparation of an initial study for adoption of the recently completed airport master plan, and;
2. Increase appropriations in the FY 2015-16 Airport Operating Fund 555 in the amount of \$103,383, and;
3. Authorize Finance Director to make necessary accounting and budgetary entries as, and;
4. Authorize City Manager to execute agreement on behalf of the City, subject to final review and approval by City Attorney.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

EXHIBIT A

COFFMAN ASSOCIATES SCOPE OF SERVICES

PREPARATION OF AN INITIAL STUDY FOR ADOPTION OF A PROPOSED AIRPORT MASTER PLAN AT THE MARINA MUNICIPAL AIRPORT

PROJECT BACKGROUND

The City of Marina has recently prepared a Draft Final Airport Master Plan for the Marina Municipal Airport. Prior to Master Plan adoption, compliance with the *California Environmental Quality Act* (CEQA) (Public Resources Code [PRC] §21000 et seq) and CEQA Guidelines (Title 14, California Code of Regulations (CCR), Chapter Three) is necessary. The City of Marina is the Lead Agency under CEQA, and is, thus, responsible for undertaking an appropriate level of environmental review.

This Scope of Services is for completion of an Initial Study on the proposed Master Plan, and will result in an environmental determination regarding adoption of a Negative Declaration or mitigated Negative Declaration, or the need to prepare an Environmental Impact Report (EIR). The preparation of an EIR, should it prove necessary, is not included within this Scope of Services.

The Draft Final Master Plan provides a programmatic 20-year framework that will guide future site-specific actions at the airport; it does not authorize, fund, or carry out any project or activity (including ground-disturbing actions). Thus, the Master Plan will not create any direct environmental impacts. However, there may be implications, or longer term indirect or cumulative environmental consequences, from managing the airport under the proposed Master Plan. This Scope of Services, therefore, is for preparation of a programmatic-level Initial Study on the Master Plan and related local discretionary actions (i.e., a General Plan Amendment and rezone) required for Master Plan implementation. All future development projects recommended by the Master Plan will be subject to project-specific environmental review under applicable State and Federal regulations at the time that each project is proposed and moving forward.

PROJECT TEAM

All necessary project coordination, impact evaluation, and report preparation will be conducted by Coffman Associates as a subconsultant to Tartaglia Engineers. SWCA Environmental Consultants (SWCA) will assist Coffman Associates, as necessary, to provide additional biological or cultural resource information beyond what is already available on the airport property and

adjacent areas and to validate the proposed biological mitigation proposed in the Master Plan. In addition to preparing the Initial Study, Coffman Associates will be responsible for overseeing and ensuring quality control for SWCA's responsibilities.

DETAILED WORK SCOPE

Element One – Prepare Initial Study

Task 1.1 – Review Existing Literature

Coffman Associates will utilize the existing condition and impact evaluation information available from the *Fort Ord Reuse Plan Final Environmental Impact Report* (Volume Four) (1997), a 1995 Final Environmental Assessment (EA) on Airport's original Master Plan, a 1997 Installation-wide Multispecies Habitat Management Plan for Former Fort Ord, the most recent available draft Fort Ord Habitat Conservation Plan (HCP) and supplemental resource studies, the 2012 Biological Resources Report for the Marina Airport Business Park, recently completed traffic studies, and other available environmental studies and/or EIRs. Therefore, the first task under this Scope of Services is to review and assess the information already available. Additional research and analysis will be required, however, to provide the current airport-specific information that will be necessary to fully complete all Initial Study checklist categories. The conclusion of this task will be to identify any outstanding data needs.

Task 1.2 – Conduct Initial Study Analysis

An Initial Study will be prepared using a format similar to Appendix G of the CEQA Guidelines, and in compliance with the City's *Implementation Policies and Procedures for the California Environmental Quality Act*. The Initial Study will be the basis for the City's determination of whether the project qualifies for a Negative Declaration or a mitigated Negative Declaration, or whether the preparation of an EIR is warranted. Thresholds of significance will be determined based on State, regional, or local criteria. Each environmental category will then be researched using the available studies reviewed in Task 1.1 as well as web-based sources. If necessary, agencies with expertise in specific resource categories, for example, the Natural Resources Conservation Service, will be contacted. In specific instances, additional field surveys or modeling will also be undertaken as discussed below:

Task 1.2.1 – Air Quality and Greenhouse Gas Modeling

Air quality emissions and greenhouse gas (GHG) inventories and documentation of air quality conditions for the region will occur through the following activities:

Identify Applicable Guidelines and Evaluation Criteria. Under this task, both federal and state guidelines and regulations pertaining to the assessment of airport sources of air emissions will be identified and evaluated. These will include (but not limited to) a review of relevant FAA, United States (U.S.) Environmental Protection Agency (EPA), California Air Resources Board (CARB), and Monterey Bay Air Resources District (MBARD) guidelines regarding air quality and hazardous air pollutants (HAPs).

Collect and Review Available Sources of Information and Supporting Materials. This task will involve the identification, collection and evaluation of applicable information from MBARD, as well as State resources related to GHGs, for example, the California Climate Change Portal. Any available airport-specific documentation of the types and characteristics of emission sources associated with the operation of the airport, including any airport-related HAPs, will also be reviewed.

Emission modeling for proposed land use changes will be conducted utilizing the MBARD-recommended methodology (i.e., CalEEMod), which uses estimates of future land use and other activities, and provides an analysis of both air quality and GHG emissions. Long-term emission modeling based on aircraft activity forecast for the airport throughout the life of the Master Plan will also be conducted using the Aviation Environmental Design Tool (AEDT) to compare the existing condition with the future “build-out” condition. A discussion of the proposed project’s consistency with State implementation plans (SIPs), air quality management plans (AQMPs), and climate action plans (CAPs) will be provided.

Task 1.2.2 - Biological Resources Field Survey and Report

Background Research and Literature Review. SWCA will conduct background research and literature reviews of existing documents outlining biological resources at the airport including the current Master Plan documents, the 2012 Biological Resources Report for the Marina Airport Business Park, the Fort Ord Reuse Authority’s *Base Reuse Plan and Reassessment*, a 1997 Installation-wide Multispecies Habitat Management Plan for Former Fort Ord, and any available information related to the Draft Fort Ord HCP. Background research will include queries of the California Natural Diversity Database (CNDDDB), U.S. Fish and Wildlife Service (USFWS) Critical Habitat Mapper, and species lists from the USFWS and California Native Plant Society (CNPS) to determine if special-status species have been recorded in the vicinity of the Master Plan area. Queries will also include review of aerial photography and the National Wetlands Inventory and National Hydrography Dataset to determine if wetland or other water features that may be considered jurisdictional by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), or California Department of Fish and Wildlife (CDFW) have been recorded in the vicinity of the Master Plan area. These records will be compiled into species lists and maps for use during field surveys.

Field Survey. SWCA will conduct a reconnaissance-level field survey to record existing conditions in an approximate 90-acre Biological Study Area (BSA) which will focus on three main areas: the

Habitat Reserve area to be removed during runway expansion; a proposed relocated Habitat Reserve area; and, a proposed north side access road. Surveys will be focused on assessment of suitable conditions for special-status species and presence of sensitive habitats. SWCA biologists will record any occurrences of special-status species, and will capture photos and Global Positioning System (GPS) data points of sensitive biological resources for incorporation into plan area maps and technical reports. It is assumed that focused or protocol-level surveys for special-status species will not be required, though these surveys can be provided by SWCA under a change order as needed.

Biological Resources Survey Report. SWCA will prepare a Biological Resources Survey Report (BRSR) to summarize the findings of the background research and field surveys for State- and federally listed species, State species of special concern, rare plants, species considered sensitive under CEQA, and sensitive habitats. The report will include discussion of survey methods, results of the survey, a map of habitats in the BSA, site photographs, a list of species observed, a discussion of impacts that may result from implementation of projects within the Master Plan area, a discussion of the regulatory environment including the draft HCP, and recommended avoidance and minimization or mitigation measures that could apply to future Master Plan projects, as appropriate. The purpose of the BRSR will be to inform the biological resources analysis in the Initial Study, and to provide a foundation of information that may help to guide future development.

OPTIONAL TASK: Master Plan Area Habitat Mapping. If requested by the City, SWCA will include habitat mapping of the entire Master Plan area in the scope of work to assist in identification of potential alternate mitigation sites. SWCA will include research of any existing habitat maps of the area and review of aerial imagery, and will verify and map habitat boundaries in the field with a GPS unit during the field survey described above. SWCA will prepare GIS habitat maps of the plan area for inclusion in the Master Plan update, and provide GIS shapefiles for use in future project planning. Habitat mapping of the entire airport property may be useful in selection of an appropriate Habitat Reserve mitigation site.

NOTE: SWCA will conduct the optional habitat mapping task to identify alternative mitigation sites only with written approval from the City via Coffman Associates. Costs included in this optional task are for a site visit that is independent of the biological reconnaissance field survey.

Task 1.2.3 – Cultural Resources Survey Record Search and Report

Records Search and Literature Review. SWCA will perform a records search for the project area at the Northwest Information Center (NWIC) at Sonoma State University. The NWIC is the regional office of the California Historical Resources Information System (CHRIS); the primary purpose of the records search is to acquire site records for all previously recorded cultural resources within, or within 0.5 mile of, the Master Plan area, as well as copies of all previous cultural resources studies. A map showing the results of the literature search, including areas previously inventoried and previously recorded sites, will be provided. SWCA assumes the

records search will take no more than 2 hours and that it will be conducted at standard rates.

Cultural Resources Letter Report. SWCA will prepare a cultural resources letter report summarizing the results of the cultural resources background research and records search, outlining regulatory considerations for future projects within the Master Plan area, and providing recommendations for future cultural resources surveys and mitigation. The purpose of the report will be to inform the cultural resources analysis in the Initial Study, and to provide a foundation of information that may help to guide future development. If the locations of sensitive archaeological sites or Native American cultural resources are found during the records search and shown or described in the report, the report will be considered confidential.

Initial Native American Consultation. SWCA will contact the California Native American Heritage Commission (NAHC) for a review of their Sacred Lands File. The NAHC will determine if any NAHC-listed Native American sacred lands are located within or adjacent to the project area. In addition, the NAHC will provide a list of Native American contacts for the project that they believe should be contacted for additional information. SWCA will provide this contact list to the City to facilitate its obligations under Senate Bill (SB) 18, and Assembled Bill (AB) 52, as applicable (see Task 2.1).

Task 1.2.4 – Land Use Compatibility and Growth Inducement

Implementation of the Master Plan will occur primarily on existing airport property. However, similar to the previous Master Plan, the Master Plan Update recommends the acquisition of property or avigation easements over the RPZs on the east and west ends of the airport. Some of these potential acquisitions or easements would be modified compared to what was previously proposed. The Master Plan also recommends an additional access road on the north side of the airport and the extension of the runway to an ultimate length of 5,800 feet. The runway extension, in particular, changes the noise contours and safety zones for the airport. These changes have been documented in a draft Airport Land Use Compatibility Study prepared in conjunction with the Master Plan. The Initial Study will use this information in evaluating specific land use implications of the proposed runway extension. Potential growth inducement implications of proposed Master Plan recommendations will also be specifically evaluated.

NOTE: This task will rely on published data only; no additional data collection or economic studies are included in this scope.

Element Two – Agency Coordination and Tribal Consultation

Task 2.1 – Preparation of Tribal and Agency Coordination Letters

Under this task, the Coffman Associates will provide the City with an agency and tribal list as well as draft coordination letters that can be used to reach out to agencies and tribes that might have input into the environmental review process prior to the environmental analysis being finalized.

NOTE: These letters will need to be sent out by the City on City letterhead.

SB 18 requires that local governments contact appropriate tribes, as identified by the NAHC, prior to adoption of a general plan or a specific plan. Therefore, it is recommended that the City conduct this coordination with tribes prior to adoption of the airport’s Master Plan as part of the Initial Study review to give tribes, as identified by NAHC as being traditionally and culturally affiliated with the geographic area, an opportunity to request tribal consultation in accordance with SB 18. A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe (Gov. Code § 65352.3).

AB 52 recently amended CEQA to create a separate category of cultural resources, known as “tribal cultural resources” (PRC §21074), and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. Thus, this tribal coordination will serve the dual purpose of meeting SB 18 requirements, and also soliciting information from the tribes that will help the evaluation of tribal cultural resources under AB 52.

Similarly, coordination with other agencies can help to gain valuable information regarding potential environmental concerns. Information received as a result of the initial agency coordination under this task will be used in completing the Initial Study checklist.

Task 2.2 – Additional Agency Coordination

The proposed mitigation to replace existing Habitat Reserve areas on the airport with other areas on the airport should be coordinated with other agencies besides the City of Marina. Thus, this task provides Consultant support to facilitate lines of communication between the City, the University of California, CDFW, and other stakeholders (for example, local trails groups). One (1) in-person meeting attended by one (1) Coffman Associates’ personnel is included in this scope as well as up to three (3) teleconferences attended by two (2) Coffman Associates’ personnel to build a consensus on the mitigation proposed. SWCA will also participate in up to three (3) teleconferences and one (1) in-person meeting with agency and stakeholder contacts to discuss existing conditions and concerns with future development at the Marina Airport. It is anticipated that these meetings will provide background and help to identify suitable Habitat Reserve mitigation areas on the airport property.

Element Three – Documentation and Public Review

Task 3.1 – Prepare Initial Study Documentation

An administrative draft of the Initial Study will be prepared for City review and comment. Once these comments are received and incorporated into the document, the final Initial Study will be prepared. This Scope of Services includes the printing of up to thirty (30) hard copies of the report and ten (10) copies on compact disk (CD).

If it is determined that the document has regional or statewide affect and the State Clearinghouse is used for distribution purposes, fifteen (15) of the Draft Initial Study copies will be provided to the State Office of Planning and Research by the City or by Coffman Associates on behalf of the City.

Task 3.2 – Notices and Responses to Review Comments

Based on the Initial Study, the City will determine the appropriate CEQA determination for the project. If a Negative Declaration or a mitigated Negative Declaration is appropriate, Coffman Associates will assist the City in preparing a Notice of Determination. At this point the Negative Declaration and Initial Study must be released for public review. Following a 20 to 30-day public review and comment period, all comments received on the Negative Declaration/Initial Study will be compiled for staff review. Written responses, as necessary, will be submitted to City staff for inclusion into the staff report going forward to the City Council regarding environmental findings of the Initial Study. This task also includes attendance by up to two (2) Coffman Associates staff at one (1) City Council meeting to present the Initial Study findings and to answer questions.

The noticing and preparation of an EIR under CEQA, if required, is not included within this Scope of Services.

The above scope of work is based on Coffman Associates' best professional judgment and incorporates information provided to the Consultant from the City as well as preliminary internet research. However, should additional study, analysis, or coordination be needed beyond what is included in this Scope of Services, detailed addendums to this scope and associated costs will be prepared. Specific authorization will be sought from the City prior to undertaking such tasks.

The following assumptions were used to develop the above Scope of Services:

- *Survey crews will have full access to the entire study area, and access will be made available in a timely manner that will not delay the proposed schedule.*

- *Surveys for all special-status species and habitats will be reconnaissance level and will be conducted in one visit. The survey will be focused in the existing and proposed habitat reserve areas (approximately 90 acres total). Additional surveys may require a change order (e.g., seasonally-timed botanical surveys). Protocol-level surveys for special-status species are not anticipated to be required.*
- *To the extent possible, the reconnaissance survey will be conducted in the late spring or early summer (April-June) to allow for identification of blooming rare plant species.*
- *No cultural resources field surveys are required at this time.*

**Exhibit B
Marina Municipal Airport Master Plan
Initial Study
Cost Summary**

02/25/2016	Coffman Associates Hours								TASK/ ELEMENT TOTAL	
	Principal	Sr. Professional	Professional	Technical	TOTAL	EXPENSES	TRAVEL	SWCA		
	\$281	\$230	\$173	\$121	LABOR					
Element One - PREPARE INITIAL STUDY										
Task 1.1	Review Existing Literature	4	0	24	0	\$5,276				\$5,276
Task 1.2	Conduct Initial Study Analysis	4	0	120	8	\$22,852				\$22,852
Task 1.2.1	Air Quality and Greenhouse Gas Modeling	0	24	0	4	\$6,004				\$6,004
Task 1.2.2	Biological Resources Field Survey	0	0	0	0	\$0			\$18,155	\$18,155
Task 1.2.3	Cultural Resources Survey Record Search	0	0	0	0	\$0			\$5,735	\$5,735
Task 1.2.4	Land Use Compatibility and Growth Inducement	0	0	16	4	\$3,252				\$3,252
TOTAL		8	24	160	16	\$37,384	\$0		\$23,890	\$61,274
Element Two - AGENCY COORDINATION AND TRIBAL CONSULTATION										
Task 2.1	Tribal and Agency Coordination Letters	4	0	16	4	\$4,376				\$4,376
Task 2.2	Additional Agency Coordination	4	0	24	4	\$5,760		\$1,000	\$8,415	\$15,175
TOTAL		8	0	40	8	\$10,136	\$0	\$1,000	\$8,415	\$19,551
Element Three - DOCUMENTATION AND PUBLIC REVIEW										
Task 3.1	Initial Study Documentation*	4	0	24	8	\$6,244	\$1,750			\$7,994
Task 3.2	Notices and Responses to Comments	4	0	16	8	\$4,860		\$1,800		\$6,660
TOTAL		8	0	40	16	\$11,104	\$1,750	\$1,800	\$0	\$14,654
PROJECT GRAND TOTAL		24	24	240	40	\$58,624	\$1,750	\$2,800	\$32,305	\$95,479
Optional Task (Habitat Mapping)									\$7,904	\$7,904
TOTAL COST WITH OPTIONAL TASK									\$40,209	\$103,383

*Assumes \$50/report (appx. 175 pages) and \$5/CD, plus shipping

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
AUTHORIZING THE CITY MANAGER TO EXECUTE A SIDE LETTER
AGREEMENT BETWEEN THE CITY OF MARINA AND THE MARINA
PUBLIC SAFETY OFFICERS ASSOCIATION AUTHORIZING
ADJUSTMENTS TO CITY COMPENSATION PLAN AND SALARY
SCHEDULE INCLUDING ADJUSTMENTS TO SALARY AND MEDICAL
CONTRIBUTIONS AND OTHER SPECIFIED TERMS AND
CONDITIONS OF EMPLOYMENT SPECIFIED IN THE SIDE LETTER
AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE
APPROPRIATE BUDGET AND ACCOUNTING ENTRIES**

REQUEST:

It is recommended that the City Council consider:

1. Adopting Resolution No. 2016- authorizing the City Manager to execute a side letter agreement between the City of Marina and the Marina Public Safety Officers Association, and;
2. Authorizing adjustments to City Compensation Plan including adjustments to the salary schedule, medical contributions and other specified terms and conditions of employment specified in the Side Letter, and;
3. Authorizing Finance Director to make appropriate accounting and budgetary entries.

BACKGROUND:

The City of Marina and the Marina Public Safety Officers Association have met and conferred and have reached a tentative agreement to a Side Letter amending the current Memorandum of Understanding between the City of Marina and the Marina Public Safety Officers Association.

The City of Marina and the Marina Public Safety Officers Association are also working on compiling all previous Memorandum of Understandings, Side Letters and Addendums into a comprehensive Memorandum of Understanding. When compiled this comprehensive Memorandum of Understanding will be brought back to the City Council for approval.

ANALYSIS:

The attached Side Letter (Exhibit A) extends the current Memorandum of Understanding through June 30, 2017. The parties have agreed to the following terms and conditions of employment:

1. Term (2 year)
 - a. Effective July 1, 2015
2. PERS Retirement (Employee PERS contribution)
 - a. Bargaining unit "Classic employees" shall pay the remaining entire employee contribution towards PERS (4.5%). Provided that it is cost neutral, effective in the pay period in which the "Classic employee" full employee PERS contribution is shifted to the employee, the employee shall receive a 4.5% salary increase.

3. Wages
 - a. 1% salary increase effective January 1, 2015 (effective pay period that includes January 1, 2015)
 - b. 2% salary increase effective July 1, 2016 (effective pay period that includes July 1, 2016)

4. Medical (effective January 2016 and January 2017). Add the following amounts to the current City contribution:

<u>Year 1</u>	<u>Year 2</u>
Employee only - \$50	Employee only - \$50
Employee + 1 - \$100	Employee + 1 - \$75
Employee + 2 - \$130	Employee + 2 - \$100

5. Public Safety Officers Skills Pay (10 employees receive @ \$2,990 each annually)
 - a. Eliminate Public Safety Officers classification and assign to Police Officers Classification
 - b. Eliminate Public Safety Officers Skills Pay @ \$2,990 each, **effective July 1, 2016.**
6. Bilingual Pay (4 employees @ \$108.33 each per month, \$1,300 annually)
 - a. Expand pay from 4 to 8 employees
 - b. Require testing process to document proficiency
7. Detectives Schedule
 - a. Approve MOU language that allows Police Chief at his discretion only to approve alternate schedules for Detectives

FISCAL IMPACT:

The estimated fiscal impact for the two year agreement is approximately \$100,000.

CONCLUSION:

This request is submitted for City Council approval.

Respectfully submitted,

Layne Long
 City Manager
 City of Marina

RESOLUTION NO. 2016-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING A SIDE LETTER AGREEMENT AMENDING THE EXISTING MEMORANDUM OF UNDERSTANDING BETWEEN CITY OF MARINA AND THE MARINA PUBLIC SAFETY OFFICERS ASSOCIATION (PSOA) AND AUTHORIZE CITY MANAGER TO EXECUTE SIDE LETTER AGREEMENT ON BEHALF OF CITY.

WHEREAS, the existing Memorandum of Understanding between the City of Marina and the Marina Public Safety Officers Association has expired, and;

WHEREAS, the City of Marina and the Marina Public Safety Officers Association have met and conferred and have reached a tentative agreement to approve a Side Letter amending the existing Memorandum of Understanding, and;

WHEREAS, the Side Letter (Exhibit A) amends the Compensation Plan and provides for adjustments to the salary schedule, medical contributions and other terms and conditions of employment, and;

WHEREAS, the City of Marina and the Marina Public Safety Officers Association will be compiling all previous Memorandums of Understanding, Side Letters and Addendums into a comprehensive Memorandum of Understanding and will be bringing this back to the City Council for approval, and;

WHEREAS, the term of the new Memorandum of Understanding will expire on June 30, 2017, and;

WHEREAS, all other terms and conditions of employment contained in the parties previous Memorandum of Understanding, Side Letters and Addendums shall remain in effect, and;

WHEREAS, the estimated cost of all salary and benefit adjustments in the Side Letter is approximately \$100,000 over the term of the agreement, and;

WHEREAS, the cost of the proposed salary and benefit adjustments can be funded from on-going revenues from the General Fund.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina do hereby:

1. Authorize the City Manager to execute a Side Letter agreement between the City of Marina and the Marina Public Safety Officers Association, and;
2. Authorize adjustments to City Compensation Plan including adjustments to the salary schedule, medical contributions and other specified terms and conditions of employment specified in the Side Letter, and;
3. Authorize the Finance Director to make appropriate accounting and budgetary entries.

PASSED AND ADOPTED, by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April, 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

TENTATIVE AGREEMENT BY AND BETWEEN THE CITY OF MARINA AND THE
MARINA PUBLIC SAFETY OFFICERS ASSOCIATION
April 19, 2016

This Tentative Agreement is entered into by and between the City of Marina (“City”) and the Marina Public Safety Officers Association (“POA”), both parties having met and conferred in good faith to reach agreement for a successor Memorandum of Understanding (“MOU”). The parties tentatively agree to extend the MOU to June 30, 2017, and to amend the MOU as follows:

1. Term (2 year)
 - a. Effective July 1, 2015

2. PERS Retirement (Employee PERS contribution)
 - a. Bargaining unit employees shall pay the remaining entire employee contribution towards PERS (4.5%). Provided that it is cost neutral, effective in the pay period in which the full employee PERS contribution is shifted to the employee, the employee shall receive a 4.5% salary increase (finance department estimates annual cost of this is \$12 per employee).

3. Wages
 - a. 1% increase - **effective January 1, 2015** (effective pay period that includes January 1, 2015)
 - b. 2% increase - effective July 1, 2016 (effective pay period that includes July 1, 2016)

4. Medical (effective January 2016 and January 2017). Add the following amounts to the current City contribution:

<u>Year 1</u>	<u>Year 2</u>
Employee only - \$50	Employee only - \$50
Employee + 1 - \$100	Employee + 1 - \$75
Employee + 2 - \$130	Employee + 2 - \$100

5. Public Safety Officers Skills Pay (10 employees receive @ \$2,990 each annually)
 - a. Eliminate Public Safety Officers classification and assign to Police Officers Classification
 - b. Eliminate Public Safety Officers Skills Pay @ \$2,990 each, **effective July 1, 2016.**

6. Bilingual Pay (4 employees @ \$108.33 each per month, \$1,300 annually)
 - a. Expand pay from 4 to 8 employees (estimated cost \$5,200)
 - b. Require testing process to document proficiency

7. Detectives Schedule
 - a. Approve MOU language that allows Police Chief at his discretion only to approve alternate schedules for Detectives

Except as explicitly provided above, the effective date of these terms shall be as soon as administratively possible following the ratification and adoption of the MOU.

CITY OF MARINA

MARINA PUBLIC SAFETY OFFICERS
ASSOCIATION

By: _____

By: _____

Date: _____

Date: _____

April 14, 2016

Item No. **8j(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
MAKING AVAILABLE THE DEVELOPMENT IMPACT FEE STUDY IN
ACCORDANCE WITH MARINA MUNICIPAL CODE CHAPTER 3.26**

REQUEST:

It is requested that the City Council:

1. Consider adopting Resolution No. 2016-, making available the Development Impact Fee Study in accordance with Marina Municipal Code Chapter 3.26

BACKGROUND:

At the regular meeting of July 17, 2007, the City Council held a public meeting to receive any public comments regarding the proposed update to the City's Public Facilities Impact Fee (PFIF) Study.

At the regular meeting of August 7, 2007, the City Council passed and adopted Ordinance No. 2007-10, amending Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development.

At the regular meeting of May 17, 2011, the City Council held a public meeting to receive any public comments regarding the proposed update to the City's PFIF study.

At the regular meeting of June 7, 2011, the City Council passed and adopted Ordinance No. 2011-02, amending Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development.

ANALYSIS:

The new Public Facilities Impact Fee Study (Study) report ("**EXHIBIT A**") updates all five (5) City public facilities impact fee programs for public building facilities, public safety facilities, roadways, intersections and parks.

The purpose of the Study is to re-evaluate and update the fees developed from the 2011 study to incorporate the adopted Capital Improvement Program (CIP) projects and additional recommended projects.

Neither FORA projects nor FORA fees are included in the City of Marina Public Facilities Impact Fees, this there is no "double collection" of fees for required improvements. The Public Facilities Impact Fees are based on future infrastructure requirements because of future development projects. These future projects are included in the current General Plan boundary of the City. No funds are collected for existing deficiencies. The Fees include the cost of Master Plan and Fee updates.

An exhibit showing a summary of the current development impact fees are attached ("**EXHIBIT B**").

Chapter 3.26.070 of the Marina Municipal Code (MMC) requires all fees and charges adopted or increased set by ordinance pursuant to Government Code Section 66016 and shall take effect sixty (60) days following adoption of the ordinance.

The following schedule of regular City Council meetings will satisfy the requirements of Chapter 3.26.070 in updating the fee schedule and ordinance:

- April 19, 2016 – The Study will be made available to the public on the Consent Agenda, satisfying MMC 3.26.070(B)(3).
- May 3, 2016 – A presentation will be given to the City Council on the contents of the report satisfying MMC 3.26.070(B)(1).
- May 17, 2016 – A public hearing will be held at which the ordinance revision will be introduced satisfying MMC 3.26.070(B)(4).
- June 7, 2016 – The second reading of the ordinance revision will be made along with adoption of the ordinance. The new fees would then become effective sixty (60) days after adoption.

FISCAL IMPACT:

Adoption of the proposed development impact fees will provide revenue to fund the development driven projects.

CONCLUSION:

This request is submitted for City Council's approval.

Respectfully submitted,

Edrie Delos Santos, PE
Senior Engineer, Engineering Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

Nourdin Khayata, PE
Acting City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA MAKING
AVAILABLE THE DEVELOPMENT IMPACT FEE STUDY IN ACCORDANCE
WITH MARINA MUNICIPAL CODE CHAPTER 3.26

WHEREAS, at the regular meeting of July 17, 2007, the City Council held a public meeting to receive any public comments regarding the proposed update to the City's Public Facilities Impact Fee (PFIF) Study, and;

WHEREAS, at the regular meeting of August 7, 2007, the City Council passed and adopted Ordinance No. 2007-10, amending Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development, and;

WHEREAS, at the regular meeting of May 17, 2011, the City Council held a public meeting to receive any public comments regarding the proposed update to the City's PFIF study, and;

WHEREAS, at the regular meeting of June 7, 2011, the City Council passed and adopted Ordinance No. 2011-02, amending Chapter 3.26 of the Marina Municipal Code regarding mitigation fees for new development, and;

WHEREAS, the proposed Public Facilities Impact Fee Study (Study) report ("**EXHIBIT A**") updates all five (5) City public facilities impact fee programs for public building facilities, public safety facilities, roadways, intersections and parks, and;

WHEREAS, the purpose of the Study is to re-evaluate and update the fees developed from the 2011 study to incorporate the adopted Capital Improvement Program (CIP) projects and additional recommended projects.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. Makes available the Development Impact Fee Study in accordance with Marina Municipal Code Chapter 3.26

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



FINAL REPORT

Development Impact Fee Study – 2016 Update

for the



Prepared by:

Kimley»Horn

Prepared: July 20, 2007

Updated: April 25, 2011

Updated: April 4, 2016

DEVELOPMENT IMPACT FEE STUDY - 2016 Update FINAL REPORT

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Chapter 1

Development Impact Fee Analysis

Introduction

This report is the second update to the *2007 Development Impact Fee Study* (RBF Consulting, July 20, 2007). The first update was prepared in 2011, *Development Impact Fee Study – 2010 Update* (RBF Consulting, April 25, 2011). The 2007 report presented an update of the analysis of the need for facilities to accommodate new development in the City of Marina and addressed five City development impact fee programs: Public Building Facilities, Public Safety Facilities, Roadways, Intersections and Park Facilities. The City currently imposes development impact fees on new development for all five of these programs. The City of Marina recently completed an update of their Capital Improvement Program (CIP) and it is currently being adopted.

The purpose of the Development Impact Fee Study – 2016 Update is to re-evaluate and update the fees developed from the 2011 study to incorporate the adopted CIP projects and additional recommended projects.

Study Objectives

The City of Marina is a rapidly growing community with planned development in several areas of the City, most notably the 1500 acres of former Fort Ord, which will be developed over the next 15-20 years. In order to provide adequate public facilities, the City must update the development impact fee on a regular basis. This study updates five of the City's development impact fees, which are described in more detail in the following chapters.

This report does not address all fees that will be required from developers for improvements not included in the Fee Program. Fees such as those associated with schools, The Fort Ord Reuse Authority (FORA), farmland preservation, or habitat conservation plans, are outside the scope of this project and have separate development fee agreements with the City of Marina. Development associated with California State University – Monterey Bay (CSUMB) is excluded from the Fee Program due to the peremptory writ of mandate issued by the California Superior Court (see copy of writ in Appendix A and additional discussion in Fee Area section at the end of this chapter).

The *Regional Impact Fee Nexus Study Update* (Transportation Agency for Monterey County, March 26, 2008) identified funding for the following project on the City's CIP list: widening of Imjin Parkway from Reservation Road to Imjin Road.

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Mitigation Fee Act

Over the last 30 years, the changing fiscal situation in California has steadily under-funded local infrastructure. Accordingly, many cities have adopted a policy of “growth pays its own way,” requiring new development to fund infrastructure expansion through the imposition of public facilities fees, also known as development impact fees.

As a result of the widespread imposition of public facilities fees at the local level, the State Legislature passed the *Mitigation Fee Act* (Assembly Bill 1600) in 1988. The *Act*, contained in *California Government Code* Section 66000 *et seq.*, established ground rules for the imposition and administration of impact fee programs. The *Act* became law in January 1989 and requires local governments to document the following when adopting an impact fee:

1. Identify the purpose of the fee;
2. Identify the use of fee revenues;
3. Determine a reasonable relationship between the use of the fee and the type of development paying the fee;
4. Determine a reasonable relationship between the need for the fee and the type of development paying the fee; and
5. Determine a reasonable relationship between the amount of the fee and the cost of the facility attributable to development paying the fee.

In summary, a fee cannot be more than the cost of the public facility needed to accommodate the new development paying the fee, and the fee revenues can only be used for their intended purpose.

Organization of the Report

The first step in determining an impact fee begins with the selection of a planning horizon and the identification of projects needed to support the projected population and employment. These projections are used throughout the analysis of various facility categories.

Chapters 2 through 5 are devoted to documenting the following fees:

- Chapter 2 - Public Building Facilities Impact Fee - city hall, public works, and community center facilities
- Chapter 3 - Public Safety Facilities Impact Fee - police and fire facilities
- Chapter 4 - Transportation (Roadways & Intersections) Facilities Impact Fees
- Chapter 5 - Parks Facilities Impact Fee

Each chapter is organized under the following sections to clearly document the requirements of the *Mitigation Fee Act* discussed above:

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- The chapter begins with a statement identifying the purpose of the fee by stating the types of facilities that would be funded.
- The *Service Population* section identifies whether only residents or both residents and businesses benefit from the facilities in the associated category. It identifies the appropriate population figures to use in the analysis, and also accounts for anticipated populations from those developments that have existing development agreements (DA's) with the City. For transportation facilities, the *Trip Generation* section defines the benefit relationship on the basis of daily vehicle trips rather than on service population.
- The *Facility Standards and Fee Schedule* section establishes a reasonable relationship between the need for the fee and type of development paying the fee. This section also establishes a reasonable relationship between the amount of the fee and the cost of the facility attributable to development paying the fee. Using a common factor for facility costs per capita or level of service, the schedule ensures that each development project pays its fair share of total facility costs. For Transportation facilities, the *Proportionate Share and Fee Schedule* section defines the relationship based on land use types.
- The *Facility Costs to Accommodate Growth* section establishes a reasonable relationship between the use of the fee revenues and the type of development paying the fee. This section also estimates the total facility costs associated with new development over the planning horizon. These costs equal the revenues that would be collected through the impact fee. Programming of revenues to specific projects would be done through the City's annual capital improvement planning and budget process.
- The *Implementation* section provides recommendations for the ongoing administration of the fee. The recommendations are meant to ensure compliance with the *Act*, and to ensure that fees are adjusted for inflation.

Fee Area

The areas of the City to which the fees will apply are shown in Figure A. This area includes the current City of Marina General Plan Boundary. The fee area includes the following approved and pending projects:

- Airport Business Park
- Airport EDC Parcel
- California State University Monterey Bay Campus expansion
- Cypress Knolls
- Downtown Redevelopment Plan
- The Dunes
- Imjin Office Park (remaining phases)
- K-8 School, Marina High, Marina Joint Use Facility

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- Marina Station
- Marina Heights
- MPC Satellite Campus Phase II
- MBEST

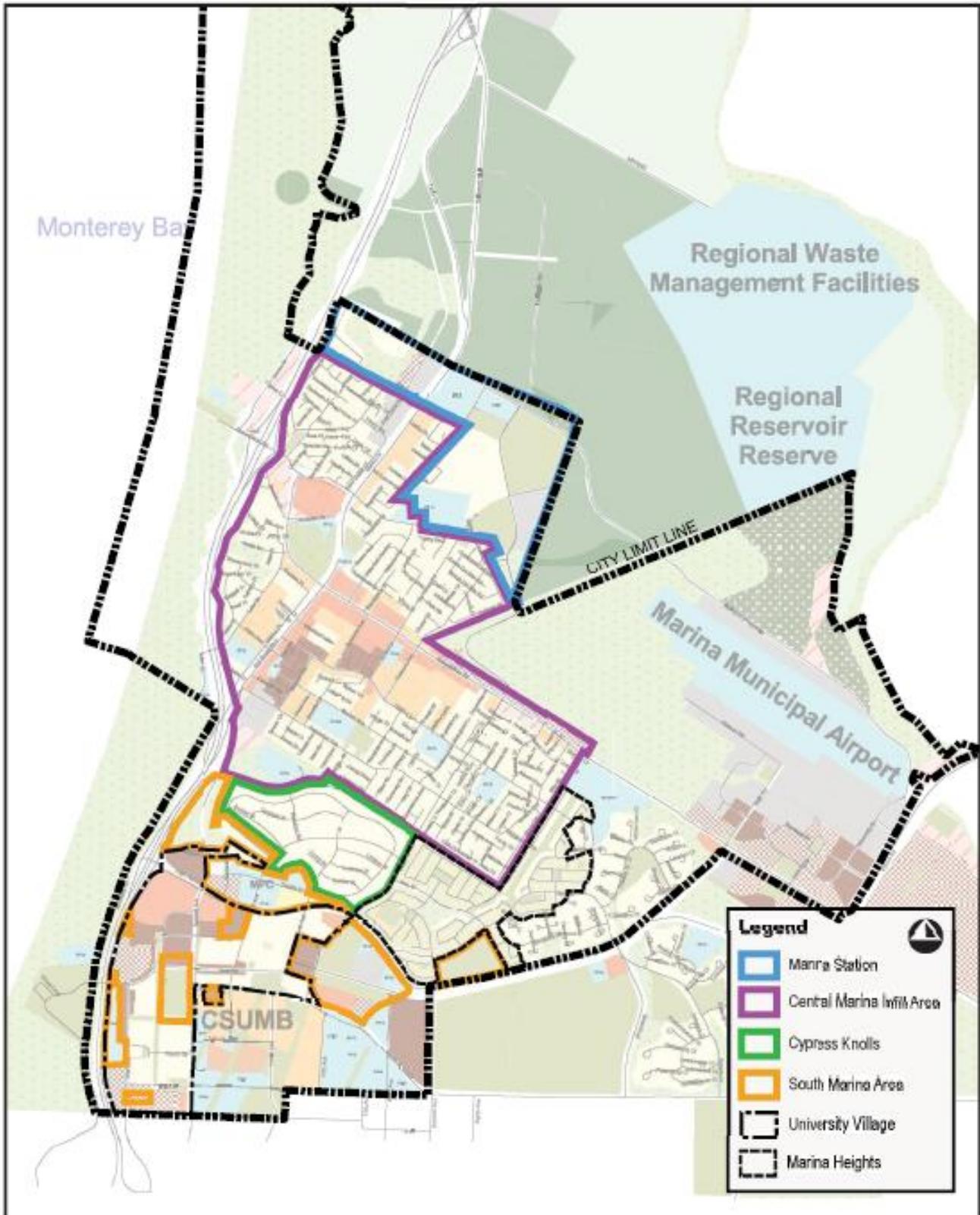
The fee area is anticipated to develop through the year 2020 and beyond. The Cypress Knolls, Marina Heights and Dunes projects have separate Development Agreements with the City for payment of fees. Their contributions are thus subtracted from the total cost of establishing a nexus, and the remainder of the cost is divided between the new General Plan buildout projects.

As stated in the September 14, 2009 Peremptory Writ of Mandate from California Superior Court (a copy of Writ is included in Appendix A), California State University-Monterey Bay was directed by the CSU Trustees to take all measures to ensure that the campus trip counts do not exceed the mitigation threshold of 4,361 additional trips over the baseline traffic level. If the CSUMB trips near this mitigation threshold, CSUMB would be required to increase transportation demand management measures or limit development. In the event that CSUMB trips exceed the mitigation threshold of 4,361 trips, further environmental review will be required. CSUMB will be required to adopt a TDM plan to reduce vehicle trips, to seek approval from Trustees to exceed the 4,361 trip threshold, and report to the Chancellor, FORA, and City of Marina any measures or modifications to the TDM plan to address an increase in trip levels. Thus according to the writ, this commitment shall be construed as an enforceable mitigation measure under Public Resources Code §21081.6. Therefore, development associated with CSUMB was excluded from the Impact Fee Program due to the agreement outlined in the writ.

The Cypress Knolls project has established fees for public building facilities, public safety, roadways and intersections, and parks. The list of all approved and pending projects included in the fee program are listed in **Table 1.1**.

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Figure A: City of Marina Development Impact Fee Area Map



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Population Projections

The population estimates for the approved and pending developments were estimated by applying density factors for the number of people per dwelling unit (DU) to each of the residential land uses. The number of workers was estimated using density factors based on the number of building square feet for each worker. The land use, population, and employment estimates are summarized in **Table 1.1**. It is estimated that the growth in the impact fee area will increase the City population by approximately 9,500 people and will generate about 5,500 new jobs.

Development Impact Fees

Table 1.2 presents a summary of the updated development impact fees for the City of Marina in 2015 U.S. Dollars. Chapters 2 through 5 of the report provide a detailed discussion of how these fees were calculated.

The estimated revenue projected with build-out of all approved and pending projects within each fee program is shown in **Table 1.3**.

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Table 1.1: New Development Impact Fee Area Land Use and Population Estimates

Projects ¹	Single Family	Assisted Living	Multi-Family	Office/Research	Retail Service	Industrial	Hotel	Resident	Worker
	Units	Units	Units	sq. ft	sq. ft	sq. ft	Rooms	Population	Population
Airport Business Park				87,500		87,500		0	350
Airport EDC Parcel								0	0
Downtown/Imjin Office Park/Other (2011 DIF Update)			2,400	149,476	252,000			6,000	1,002
Downtown/Imjin Office Park/Other (Funded Since 2011 DIF Update) ²	-4	-22	-174	-20,423				-468	-68
K-8 School, Marina High, Marina Joint Use Facility								0	0
Marina Station	816		688	143,808	60,000	651,624		3,923	1,034
MPC Satellite Campus Phase II								0	0
MBEST				676,000	287,000	326,000	150	0	3,180
Subtotal Units, sq. ft, and Beds	812	-22	2,914	1,036,361	599,000	1,065,124	150		
Density ³	2.7	1.0	2.5	300	500	1,500	0.9		
Total Population ⁴								9,455	5,498
Notes:									
¹ Only housing and commercial projects included in DIF fee calculations for Public Buildings, Public Safety, and Parks. All projects included in DIF fee calculations for roadway and intersection improvement projects. Dunes, Marina Heights, Cypress Knolls, and CSUMB projects have developer's agreements or other agreements to contribute fees and are not included in the DIF program.									
² Includes: Carmel Avenue Single Family Dwellings, Guest House Everett Circle Assisted Living, BLM Office, AMCAL Multi-Family Dwellings (Buildings A, B, and C), Dialysis Clinic, and Rockrose Garden Assisted Living.									
³ Numbers are from the Keyser Marston Associates Report 4-A dated August 28, 2005. Non-residential numbers are based on number of square feet per employee averages commonly used in the industry.									
⁴ Estimated population derived by applying density factors to size of new development.									

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Table 1.2: Development Impact Fee Summary

Land Use	Public Buildings Fee	Public Safety Fee	Roadways Fee	Intersections Fee	Parks Fee	Total Fee ¹
<i>Residential</i>						
Single Family Dwelling Units	\$3,313	\$559	\$ 6,790	\$ 1,595	\$ 6,217	\$ 18,474
Senior Homes	\$2,208	\$373	\$ 2,625	\$ 616	\$ 4,145	\$ 9,967
Assisted Living - Senior	\$1,227	\$207	\$ 1,883	\$ 442	\$ 2,303	\$ 6,062
Multi-Family Dwellings	\$3,067	\$518	\$ 4,743	\$ 1,114	\$ 5,757	\$ 15,199
Mobile Home Park	\$3,067	\$518	\$ 3,559	\$ 836	\$ 5,757	\$ 13,737
Campground/RV Park	\$3,067	\$518	\$ 1,926	\$ 452	\$ 5,757	\$ 11,720
<i>Non-residential</i>						
Office/Research	\$169	\$345	\$ 7,867	\$ 1,848	\$ -	\$ 10,228
Retail/Service	\$101	\$207	\$ 13,221	\$ 3,105	\$ -	\$ 16,634
Industrial	\$34	\$69	\$ 4,971	\$ 1,167	\$ -	\$ 6,241
Hotel	\$46	\$93	\$ 5,827	\$ 1,369	\$ -	\$ 7,334
Church	\$34	\$69	\$ 6,497	\$ 1,526	\$ -	\$ 8,126
Day Care Center	\$135	\$276	\$ 52,820	\$ 12,405	\$ -	\$ 65,636
Animal Hospital/Veterinary Clinic	\$202	\$414	\$ 33,663	\$ 7,906	\$ -	\$ 42,186
Medical/Dental Office Building	\$202	\$414	\$ 25,768	\$ 6,052	\$ -	\$ 32,437
Casino/Video Lottery	\$202	\$414	\$ 95,783	\$ 22,496	\$ -	\$ *
Casino	\$202	\$414	\$ 28,122	\$ 6,605	\$ -	\$ *
Notes:						
¹ Fee in this table refers to "fee per dwelling unit or mobile home park/campground/RV space," "fee per 1,000 square feet of building space or gaming space," and "fee per hotel room."						
* Specifically for the Casino uses, the fees for Public Buildings, Public Safety, and Parks are based on the 1,000 square feet of gaming area, while Roadways and Intersection fees are based on 1,000 square feet of building space, excluding hotel uses.						

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Table 1.3: Estimated Impact Fee Revenue Summary by Program at Build-Out

Facility Type	Citywide Revenue
Public Facilities	\$ 11,878,736
Public Safety	\$ 2,528,641
Roadways	\$ 53,513,854
Intersections	\$ 12,568,291
Parks	\$ 21,772,574
Total Revenue	\$ 102,262,096
Notes: 2015 US Dollars	

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**Chapter 2
Public Building Facilities**

This chapter presents an analysis of the need for public building facilities to accommodate new development in the City of Marina. These public buildings include city hall, public works and community center facilities. A fee is presented based on the cost of these facilities to ensure that new development provides adequate funding to expand these facilities to meet its needs.

Service Population

City Hall and Public works facilities serve both homes and businesses citywide. Consequently, a service population that includes both residents and workers reasonably represents the need for these facilities.

Community center facilities serve primarily residents in the City by providing space for recreation and similar programs. Consequently, a service population that only includes residents and not workers reasonably represents the need for these facilities. As population grows with new development, so does demand for recreation services provided by these facilities.

Table 2.1 shows the estimated future service population for public building facilities for 2020 and beyond. In calculating the service population, workers are weighted less than residents to reflect lower per capita service demand. Nonresidential buildings are typically occupied less intensively than dwelling units, so it is reasonable to assume that average per worker demand for services is less than average per-resident demand. The 0.24-weighting factor for workers is based on a 40-hour workweek divided by a total of 168 hours in a week.

Table 2.1: Public Buildings Facilities Fee – Population Projections

Timeframe	Residents	Workers	Ratio of Workers/Residents	Equivalent Resident¹	Total Service Population²
Total New Development (Table 1.1)	9,455	5,498	0.24	1,320	10,775
Notes:					
¹ Equivalent resident calculated by multiplying workers by ratio of workers/residents.					
² Total service population includes residents and equivalent residents.					

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Facility Standards and Fee

Per capita facility standards are used in calculating the impact fee to ensure a reasonable relationship exists between new development and the need for new city hall, public works, and community center facilities.

As indicated in the **Appendix B**, the 5-year Capital Improvement Project (CIP) list includes several public facilities buildings (Civic Center, Senior Center, and Dunes PBC Rehab) that will be funded by the impact fee program. The total funded cost for these facilities is presented in **Table 2.2**. As noted in the previous section, several projects (Dunes, Marina Heights, and Cypress Knolls) have developer agreements (DA) and will be contributing fees towards the Public Facilities program in addition to the other fee programs. Thus, their anticipated revenues were indexed for inflation (from Year 2010 to 2015 resulting in an average increase of approximately 8.7 percent) and credited against the total funded costs. The resulting balance was allocated to the approved and pending projects in the fee program.

The costs associated with the future City Hall and Public Works facilities were divided by the service population that included both residents and workers (equivalent residents) to obtain a per capita cost. Since the future community facilities will be used by residents only, the costs were divided by the service population that only included residents. The resulting cost per resident of \$1,226.91 was obtained by adding the two costs attributable to residents i.e., costs for City Hall and Public Works facilities (\$210.94) and costs for future community facilities (\$1,015.97) together. The cost per worker is \$50.62 (0.24×210.94).

The cost per capita was then multiplied by the density assumptions to determine a fee for each land use, as shown in **Table 2.3**. It should be noted that the Public Building Facilities fee for the Casino uses is based on the “gaming” area rather than total building space.

Facility Costs to Accommodate Growth

Table 2.4 provides an estimate of the total revenue that will be generated at build-out in 2020 and beyond. The City would maintain a reasonable relationship between new development and the use of fee revenues by funding a variety of projects to expand city hall, public works, and community center facilities during this period.

Implementation

The public buildings impact fee would be collected at the time of building permit issuance. To implement the fee the City should:

- Annually update a capital improvement plan to indicate the specific use of fee revenues for facilities to accommodate growth;
- Comply with the annual and five-year reporting requirements of *Government Code 66000 et seq.*; and

DEVELOPMENT IMPACT FEE STUDY - 2016 Update FINAL REPORT

- Identify appropriate inflation indexes in the fee ordinance and allow an inflation adjustment to the fee annually.

For the inflation indexes, the City should use separate indexes for land and construction costs. Calculating the land cost index may require use of a property appraiser every several years. The construction cost index can be based on the City's recent capital project experience or taken from any reputable source, such as the *Engineering News Record* (ENR).

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Table 2.2: Public Buildings Unit Costs

Description	Service Population (Capita)	Cost	Cost per Capita
Future City Hall & Public Works Facilities (residents & resident equivalent)			
Amount to be Funded by Impact Fee Program (Civic Center)		\$ 8,200,000	
TIF Fees Paid (02/13/2012 to October 26, 2015) ¹		\$ (57,295)	
Contribution from Dunes Agreement ²		\$ (3,695,230)	
Dunes Fees Paid ³		\$ 341,396	
Contribution from Marina Heights Agreement ⁴		\$ (1,252,777)	
Contribution from Cypress Knolls Agreement ⁵		\$ (1,263,350)	
Subtotal Impact Fee Program Funding after Contributions (A)	10,775	\$ 2,272,743	\$ 210.94
Future Community Center Facilities (residents only)			
Amount to be Funded by Impact Fee Program (Senior Center, Dunes PBC Rehab)		\$ 10,950,000	
TIF Fees Paid (02/13/2012 to October 26, 2015) ¹		\$ (227,100)	
Contribution from Dunes Agreement ²		\$ (746,152)	
Dunes Fees Paid ³		\$ 137,310	
Contribution from Marina Heights Agreement ⁴		\$ (252,965)	
Contribution from Cypress Knolls Agreement ⁵		\$ (255,100)	
Subtotal Impact Fee Program Funding after Contributions (B)	9,455	\$ 9,605,993	\$ 1,015.97
Total Capita Cost per Resident (A + B)			\$ 1,226.91
Total Capita Cost per Worker (A) x Weighting Factor (0.24)			\$ 50.62

Notes:

¹ Fees paid include: Carmel Avenue Single Family Dwellings, Guest House Everett Circle Assisted Living, BLM Office, AMCAL Multi-Family Dwellings (Buildings A, B, and C), Dialysis Clinic, and Rockrose Garden Assisted Living.

² Anticipated contribution per developer agreement (see Exhibit D of July 20, 2007 Development Impact Fee Study) and indexed for inflation.

³ Dunes fees paid include: Dunes Housing Single Family Dwellings (75 units), VA clinic (148.401 KSF), University Village Multi-Family Dwellings (108 units).

⁴ Anticipated contribution per developer agreement (see Exhibit E of July 20, 2007 Development Impact Fee Study) and indexed for inflation.

⁵ Anticipated contribution per developer agreement (see Exhibit F of July 20, 2007 Development Impact Fee Study) and indexed for inflation.

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Table 2.3: Public Buildings Development Impact Fee

Land Use	Units	Cost per Capita	Density ¹	Total Fee per Dwelling Unit or 1,000 sq. ft of Building Space ²
Residential				
Single Family Dwelling Units	Dwelling Unit	\$ 1,226.91	2.70	\$ 3,313
Senior Homes	Dwelling Unit	\$ 1,226.91	1.80	\$ 2,208
Assisted Living - Senior	Dwelling Unit	\$ 1,226.91	1.00	\$ 1,227
Multi-Family Dwellings	Dwelling Unit	\$ 1,226.91	2.50	\$ 3,067
Mobile Home Park ³	Space	\$ 1,226.91	2.50	\$ 3,067
Campground/RV Park ³	Space	\$ 1,226.91	2.50	\$ 3,067
Non-Residential⁴				
Office/Research	1,000 sq. ft	\$ 50.62	300	\$ 169
Retail/Service	1,000 sq. ft	\$ 50.62	500	\$ 101
Industrial	1,000 sq. ft	\$ 50.62	1500	\$ 34
Hotel	Hotel Room	\$ 50.62	0.90	\$ 46
Church ⁵	1,000 sq. ft	\$ 50.62	1500	\$ 34
Day Care Center ⁶	1,000 sq. ft	\$ 50.62	375	\$ 135
Animal Hospital/Veterinary Clinic ⁷	1,000 sq. ft	\$ 50.62	250	\$ 202
Medical/Dental Office Building ⁸	1,000 sq. ft	\$ 50.62	250	\$ 202
Casino/Video Lottery ⁹	1,000 gaming sq. ft	\$ 50.62	250	\$ 202
Casino ⁹	1,000 gaming sq. ft	\$ 50.62	250	\$ 202

Notes:

¹ Density is "persons per dwelling unit or mobile home park/campground/RV space," "square foot per worker," "workers per hotel room," and "gaming square foot per worker).

² Fee in this table refers to "fee per dwelling unit or mobile home park/campground/RV space," "fee per 1,000 square feet of building space or gaming space," and "fee per hotel room."

³ Assumed same density as Multi-family Dwelling.

⁴ Non-residential fees only pay for City Hall & Public Works facilities.

⁵ Density estimated based on Synagogue data in ITE Trip Generation (Institute of Transportation Engineers, 9th Edition).

⁶ Density estimated based on data in ITE Trip Generation (Institute of Transportation Engineers, 9th Edition).

⁷ Assumed same density as medical office building.

⁸ Density estimated based on Orange County Subarea Modeling Guidelines Manual, July 2005.

⁹ Density assumed as an average from three casinos in Las Vegas, Nevada.

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Table 2.4: Estimated Revenues Public Buildings Development Impact Fee

Description	Revenue
Citywide Fee Revenue (Future City Hall & Public Works Facilities)	
Service Population Growth (to 2020+) ¹	10,775
Citywide Facilities Cost per Capita ²	\$ 210.94
Total Fee Revenue City Hall & Public Works	\$ 2,272,743
Citywide Fee Revenue (Future Community Center Facilities)	
Service Population Growth (to 2020+) ¹	9,455
Citywide Facilities Cost per Capita ²	\$ 1,015.97
Total Fee Revenue City Hall & Public Works	\$ 9,605,993
TOTAL PUBLIC BUILDINGS DEVELOPMENT IMPACT FEE REVENUE	\$ 11,878,736
Notes:	
¹ From Table 2.1	
² From Table 2.2	

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**Chapter 3
Public Safety Facilities**

This chapter presents an analysis of the need for public safety facilities to accommodate new development in the City of Marina. A fee schedule is presented based on the cost of these facilities to ensure that new development provides adequate funding to meet its needs.

Service Population

Public safety facilities serve both homes and businesses citywide. Consequently, a service population that includes both residents and workers reasonably represents the need for these facilities.

Table 3.1 shows the estimated service population for public safety facilities for 2020 and beyond. In calculating the service population, workers are weighted less than residents to reflect lower per capita service demand. The 0.50-weighting factor for workers is based the estimated number of service calls per employee compared to a resident.

Table 3.1: Public Safety Facilities Fee - Population Projections

Timeframe	Residents	Workers	Ratio of Workers/Residents	Equivalent Resident¹	Total Service Population²
Total New Development (Table 1.1)	9,455	5,498	0.50	2,749	12,204
Notes:					
¹ Equivalent resident calculated by multiplying workers by ratio of workers/residents.					
² Total service population includes residents and equivalent residents.					

Facility Standards and Fee

Per capita facility standards are used in calculating the impact fee to ensure a reasonable relationship exists between new development and the need for new public safety facilities.

Appendix B lists two projects, fire station and animal impound facility expansion, in the 5-year Capital Improvement Project list that will be funded by the impact fee program. The total funded cost for these facilities is presented in **Table 3.2**. Similar to the methodology presented for Public Buildings, revenues for the projects with DA agreements were credited against the Traffic Impact Fee funding totals.

The costs associated with the future Public Safety Facilities were divided by the service population that included both residents and workers (equivalent residents) to obtain a per resident cost of \$207.20, as shown in **Table 3.2**. A weighting factor of 0.50 was applied to residential per capita costs to obtain the non-residential per capita costs. The cost per worker is \$103.60 (0.50 x \$207.20). The cost per capita was then multiplied by the density assumptions to determine a fee for each residential land use, as shown in **Table 3.3**. It should be noted that the

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Public Safety Facilities fee for the Casino uses is based on the “gaming” area rather than total building space.

Facility Costs to Accommodate Growth

Table 3.4 provides an estimate of the total revenue that will be generated for public safety facilities at build-out in 2020 and beyond. The City would maintain a reasonable relationship between new development and the use of fee revenues by funding a variety of projects to expand public safety facilities during this period.

Implementation

The public safety facilities impact fee would be collected at the time of building permit issuance. To implement the fee the City should:

- Annually update a capital improvement plan to indicate the specific use of fee revenues for facilities to accommodate growth;
- Comply with the annual and five-year reporting requirements of *Government Code 66000 et seq.*; and
- Identify appropriate inflation indexes in the fee ordinance and allow an inflation adjustment to the fee annually.

For the inflation indexes, the City should use separate indexes for land and construction costs. Calculating the land cost index may require use of a property appraiser every several years. The construction cost index can be based on the City’s recent capital project experience or taken from any reputable source, such as the *Engineering News Record* (ENR).

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Table 3.2: Public Safety Facilities Unit Costs

Description	Service Population (Capita)	Cost	Cost per Capita
Future Public Safety Facilities (residents & resident equivalent)			
Amount to be Funded by Impact Fee Program (Fire Station, Animal Impound)		\$ 6,300,000	
TIF Fees Paid (02/13/2012 to October 26, 2015) ¹		\$ (36,701)	
Contribution from Dunes Agreement ²		\$ (2,547,459)	
Dunes Fees Paid ³		\$ 71,702	
Contribution from Marina Heights Agreement ⁴		\$ (185,098)	
Contribution from Cypress Knolls Agreement ⁵		\$ (1,073,803)	
Subtotal Impact Fee Program Funding after Contributions (A)	12,204	\$ 2,528,641	\$ 207.20
Total Cost per Worker: (A) x Weighting Factor (0.50)			\$ 103.60

Notes:
¹ Fees paid include: Carmel Avenue Single Family Dwellings, Guest House Everett Circle Assisted Living, BLM Office, AMCAL Multi-Family Dwellings (Buildings A, B, and C), Dialysis Clinic, and Rockrose Garden Assisted Living.
² Anticipated contribution per developer agreement (see Exhibit D of July 20, 2007 Development Impact Fee Study) and indexed for inflation.
³ Dunes fees paid include: Dunes Housing Single Family Dwellings (75 units), VA clinic (148.401 KSF), University Village Multi-Family Dwellings (108 units).
⁴ Anticipated contribution per developer agreement (see Exhibit E of July 20, 2007 Development Impact Fee Study) and indexed for inflation.
⁵ Anticipated contribution per developer agreement (see Exhibit F of July 20, 2007 Development Impact Fee Study) and indexed for inflation.

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Table 3.3: Public Safety Facilities Development Impact Fee

Land Use	Units	Cost per Capita	Density ¹	Total Fee per Dwelling Unit or 1,000 sq. ft of Building Space ²
Residential				
Single Family Dwelling Units	Dwelling Unit	\$ 1,226.91	2.70	\$ 3,313
Senior Homes	Dwelling Unit	\$ 1,226.91	1.80	\$ 2,208
Assisted Living - Senior	Dwelling Unit	\$ 1,226.91	1.00	\$ 1,227
Multi-Family Dwellings	Dwelling Unit	\$ 1,226.91	2.50	\$ 3,067
Mobile Home Park ³	Space	\$ 1,226.91	2.50	\$ 3,067
Campground/RV Park ³	Space	\$ 1,226.91	2.50	\$ 3,067
Non-Residential⁴				
Office/Research	1,000 sq. ft	\$ 50.62	300	\$ 169
Retail/Service	1,000 sq. ft	\$ 50.62	500	\$ 101
Industrial	1,000 sq. ft	\$ 50.62	1500	\$ 34
Hotel	Hotel Room	\$ 50.62	0.90	\$ 46
Church ⁵	1,000 sq. ft	\$ 50.62	1500	\$ 34
Day Care Center ⁶	1,000 sq. ft	\$ 50.62	375	\$ 135
Animal Hospital/Veterinary Clinic ⁷	1,000 sq. ft	\$ 50.62	250	\$ 202
Medical/Dental Office Building ⁸	1,000 sq. ft	\$ 50.62	250	\$ 202
Casino/Video Lottery ⁹	1,000 gaming sq. ft	\$ 50.62	250	\$ 202
Casino ⁹	1,000 gaming sq. ft	\$ 50.62	250	\$ 202

Notes:

¹ Density is "persons per dwelling unit or mobile home park/campground/RV space," "square foot per worker," "workers per hotel room," and "gaming square foot per worker).

² Fee in this table refers to "fee per dwelling unit or mobile home park/campground/RV space," "fee per 1,000 square feet of building space or gaming space," and "fee per hotel room."

³ Assumed same density as Multi-family Dwelling.

⁴ Non-residential fees only pay for City Hall & Public Works facilities.

⁵ Density estimated based on Synagogue data in ITE Trip Generation (Institute of Transportation Engineers, 9th Edition).

⁶ Density estimated based on data in ITE Trip Generation (Institute of Transportation Engineers, 9th Edition).

⁷ Assumed same density as medical office building.

⁸ Density estimated based on Orange County Subarea Modeling Guidelines Manual, July 2005.

⁹ Density assumed as an average from three casinos in Las Vegas, Nevada.

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Table 3.4: Estimated Revenues Public Safety Development Impact Fee

Description	Revenue
Citywide Fee Revenue (Future Fire Station & Animal Impound)	
Service Population Growth (to 2020+) ¹	12,204
Citywide Facilities Cost per Capita ²	\$ 207.20
Total Fee Revenue Public Safety Facilities	\$ 2,528,641
TOTAL PUBLIC SAFETY DEVELOPMENT IMPACT FEE REVENUE	\$ 2,528,641
Notes: ¹ From Table 3.1 ² From Table 3.2	

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Chapter 4 Transportation Facilities

This chapter presents an analysis of the need for transportation facilities to accommodate new development in the City of Marina. These include both roadway and intersection projects. A fee schedule is presented based on the cost of these facilities to ensure that new development provides adequate funding to meet its needs.

Trip Generation

Transportation facilities serve both homes and businesses citywide. Consequently, trip generation rates based on both residential and non-residential land uses reasonably represents the need for these facilities.

Different development projects impact the transportation network at different rates based on the number of primary trips generated as indicated in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 9th Edition. The amount of daily primary trips generated by the approved and pending projects in the Traffic Impact Fee program were obtained from the Marina High School Traffic Impact Analysis (November 10, 2009), the Draft Environmental Impact Report for the Downtown Redevelopment Plan, or estimated using trip rates from ITE.

Table 4.1 presents the daily trips generated by the projects in the Traffic Impact Fee program. The projects are estimated to generate approximately 75,000 daily primary trips. These daily trip estimates are used in calculating fees for both roadways and intersections.

Transportation Projects Inventory

Appendix B contains the list of roadway and intersection improvement projects in the CIP program. The list also indicates which projects will or are expected to receive funding from other sources including FORA, TAMC, CSUMB, grants, and developers.

Table 4.2 summarizes the total roadway and intersection project costs that will be funded by the Traffic Impact Fee program, after accounting for contributions from Dunes, Marina Heights, and Cypress Knolls Developer Agreements. As noted in Chapter 1, the CIP list includes the funded TAMC roadway widening project on Imjin Parkway between Reservation Road and Imjin Road.

Transportation Development Impact Fee Calculations

To calculate the fee for transportation projects, the balance of the project costs (approximately \$54 million for roadways and \$13 million for intersections) were divided by the total number of trips generated in **Table 4.1** to get a cost per trip. These costs were then multiplied by the trip rates to determine the fee for each land use category, as shown in **Table 4.3**. It should be noted

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that the Transportation Facilities fee for the Casino uses is based on the total building space rather than “gaming” area.

This method of calculation assures that fairness exists between new and existing development and that new development only funds expanded facilities to maintain the current level of service standards.

Transportation Fee Summary

Table 4.3 provides a summary of the impact fees for roadway and intersection projects. **Table 4.4** provides an estimate of total revenues for transportation facilities that should be generated at build-out in 2020 and beyond.

Implementation

The transportation facilities impact fee would be collected at the time of building permit issuance. To implement the fee the City should:

- Annually update a capital improvement plan to indicate the specific use of fee revenues for facilities to accommodate growth;
- Comply with the annual and five-year reporting requirements of *Government Code 66000 et seq.*; and
- Identify appropriate inflation indexes in the fee ordinance and allow an inflation adjustment to the fee annually.

For the inflation indexes, the City should use separate indexes for land and construction costs. Calculating the land cost index may require use of a property appraiser every several years. The construction cost index can be based on the City’s recent capital project experience or taken from any reputable source, such as the *Engineering News Record* (ENR).

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Table 4.1: Trip Generation for Transportation Development Impact Fee

Projects ¹	Primary Daily Trips (2011 DIF Update) ²	Funded Since 2011 DIF Update ³	New Daily Trips
Airport Business Park	585		585
Airport EDC Parcel (Golf Course)	3,676		3,676
Downtown/Imjin Office Park/Other	24,135	1,797	22,338
K-8 School, Marina High, Marina Joint Use Facility	5,193		5,193
Marina Station	25,837		25,837
MPC Satellite Campus Phase II	510		510
MBEST	16,894		16,894
Total Daily Trips	76,830	1,797	75,033

Notes:

¹ Dunes, Marina Heights, Cypress Knolls, and CSUMB projects have developer's agreements or other agreements to contribute fees and are not included in the Traffic Impact Fee program.

² Daily trip estimates obtained from Marina High School Traffic Impact Analysis (November 10, 2009), Draft EIR for Downtown Redevelopment Plan, or estimated.

³ Includes: Carmel Avenue Single Family Dwellings, Guest House Everett Circle Assisted Living, BLM Office, AMCAL Multi-Family Dwellings (Buildings A, B, and C), Dialysis Clinic, and Rockrose Garden Assisted Living.

Table 4.2: Transportation Development Impact Fee per Unit Calculations

Description	Roadways	Intersections
Amount to be Funded by Impact Fee Program	\$ 79,178,632	\$ 26,739,000
TIF Fees Paid (02/13/2012 to October 26, 2015) ¹	\$ (716,306)	\$ (352,920)
Contribution from Dunes Agreement ²	\$ (21,982,149)	\$ (13,677,867)
Dunes Fees Paid ³	\$ 1,493,147	\$ 736,733
Contribution from Marina Heights Agreement ⁴	\$ (2,954,072)	\$ (109,280)
Contribution from Cypress Knolls Agreement ⁵	\$ (1,505,397)	\$ (767,375)
Subtotal Impact Fee Program Funding after Contributions (A)	\$ 53,513,854	\$ 12,568,291
Total Number of Daily Trips (Table 4.1) (B)	75,033	75,033
Cost Per Trip (A / B)	\$ 713.20	\$ 167.50

Notes:

¹ Fees paid include: Carmel Avenue Single Family Dwellings, Guest House Everett Circle Assisted Living, BLM Office, AMCAL Multi-Family Dwellings (Buildings A, B, and C), Dialysis Clinic, and Rockrose Garden Assisted Living.

² Anticipated contribution per developer agreement (see Exhibit D of July 20, 2007 Development Impact Fee Study) and indexed for inflation.

³ Dunes fees paid include: Dunes Housing Single Family Dwellings (75 units), VA clinic (148.401 KSF), University Village Multi-Family Dwellings (108 units).

⁴ Anticipated contribution per developer agreement (see Exhibit E of July 20, 2007 Development Impact Fee Study) and indexed for inflation.

⁵ Anticipated contribution per developer agreement (see Exhibit F of July 20, 2007 Development Impact Fee Study) and indexed for inflation.

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Table 4.3: Transportation Development Impact Fee Summary

Land Use	Units	Trip Rates ¹	Cost per Unit or 1,000 sq. ft. of Building Space		Total Fee per Dwelling Unit, Hotel Room, or 1,000 sq. ft
			Roadways	Intersections	
Residential					
Single Family Dwelling Units	Dwelling Unit	9.52	\$ 6,790	\$ 1,595	\$ 8,384
Senior Homes	Dwelling Unit	3.68	\$ 2,625	\$ 616	\$ 3,241
Assisted Living - Senior	Dwelling Unit	2.64	\$ 1,883	\$ 442	\$ 2,325
Multi-Family Dwellings	Dwelling Unit	6.65	\$ 4,743	\$ 1,114	\$ 5,857
Mobile Home Park	Space	4.99	\$ 3,559	\$ 836	\$ 4,395
Campground/RV Park ²	Space	2.70	\$ 1,926	\$ 452	\$ 2,378
Non-Residential					
Office/Research	1,000 sq. ft	11.03	\$ 7,867	\$ 1,848	\$ 9,714
Retail/Service ³	1,000 sq. ft	18.54	\$ 13,221	\$ 3,105	\$ 16,326
Industrial	1,000 sq. ft	6.97	\$ 4,971	\$ 1,167	\$ 6,139
Hotel	Hotel Room	8.17	\$ 5,827	\$ 1,369	\$ 7,195
Church	1,000 sq. ft	9.11	\$ 6,497	\$ 1,526	\$ 8,023
Day Care Center	1,000 sq. ft	74.06	\$ 52,820	\$ 12,405	\$ 65,225
Animal Hospital/Veterinary Clinic ²	1,000 sq. ft	47.20	\$ 33,663	\$ 7,906	\$ 41,569
Medical/Dental Office Building	1,000 sq. ft	36.13	\$ 25,768	\$ 6,052	\$ 31,820
Casino/Video Lottery ²	1,000 sq. ft	134.30	\$ 95,783	\$ 22,496	\$ 118,279
Casino ⁴	1,000 sq. ft	39.43	\$ 28,122	\$ 6,605	\$ 34,726
Notes:					
¹ Trip Rates from ITE <i>Trip Generation</i> (Institute of Transportation Engineers, 9th Edition).					
² Daily rates not available in ITE <i>Trip Generation</i> ; Assumed PM rates times 10 to estimate daily rates.					
³ Primary trip rate per ITE Land Use Code 820.					
⁴ Trip rate from Graton Casino Traffic Impact Study (Graton Rancheria Casino and Hotel, 2011) per 1,000 sq. ft of casino, restaurants, food court, lobby, and other ancillary functions.					

Table 4.4: Estimated Revenues Transportation Development Impact Fee

Description	Revenue
Citywide Fee Revenue Roadways	
Number of Daily Trips (to 2020+) ¹	75,033
Cost per Trip ²	\$ 713.20
Total Fee Revenue Roadways	\$ 53,513,854
Citywide Fee Revenue Intersections	
Number of Daily Trips (to 2020+) ¹	75,033
Cost per Trip ²	\$ 167.50
Total Fee Revenue Intersections	\$ 12,568,291
TOTAL TRANSPORTATION DEVELOPMENT IMPACT FEE REVENUE	\$ 66,082,145
Notes:	
¹ From Table 4.1	
² From Table 4.2	

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**Chapter 5
Parks Facilities**

This chapter presents an analysis of the need for parks facilities to accommodate new development in the City of Marina. A fee schedule is presented based on the cost of these facilities to ensure that new development provides adequate funding to meet its needs.

Service Population

Parks facilities serve primarily residents in the City by providing space for recreation and similar programs. Consequently, a service population that only includes residents and not workers reasonably represents the need for these facilities. As population grows with new development, so does demand for recreation services provided by these facilities.

Table 5.1 shows the estimated service population for parks facilities for 2020 and beyond.

Table 5.1: Parks Facilities Fee - Population Projections

Timeframe	Residents	Total Service Population¹
Total New Development (Table 1.1)	9,455	9,455
Notes: ¹ Only residential land uses pay park fees.		

Facility Standards and Fee

Per capita facility standards are used in calculating the impact fee to ensure a reasonable relationship exists between new development and the need for new park facilities. A per capita cost was calculated based on the estimated cost of new park facility, as shown in **Table 5.2**. This cost was then multiplied by the density assumptions to determine a fee, as shown in **Table 5.3**.

This method of calculation assures that fairness exists between new and existing development and that new development only funds expanded facilities to maintain the current level of service standards.

Facility Costs to Accommodate Growth

Table 5.4 provides an estimate of the total revenue for park facilities (neighborhood, community and green belts/open space) that will be generated at build-out in 2020 and beyond. The City would maintain a reasonable relationship between new development and the use of fee revenues by funding a variety of projects to expand park facilities during this period.

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Implementation

The parks facilities impact fee would be collected at the time of building permit issuance. To implement the fee the City should:

- Annually update a capital improvement plan to indicate the specific use of fee revenues for facilities to accommodate growth;
- Comply with the annual and five-year reporting requirements of *Government Code 66000 et seq.*; and
- Identify appropriate inflation indexes in the fee ordinance and allow an inflation adjustment to the fee annually.

For the inflation indexes, the City should use separate indexes for land and construction costs. Calculating the land cost index may require use of a property appraiser every several years. The construction cost index can be based on the City's recent capital project experience or taken from any reputable source, such as the *Engineering News Record* (ENR).

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Table 5.2: Parks Unit Costs

Description	Service Population (Capita)	Cost	Cost per Capita
Future Park Facilities (residents)			
Amount to be Funded by Impact Fee Program (parks)		\$ 39,910,500	
TIF Fees Paid (02/13/2012 to October 26, 2015) ¹		\$ (734,956)	
Contribution from Dunes Agreement ²		\$ (9,279,064)	
Dunes Fees Paid ³		\$ 1,036,680	
Contribution from Marina Heights Agreement ⁴		\$ (2,858,461)	
Contribution from Cypress Knolls Agreement ⁵		\$ (6,302,125)	
Subtotal Impact Fee Program Funding after Contributions	9,455	\$ 21,772,574	\$ 2,302.76
Total Capita Cost per Resident			\$ 2,302.76

Notes:
¹ Fees paid include: Carmel Avenue Single Family Dwellings, Guest House Everett Circle Assisted Living, BLM Office, AMCAL Multi-Family Dwellings (Buildings A, B, and C), Dialysis Clinic, and Rockrose Garden Assisted Living.
² Anticipated contribution per developer agreement (see Exhibit D of July 20, 2007 Development Impact Fee Study) and indexed for inflation.
³ Dunes fees paid include: Dunes Housing Single Family Dwellings (75 units), VA clinic (148.401 KSF), University Village Multi-Family Dwellings (108 units).
⁴ Anticipated contribution per developer agreement (see Exhibit E of July 20, 2007 Development Impact Fee Study) and indexed for inflation.
⁵ Anticipated contribution per developer agreement (see Exhibit F of July 20, 2007 Development Impact Fee Study) and indexed for inflation.

Table 5.3: Parks Development Impact Fee

Land Use	Units	Cost per Capita	Density ¹	Total Fee per Dwelling Unit or 1,000 sq. ft of Building Space ²
Residential				
Single Family Dwelling Units	Dwelling Unit	\$ 2,302.76	2.70	\$ 6,217
Senior Homes	Dwelling Unit	\$ 2,302.76	1.80	\$ 4,145
Assisted Living - Senior	Dwelling Unit	\$ 2,302.76	1.00	\$ 2,303
Multi-Family Dwellings	Dwelling Unit	\$ 2,302.76	2.50	\$ 5,757
Mobile Home Park ³	Space	\$ 2,302.76	2.50	\$ 5,757
Campground/RV Park ³	Space	\$ 2,302.76	2.50	\$ 5,757

Notes:
¹ Density is "persons per dwelling unit or mobile home park/campground/RV space."
² Fee in this table refers to "fee per dwelling unit or mobile home park/campground/RV space."
³ Assumed same density as Multi-family Dwelling.

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Table 5.4: Estimated Revenues Parks Development Impact Fee

Description	Revenue
Citywide Fee Revenue	
Resident Population Growth (to 2020+) ¹	9,455
Citywide Facilities Cost per Capita ²	\$ 2,302.76
Total Fee Revenue Parks Facilities	\$ 21,772,574
TOTAL PARKS DEVELOPMENT IMPACT FEE REVENUE	\$ 21,772,574
Notes: ¹ From Table 5.1 ² From Table 5.2	

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Appendix A

California Superior Court Peremptory Writ of Mandate

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CONNIE MAZZEI
CLERK OF THE SUPERIOR COURT
DEPUTY

J. CEDILLO

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MONTEREY**

CITY OF MARINA,)
Petitioner,)

v.)

BOARD OF TRUSTEES OF CALIFORNIA)
STATE UNIVERSITY,)
Respondents.)

Case No. M 41781
(Consolidated with M 41795)

**STIPULATION TO DISCHARGE
PEREMPTORY WRIT OF
MANDATE; ~~PROPOSED~~ ORDER**

Assignment for all purposes:
Honorable Robert O'Farrell

FORT ORD REUSE AUTHORITY,)
Petitioner,)

v.)

BOARD OF TRUSTEES OF CALIFORNIA)
STATE UNIVERSITY,)
Respondents.)

1 2. In the Fall 2008, CSUMB generated approximately 8,550 trips per day from off-
2 campus to on-campus and from on-campus to off-campus. This number was determined by a
3 combination of methodologies, including traffic tube counts and on-campus observational studies.
4 That number is the baseline traffic level against which future increases in campus traffic will be
5 measured.

6 3. In the event CSU determines, based on the CSUMB annual traffic reports, that
7 CSUMB trips will exceed the mitigation threshold of 4,361 additional trips within the upcoming
8 year, CSU will undertake further environmental review, consistent with the provisions of the
9 California Environmental Quality Act, Public Resources Code §21000 et seq., ("CEQA") to assess
10 the environmental impacts associated with such additional trips prior to exceeding said threshold.

11 4. Consistent with the Trustees resolution approving the CSUMB 2007 Campus
12 Master Plan, CSUMB will:

13 (i) Adopt a TDM plan referred to in section 1(iii) to reduce vehicle trips; report
14 annual traffic increases to the Chancellor, FORA, and Marina; and,

15 (ii) Seek approval from the Trustees to exceed the threshold of 4,361 additional
16 trips,

17 (iii) Report to the Chancellor, FORA, and Marina any measures or modifications
18 made to the TDM plan to address an increase in trip levels.

19 CSUMB's above commitment shall be construed as an enforceable mitigation measure
20 under Public Resources Code §21081.6.

21 5. Additional mitigation measure 11-5.1, adopted by the Trustees May 13, 2009, as
22 part of its approval of the 2007 CSUMB Campus Master Plan, does not preclude CSUMB from
23 making direct payments to Monterey Salinas Transit in connection with programs developed as
24 part of the TDM plan to be implemented pursuant to the MOU entered into between FORA and
25 CSU.

26 6. The Statement of Overriding Considerations ("SOC") adopted by the Trustees May
27 13, 2009 relative to its approval of the CSUMB 2007 Campus Master Plan applies to the
28 significant unavoidable impacts to: (i) on-campus roadways; (ii) off-campus transit facilities; and

1 (iii) off-campus water supply infrastructure facilities. The SOC does not apply to impacts relative
2 to off-campus traffic impacts. As previously noted, the Trustees determined that to the extent
3 CSUMB vehicle trips draw near (i.e., within 5% of) the 4,361 mitigation threshold, trip generation
4 shall be frozen below the threshold. As a result, the 2007 CSUMB Campus Master Plan will not
5 result in potentially significant impacts to off-campus roadways.

6 7. Prior to the commencement of development of Phase II of the North Campus
7 Faculty/Staff housing, CSU shall request from the Legislature through the state budget process its
8 fair-share of the costs to implement the Regional Urban Water Augmentation Project ("RUWAP"),
9 determined to be \$1,347,530. [See additional mitigation measure 7-2.2, adopted by the Trustees on
10 May 13, 2009]

11 If the Legislature denies CSU's initial funding request, CSU shall:

- 12 (i) Resubmit the request during the following CSU budget cycle, and
13 (ii) Continue to resubmit the request annually until the funding is appropriated
14 or until the Marina Coast Water District ("MCWD") commences construction of the
15 RUWAP (or its replacement project), whichever comes first.

16 If the Legislature has not funded CSUMB's \$1,347,530 fair-share costs when MCWD
17 commences construction of the RUWAP or its replacement project, CSUMB shall seek authority
18 from the Trustees to engage in discussions with representatives of FORA and Marina regarding the
19 availability of alternative funding sources, if any, for CSU's \$1,347,530 fair-share costs. CSUMB
20 may seek CSU authorization to engage in such discussions prior to the time of commencement of
21 construction of the RUWAP or its alternate project. The Parties acknowledge that the
22 determination of the availability of any such alternative funding sources shall be consistent with
23 state and federal law, the California Supreme Court's ruling in *City of Marina* and its progeny.

24 8. CSU shall request funding from the Legislature for its remaining fair-share of the
25 costs to prepare the Habitat Conservation Plan ("HCP") for the former Fort Ord. That sum is
26 expected to be \$47,800. The costs to manage the CSU Borderlands property are expected to be
27 \$4,784.91 annually. [See additional mitigation measure 8-1.1, adopted by the Trustees May 13,
28 2009].

1 If the Legislature denies CSU's initial funding request, CSU shall:

2 (i) Resubmit the request during the following CSU budget cycle, and

3 (ii) Continue to resubmit the request annually until the funding is appropriated
4 or until the HCP is completed and executed by all parties thereto, whichever comes first.

5 If the Legislature has not appropriated the funding at the time the HCP is executed, CSU
6 shall seek authority from the Trustees to engage in discussions with representatives of FORA and
7 Marina regarding the availability of alternative funding sources, if any, for CSU's one-time
8 payment of \$47,800 and its annual payments of \$4,784.91. The Parties acknowledge that the
9 determination of the availability of any such alternative funding sources shall be consistent with
10 state and federal laws, the *City of Marina* and its progeny.

11 9. The Parties request that the Court discharge the writ.

12 10. If any party or its legally recognized successor in interest contends that another
13 party has breached this Stipulation and Order, the party contending breach shall give the other
14 party/parties written notice thereof. Within thirty (30) days of delivery of such notice, the Parties
15 shall meet and confer in good faith to try to resolve the dispute. If the dispute is not resolved
16 through the meet and confer process within sixty (60) days of the initial written notice of breach,
17 the Parties shall submit the matter to non-binding mediation or some other form of non-binding
18 Alternative Dispute Resolution ("ADR"), to be agreed upon by all Parties. If the Parties are unable
19 to reach agreement on the appropriate ADR forum, the matter shall be submitted to non-binding
20 mediation. The mediator shall be selected by mutual agreement. If the dispute is not resolved
21 through ADR within nine (9) months of the initial written notice of breach, any party may file a
22 judicial proceeding in the Superior Court of California, County of Monterey, to enforce this
23 Stipulation. In that event, all parties waive discovery. The intent of the Parties in drafting this
24 provision is that any dispute arising under this Stipulation be resolved by the least expensive and
25 prompt means possible.

26 11. By executing this Stipulation, the signatories warrant that he or she has the legal
27 authority to do so.

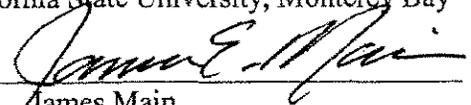
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For CSU

September 2, 2009

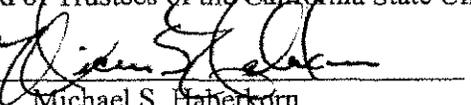
James Main
Vice President for Administration & Finance
California State University, Monterey Bay

By: 
James Main

Approved as to Form and Substance

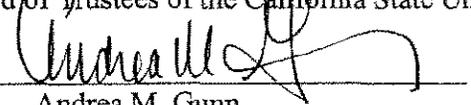
Michael S. Haberkorn
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Attorneys for Respondent
Board of Trustees of the California State University

By: 
Michael S. Haberkorn

Andrea M. Gunn
Office of General Counsel
The California State University, Office of the
Chancellor

Attorneys for Respondent
Board of Trustees of the California State University

By: 
Andrea M. Gunn

For FORA

September 2, 2009

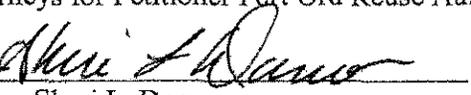
Ralph Rubio
Chair
Fort Ord Reuse Authority

By: 
Ralph Rubio

Approved as to Form and Substance

Sheri L. Damon
Damon Law Offices

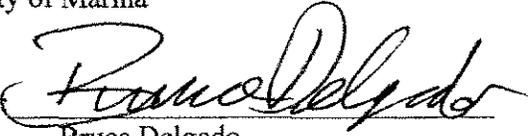
Attorneys for Petitioner Fort Ord Reuse Authority

By: 
Sheri L. Damon

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For City of Marina
September 1, 2009

The Honorable Bruce Delgado
Mayor
City of Marina

By 
Bruce Delgado

Approved as to Form and Substance

Kenneth D. Buchert
Wellington Law Offices

Attorneys for Petitioner City of Marina

By 
Kenneth D. Buchert

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ORDER

In light of the stipulation entered into among the parties, and for good cause shown, the Court hereby orders that the peremptory writ of mandate issued May 11, 2007, be discharged.

Dated: SEP 14 2009

KAY KINGSLEY

Judge of the Monterey County Superior Court

DEVELOPMENT IMPACT FEE STUDY - 2016 Update FINAL REPORT

Appendix B

City of Marina CIP List



DRAFT 5 Year CIP Project List

Revised Date: Mar 2016

ID #	Fund #62	Funding	Project/Development Source	Development Mitigation No.	Cost Years	2015/2016 1	2016/2017 2	2017/2018 3	2018/2019 4	2019/2020 5	2020 to 2035 6-20	Remarks
Traffic Intersections - FUNDED					Total							
TI 04		Impact Fee	Marina Station	Mit. 4.13-3	\$1,200,000						\$1,200,000	Signalize or Roundabout
TI 06		Impact Fee	Cypress Knolls	Mit. D-2, D-5, D-10	\$1,200,000						\$1,200,000	Signalize or Roundabout
TI 07		Impact Fee	Dunes	Mit. TR-5.8	\$550,000						\$550,000	Signalize changes and widen intersection
TI 08	701	Impact Fee	Dunes	Mit. TR-5.7	\$1,120,000		\$48,000	\$48,000			\$1,024,000	Implement modern roundabout.
TI 09		Impact Fee	Cypress Knolls	Mit. D-3, D-6	\$500,000						\$500,000	Signalize and widen intersection
TI 11		Impact Fee	FOR A		\$1,100,000						\$1,100,000	Implement modern roundabout. Tied to R 34 B
TI 15	717	Impact Fee	Marina Station	Mit. 4.13-4, 4.13-9	\$2,250,000						2,250,000	Signalize or Roundabout
TI 16		By Developer	Marina Heights		N/A							Developer to improve the intersection (traffic signal)
TI 17		Impact Fee/FORA	Marina Station-Heights/FORA CIP	Mit. 4.13-11	\$1,120,000						\$1,120,000	Signalize or Roundabout. See R56 roadway project for Salinas Ave. extension.
TI 18		By Developer	Dunes		N/A							Signalize or Roundabout
TI 20		By Developer	Dunes		N/A							Signalize or Roundabout
TI 22A	727	Impact Fee	Dunes, Cypress Knolls	Dunes TR-1.3b, CK D-1	\$400,000	\$200,000	\$200,000					Signalize SB Highway 1 off-ramp
TI 22B	727	Impact Fee	Dunes	Mit. TR-1.3b	\$26,000			\$26,000				Provide two WB lanes on the Imjin SR 1 bridge
TI 22C	727	Impact Fee	Dunes, Cypress Knolls	Dunes TR-3.2b, CK D-8	\$2,000,000					\$2,000,000		Convert the SB off ramp to a loop configuration, or functional equivalent
TI 23 A	727	Impact Fee	Dunes	Mit. TR-2.1b, TR-1.4b	\$590,000	\$295,000	\$295,000					Widen the off ramp to accommodate two lanes at the ramp terminal.signal is not warranted.
TI 23 B	727	Impact Fee	Dunes, Cypress Knolls	Dunes TR-2.2b, CK D-13	\$500,000			\$500,000				Widen the SB on-ramp to accommodate two lanes
TI 25		Impact Fee	Dunes, Cypress Knolls	Dunes TR-3.4, 5.4, CK D-7	\$2,500,000						\$2,500,000	Signalize and restripe; change NBR to RTO & add 2nd EBL & WBL or Roundabout, including ROW acquisition
TI 26		Impact Fee	Dunes	Mit. TR-5.3	\$1,054,000						1,054,000	Signalize and restripe (Developer); or Roundabout (Impact Fee)
TI 27		By Developer	Dunes	Mit. TR-1.7	N/A							Install double left turn and right turn lanes on Imjin Pkwy, left and right turn lanes on Abrams Drive, signalize, and restripe. See Imjin Pkwy widening \$2,000,000.
TI 28		By Developer/Impact Fee	Marina Heights	Mit. 3.3	\$870,000						\$870,000	Signalize or Roundabout
TI 29	717	\$1,340,000 HSIP Grant \$660,000 Impact Fee	CIP/AB1600, Marina Sta.	Mit. 4.13-5	\$2,000,000	\$1,000,000	\$1,000,000					Widen/Construct new RR Gates and signal intersection- Roundabout
TI 30		Impact Fee/CSUMB	Dunes, CSUMB	Dunes TR-1.8, 3.7	\$675,000						675,000	Signalize or Roundabout. To be coordinated with CSUMB
TI 32		Impact Fee	Dunes, MH & MS	Dun. TR-1.2, 5.1, MS 4.13-8	\$1,250,000						\$1,250,000	Signalize changes and restripe; change NBR to RTO
TI 33	713	Impact Fee	Dunes, Cypress Knolls	Dun. TR-1.5 & 3.3, CK D-9	\$4,307,000						\$4,307,000	Signalize and restripe; two phasing of lane additions and widening; triple left turn lanes on NB 2nd Ave and WB Imjin Pkwy. Trigger - Phase II Building Permit
TI 34		Impact Fee	Marina Heights	Mit. 3.5	\$106,000						\$106,000	Rechannelization of intersection
TI 35		Impact Fee	Marina Sta.	Mit. 4.13-12	\$151,000						\$151,000	Rechannelization of intersection
TI 38A		By Developer	Marina Station	Mit. 4.13-6	N/A							AWS and NB-SB left turn pockets
TI 39		Impact Fee	Marina Heights	Mit. 3.1	\$870,000						\$870,000	Signalize or Roundabout
TI 40		Impact Fee	CSUMB		\$870,000						\$870,000	Signalize or Roundabout. Requires CSUMB coordination
TI 49		By Developer	Marina Heights	Mit. 3.2	N/A							Signalize or Roundabout
TI 50		TAMC/Caltrans/Impact Fee	TAMC		\$870,000						\$870,000	Roundabout
Traffic Intersections - UNFUNDED												
TI 42		CSU	CSU DEIR		\$399,000						\$399,000	Signalize, Add EB/WB left-turn pockets, WB free right
TI 43		CSU	CSU DEIR		\$399,000						\$399,000	Signalize, Add NB left and right-turn, WB/EB left-turn, LT channelization
TI 44		CSU	CSU DEIR		\$399,000						\$399,000	Signalize, Add SB free right turn, 2nd SB left-turn
TI 45		CSU	CSU DEIR		\$399,000						\$399,000	Signalize
TI 46		CSU	CSU DEIR		\$200,000						\$200,000	Add right-turns on 5th, LT channelization
TI 47		TBD	PWS		\$200,000	\$100,000	\$100,000					Regrading of intersection
TI 48		TBD	PWS		\$100,000	\$50,000	\$50,000					Eliminate 2nd RT lane & island. Create 2nd NB lane
Impact Fee Funding Subtotal (including Grant funding)					\$28,079,000							
HSIP Grant: TI 29					\$1,340,000							
Impact Fee Subtotal (less HSIP Grant)					\$26,739,000							
Other Funding Subtotal (Including HSIP Grant)					\$3,436,000							
Traffic Intersection Subtotal					\$30,175,000	\$1,645,000	\$1,693,000	\$574,000	\$0	\$2,000,000	\$24,263,000	



DRAFT 5 Year CIP Project List

Revised Date: Mar 2016

ID #	Fund #62	Funding	Project/Development Source	Development Mitigation No.	Cost Years	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020 to 2035	Remarks
						1	2	3	4	5	6-20	
Roadways - FUNDED												
R 05	713	2nd Avenue Extension- Reindollar to Imjin Parkway	FORA	CIP/AB1600/FOR A		\$ 9,900,000				\$9,900,000		Construct new road between Imjin Parkway and Reindollar
R 28	714	Del Monte Blvd. - Beach Road to Marina Greens Drive	Impact Fee	Marina Station	Mit. 4.13-15	\$1,856,000					\$1,856,000	Construct sidewalk and pavement
R 28 B		Del Monte Blvd. - Sta. 42+00 to Sta. 48+00	Impact Fee	Marina StationPWS		\$280,000	\$280,000					Construct sidewalk, pavement & drainage improvements @ Cosky Dr.
R 34 A		8th Street - 2nd Avenue to California Avenue	By Developer	FORA/UVTIS		N/A						Reconstruct road to be completed by the Dunes Development
R 34 B	701	8th Street - California Avenue to Intergarrison	FORA	FORA		\$7,000,000		\$150,000	\$150,000	\$2,859,000	\$3,841,000	Reconstruct road (see TI 08)
R 37		Patton (Abrams) Parkway - Del Monte to Crescent Avenue Ext.	FORA	FORA		\$ 1,150,000					\$1,150,000	Extension of Patton Parkway from 2nd Ave. Extension to Marina High School
R 46 A		Imjin Parkway - Reservation Road to Imjin Road	TAMC	05RTP, Dunes	Mit. TR-3.5	\$2,200,000					\$2,200,000	Install Class II bikelanes, sidewalk, ADA ramps, Intersection video cameras (Substantially Completed)
R 46 B		Imjin Parkway - Reservation Road to Imjin Road	TAMC/Impact Fee	05RTP, Dunes	TR-1.2, 1.6, 3.5, 3.6, 5.5, 5.6	\$ 22,289,632	\$400,000	\$1,200,000	\$800,000	\$800,000	\$19,089,632	Widen road to four lanes
R 46 C		Imjin Parkway - Imjin Road to 2nd Ave	TAMC/Abrams/Gas/Impact Fee	PWS		\$ 21,413,000					\$21,413,000	Connect bike lane from Imjin Rd. to 2nd Ave. Widen to 6-lanes. BRT excluded. Widen to six lanes (PSR equivalent to be conducted in upcoming year). Included in R46.
R 47		Imjin Parkway - Imjin Road to SR-1	Impact Fee	05RTP, Dunes, Cyp. Knolls	Dunes TR-1.5, CK D-15	\$ -						
R 49 A		Imjin Parkway (12th) & SR1 Interchange	Caltrans/Regional Fee/TAMC	Caltrans TIP		\$12,375,000					\$12,375,000	Construct new interchange. On Caltrans Regional TIP
R 49 B		Del Monte & SR 1 Interchange	Caltrans/Regional Fee/TAMC	Caltrans TIP		\$12,375,000					\$12,375,000	Construct new interchange. On Caltrans Regional TIP
R 55	717	Reservation Road - Beach to SR1	Impact Fee	PWS, Marina Station	Mit. 4.13-13	\$ 1,735,000	\$150,000	\$150,000		\$717,000	\$718,000	Widen Roadway to the north and modify traffic signals
R 56	716	Salinas Avenue - Reservation Road to Carmel Avenue	FORA	FORA		\$ 1,915,000					\$1,915,000	Construct new 2 lane arterial
R 68		Sign Retroreflectivity Program	Abrams B	PWS		\$ 91,200	\$91,200					City wide sign inventory & upgrade as required by new FHWA standards
R 69		Pavement Management Program	Gas Tax/RSTP	PWS		\$ 17,052,000	\$2,000	\$150,000	\$1,300,000	\$1,300,000	\$13,000,000	Complete MTC Pavement Condition Index on city streets to use for grant funding opportunities
R 70		Sidewalk and Pedestrian Improvement Management Program	Abrams B	PWS		\$ 48,600					\$48,600	City wide survey of sidewalk and pedestrian needs utilizing the PBMP
R 71		ADA Compliance Program	Abrams B	PWS		\$ 48,600					\$48,600	City wide survey of ADA compliance needs
R 74 B		Reservation Road - Seacrest Ave to Crescent Ave	Abrams B/Gas/RSTP	PWS		\$ 510,000	\$510,000					Resurfacing of roadway
R 29	710	Del Monte Blvd. - Beach Road to Reservation Road	Impact Fee	PBMP		\$ 262,000					\$262,000	Install Class II bikelanes and sidewalks. Moved from unfunded projects.
R 65		Reservation Road - Imjin Road to Blanco Road	Impact Fee	UVTIS		\$ 8,193,000					\$8,193,000	Widen to six lanes. Moved from unfunded projects.



DRAFT 5 Year CIP Project List

Revised Date: Mar 2016

ID #	Fund #	Funding	Project/Development Source	Development Mitigation No.	Cost Years	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020 to 2035	Remarks
	#62					1	2	3	4	5	6-20	
Roadways - UNFUNDED												
R 46D			Imjin Pkwy Bus Way Reservation to Imjin Road		\$ 6,268,966						\$6,268,966	Bus way to be funded by MST/FTA.
R 06		TBD	Carmel Avenue - Crescent to Seacrest	PBMP	\$ 725,000						\$725,000	Fill in gap in sidewalk on both sides
R 10		TBD	Abdy Way - Cardoza to Healy	05RTP	\$ 200,000						\$200,000	Construct sidewalk and pavement
R 11		TBD	Eucalyptus Street - Reservation to Peninsula	05RTP	\$ 550,000						\$550,000	Construct sidewalk and pavement
R 12		TBD	Healy Avenue - Abdy Way to Marina Drive	05RTP	\$ 109,000						\$109,000	Construct sidewalk and pavement
R 13		TBD	Lake Drive - Lake Ct. to Reservation Road	05RTP	\$ 101,000						\$101,000	Construct sidewalk, pavement widening and stripe Class II Bikelane.
R 14		TBD	Lake Court - Lake Drive to end	PBMP	\$ 406,000						\$406,000	Install Class II bikelanes
R 15		TBD	Marina Drive - Beach Road to Healy	05RTP	\$ 600,000						\$600,000	Construct sidewalk and pavement
R 16		TBD	Marina Drive - Paddon Place to southern end	05RTP	\$ 1,860,000						\$1,860,000	Construct sidewalk and pavement
R 17		TBD	Michael Drive - Sells to Cosky	05RTP	\$ 1,639,000						\$1,639,000	Construct new street
R 18		TBD	Paddon Place - Lake Drive to Marina Drive	PBMP	\$ 223,000						\$223,000	Sidewalk fill gap on south side
R 20		TBD	Palm Avenue - Lake Drive to Del Monte	05RTP	\$ 210,000						\$210,000	Install Class II bikelanes and sidewalks
R 22A		TBD	Redwood Drive - 140'N of Hillcrest to Reindollar	05RTP	\$ 403,936						\$403,936	Construct sidewalk and pavement
R 23		TBD	Reindollar Avenue - Del Monte to Redwood		\$ 936,000						\$936,000	Construct sidewalk and pavement
R 23		TBD	Reindollar Avenue - Del Monte to Redwood		\$ 936,000						\$936,000	Construct intermittent sidewalk and pavement
R 25		TBD	Cardoza Avenue - Abdy Way to Ora		\$ 700,000						\$700,000	Construct sidewalk and pavement
R 25 A		TBD	Cardoza Avenue - Reservation Road to Abdy Way	PWS	\$ 25,000	\$25,000						Traffic Calming Measures
R 29	710	Impact Fee	Del Monte Blvd. - Beach Road to Reservation Road	PBMP	\$ 262,000						\$262,000	Install Class II bikelanes and sidewalks - Moved to funded projects.
R 26		TBD	Cardoza Avenue - Reservation Road to End	05RTP	\$ 615,000						\$615,000	Install Class II bikelanes
R 32		Impact Fee	Beach Road - Del Monte to DeForest	-	\$ 2,152,000						\$2,152,000	Construct sidewalk, widen pavement and stripe bikelanes. Removed from the list.
R 33		Impact Fee	California Avenue - 8th Street to Imjin Parkway		\$ 1,980,000						\$1,980,000	Reconstruct road
R 34C		TBD	8th Street Realignment	05RTP	\$ -							Plan line realignment of 8th Street
R 35 B		TBD	Carmel Avenue - Crescent Avenue to Salinas Avenue	05RTP	\$ 70,000						\$70,000	Install Class II bikelanes
R 38	710	TBD	Del Monte Blvd. - Reindollar to Reservation	CIP/AB1600	\$ 340,000						\$340,000	Sidewalk fill gap on east side and install Class II bikelanes
R 40		TBD	Reservation Road - Salinas Avenue to Imjin Parkway	05RTP	\$ 400,000						\$400,000	Install Class II bikelane, North side only
R 41		TBD	Reservation Road Crescent Avenue to Del Monte Blvd.	05RTP	\$ 2,704,000						\$2,704,000	Traffic Calming Crescent to Del Monte
R 43		TBD	Seaside Cir. - Reservation to east end	05RTP	\$ 101,000						\$101,000	Construct sidewalk and pavement
R 44		TBD	Seaside Ct. - Reservation to west end	05RTP	\$ 209,000						\$209,000	Construct sidewalk and pavement
R 57		TBD	Reservation Rd Downtown Vitalization Plan	CIP/AB1600	\$ -							(Unfunded per Council Resolution No. _____)
R 59		Impact Fee	Imjin Road Widening Project - Imjin to 8th St	CSUMB	\$ 2,075,000						\$2,075,000	Reconstruct and widen road to four lanes. Imjin Parkway to 8th Street
R 60		Impact Fee	Crescent Ave South of Reservation	PWS	\$ 190,000						\$190,000	Reconstruct curb, gutter, sidewalk on west w/ paveout and restriping. Removed from the list.
R 61		Impact Fee	2nd Avenue from 10th Street to Intergarrison (3rd St.)	PWS	\$ 92,000						\$92,000	Remove class II bike lanes and restripe for two lanes each direction
R 64		TBD	Median Landscape Improvements	05RTP	\$ 250,000						\$250,000	Improve irrigation & landscape on medians throughout central Marina
R 65		Impact Fee	Reservation Road - Imjin Road to Blanco Road	UVTIS	\$ 8,193,000						\$8,193,000	Widen to six lanes. Moved to funded projects.
R 66		CSUMB	InterGarrison - Abrams to Eastside	CSUMB	\$ -							Improve to arterial standards
R 67		CSUMB	General Jim Moore - 8th to Inter-Garrison	CSUMB	\$ -							Improve to arterial standards
R 72		TBD	Reservation Road - Salinas Ave. to Blanco Rd.	PWS	\$ -							Construct median improvements
R 73		TBD	Imjin Parkway - 2nd Ave. to Reservation Rd.	PWS	\$ -							Construct median improvements
R 74G		TBD	Reservation Road - De Forest to 500' E of Greseent Ave	PWS	\$ 370,000						\$370,000	Resurfacing of roadway. Completed as part of R 74B.
R 75		TBD	Flower Circle - Carmel Ave. to End	PWS	\$ 95,000						\$95,000	Resurfacing of roadway
R 76		TBD	Marina Drive - Drainage Improvements	PWS	\$ 100,000	\$100,000						Drainage Improvements in roadway
R 77		TBD	Reservation Rd. - 300ft. E of Crescent Ave.	PWS	\$ 100,000	\$100,000						Revise medians for new turn pocket
Impact Fee Funding Subtotal (including Grant funding)					\$ 80,778,632							
Federal Grant: R 46B Design Fee Only					\$ 1,600,000							
Impact Fee Funding Subtotal (less Federal Grant)					\$ 79,178,632							
Other Funding Subtotal (Including Federal Grant)					\$66,539,302							
Roadways Subtotal					\$145,717,934	\$1,378,200	\$1,780,000	\$2,250,000	\$2,250,000	\$33,865,632	\$104,194,102	



DRAFT 5 Year CIP Project List

Revised Date: Mar 2016

ID #	Fund #62	Funding	Project/Development Source	Development Mitigation No.	Cost Years	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020 to 2035	Remarks	
					1	2	3	4	5	6-20			
Parks - FUNDED													
P 02 A		Vince DiMaggio Park - ADA pathway improvements	MPRPD	BDS	\$ 50,000	\$10,000	\$40,000					New/improved pathways & parking stalls to incorporate ADA access	
P 03		Windy Hill Park	Impact Fees	PRMP	\$ 177,500						\$177,500	Construct restroom facilities & expansion – Marina Station Entitlements	
P 05		Community Center Park - Modify per Youth Center Concept	Impact Fees	PRMP	\$ 96,000	\$96,000						Landscape design w/ turf, plants, irrigation and playground equipment	
P 08		Park Site Marina Station Development (GPD)	Impact Fees	PRMP	\$ 2,036,000						\$2,036,000	Design and construct play fields, community park & recreational trails – Marina Station Entitlements	
P 09		Large Recreational Conveyance Parcel Development	Impact Fees/Developer	PRMP	\$ 7,283,000			\$1,000,000	\$3,141,500	\$3,141,500		Design and construct park; located SW corner of 2nd Ave and 8th St – Dunes Entitlements	
P 10		Small Recreational Conveyance Parcel	Impact Fees	PRMP	\$ 3,202,000						\$3,202,000	Design and construct park; located West of 2nd Ave and 3rd St – Dunes Entitlements	
P 11	719	Preston Park Phase III Improvements	Impact Fees	PRMP	\$ 6,200,000			\$121,564	\$6,078,436			Install lighting for baseball & soccer fields, add parking & tennis courts	
P 11A		Preston Park Concession Building	11,126,65890	BDS	\$ 17,900	\$17,900						Exterior Painting Project	
P 12		Abrams Park Development (Marina Heights)	Impact Fees/Developer	PRMP	\$ 9,426,000			\$673,000	\$4,376,500	\$4,376,500		Design and construct park (up to \$1,000,000 \$1,500,000 by Developer) – Marina Station Entitlements	
P 16	601	Locke Paddon Park to Vince DiMaggio Park	Impact Fees	PRMP	\$ 2,900,000					\$2,900,000		Construct pedestrian crosswalk with signal. Construct a pedestrian bridge or overcrossing	
P 18		Hilltop Park (UV)	By Developer	UVEIR	\$ 2,015,000		\$50,000	\$982,500	\$982,500			Neighborhood park improvements – Dunes Entitlements	
P 19		Community Park (GPD)	Impact Fee	PRMP	\$ 8,540,000		\$100,000	\$1,900,000	\$3,270,000	\$3,270,000		Upgrade of the community park	
P 25		Sport Center Stabilization	State Grant	UVEIR	\$ 456,550	\$456,550						Re-roofing & Exterior Painting to Roller Hockey, Swim Center & Chapel	
P 26		Veterans Trail, Parks Master Plan Update	Impact Fee	Reso. 2016	\$50,000	\$50,000						Fort Ord Recreational Trail & Greenway, Parks Master Plan Update	
Parks - UNFUNDED													
P 01		Glorya Jean Tate Park	TBD	PRMP	\$1,180,000			\$1,180,000				Park & field improvements; ADA upgrade	
P 06		Park Site Marina High School Joint Use - Fields	TBD	PRMP/ MPUSD MOU	\$25,996,840						\$25,996,840	Design and construct park/sport complex/joint use facility per Council Resolution No. 2007-111 for MPUSD MOU	
P 13		Beach Access Improvements	TBD	PRMP	\$106,000						\$106,000	Improve beach access four locations	
P 14		Mini Parks (GPD)	TBD	PRMP	\$252,000		\$126,000	\$126,000				Integration of ponds and mini parks	
P 15		Bike Paths and Trails	TBD	PBMP	\$568,000		\$141,000	\$100,000	\$100,000		\$227,000	Improve or construct new bike paths and trail throughout City	
P 20		Glorya Jean Tate Park Playground Upgrade	TBD	PWS	\$40,000		\$40,000					Playground equipment upgrade	
P 21B		Community Center Playground Equipment Upgrade	TBD	PWS	\$60,000		\$60,000					Playground equipment upgrade	
P 22		Windy Hill Park Playground Upgrade	TBD	PWS	\$40,000		\$40,000					Playground equipment upgrade	
P 23		Di Maggio Park Playground Upgrade	TBD	PWS	\$40,000		\$40,000					Playground equipment upgrade	
P 24		Vince DiMaggio Park - Retaining Wall	TBD	BDS	\$28,000		\$28,000					New retaining wall along norther property line	
					Impact Fee Funding Subtotal	\$39,910,500							
					Other Funding Subtotal	\$30,850,290							
					Parks Subtotal	\$70,760,790	\$630,450	\$605,000	\$6,143,064	\$17,948,936	\$13,688,000	\$31,745,340	
Public Facilities (Structures) - FUNDED													
F 03		Senior Center	Impact Fees/Developer	PRMP	\$4,350,000			\$1,450,000	\$1,450,000	\$1,450,000		Adjacent to Swimming Pool; Senior Center	
F 05		The Dunes PBC Rehab.	Impact Fees	PRMP	\$6,600,000		\$2,200,000	\$2,200,000	\$2,200,000			Rehab. Building	
F 11		Civic Center	Impact Fee	CIP/AB1600	\$8,200,000		\$8,200,000					Construct new building per General Plan	
F 23		Council Chambers ADA Improvements	TBD/PEG Grant	BDS	\$210,000						\$210,000	ADA bathroom improvements, technology improvements and dias relocation	
Public Facilities (Structures) - UNFUNDED													
F 02	005	Community Center Bldg.	TBD	PRMP	\$20,000		\$20,000					Enhancements to entry and paint the interior and exterior of building	
F 06		Banquet Facility Visitor Center	TBD	PRMP	\$2,200,000						\$2,200,000	Acquire land and rehab. Building	
F 13		Demolition of Old Corp Yard	TBD	CIP/AB1600	\$90,000		\$90,000					Demolition of old corporation yard	
F 14		City Hall Complex Rehabilitation	TBD	CIP/AB1600	\$250,000		\$250,000					Council Chamber remodel, finishes, ADA, HVAC, hazmat, pest control	
F 15		Corp Yard Fuel Station	TBD	MRAPCD	\$240,000		\$240,000					Construct above ground fuel station at corp yard, vapor recovery	
F 18		ES Building Rehabilitation	TBD	BDS	\$150,000		\$150,000					Rehabilitation and ADA upgrades to Engineering Services building on DX Road	
F 19		Fifth Street Corporation Yard Shed Building	TBD	BDS	\$10,000		\$10,000					New construction of shed structure for storage of equipment and materials	
F 20		New Electrical Service - City Hall	TBD	BDS	\$25,000						\$25,000	New electrical services	
F 21		New Electrical Service - Community Center	TBD	BDS	\$25,000						\$25,000	New electrical services	
					Impact Fee Funding Subtotal	\$19,150,000							
					Other Funding Subtotal	\$3,220,000							
					Public Facilities Subtotal	\$22,370,000	\$0	\$11,160,000	\$3,650,000	\$3,650,000	\$1,450,000	\$2,460,000	
Public Safety - FUNDED													
PS 01	725	Fire Station No. 1	Impact Fees	CIP/AB1600	\$5,430,000						\$5,430,000	New Fire Station	
PS 07		Animal Impound Facility Expansion	Impact Fees	CIP/AB1600	\$870,000						\$870,000	Expand facility to meet increase in population	
Public Safety - UNFUNDED													
PS 10		Police Station - Retaining Wall	TBD	BDS	\$90,000	\$90,000						New retaining wall at Police Station	
					Impact Fee Funding Subtotal	\$6,300,000							
					Other Funding Subtotal	\$90,000							
					Public Safety Subtotal	\$6,390,000	\$90,000	\$0	\$0	\$0	\$0	\$6,300,000	
					Impact Fee Funding Total	\$171,278,132							
					Other Funding Total	\$104,135,592							
					Grand Total	\$275,413,724	\$3,743,650	\$15,238,000	\$12,617,064	\$23,848,936	\$51,003,632	\$168,962,442	

Source Document	Source Document	Source Document	Legend
PRMP	Parks and Recreation Master Plan	PBMP	Pedestrian & Bicycle Master Plan
05RTP	TAMC 2005 Regional Transportation Plan	MHSP	Marina Heights Specific Plan
CIP/ AB1600	CIP Update & AB 1600 Report 2007	MPUSD MOU	Monterey Peninsula Unified School District MOU - May 2007
UVTIS	University Villages Traffic Impact Study	MRAPCD	Monterey Regional Air Pollution Control District Phase II Vapor Recovery Compliance
MHTIS	Marina Heights Traffic Impact Study	PSS	Public Safety Staff
MSTIS	Marina Station Traffic Impact Study	MPUSD TIS	MPUSD Traffic Impact Study
UVEIR	University Villages Environmental Impact Report		
CSUMB	California State University Monterey Bay – 2007 Master Plan	MPUSD	Monterey Peninsula Unified School District
FORA	FORA Report Feb. 17, 2005	GPD	General Plan Designated
PDS	Planning Division Staff	CEC	California Energy Commission
BDS	Building Division Staff	TBD	To Be Determined
PWS	Public Works Staff	NPSAF	National Parks Services Activity Fund
CSU DEIR	Cal State University Draft EIR		

DEVELOPMENT IMPACT FEE STUDY – 2011 Update

Table 1.2: Development Impact Fee Summary

Land Use	Public Buildings Fee	Public Safety Fee	Roadways Fee	Intersections Fee	Parks Fee	Total Fee ¹
Residential						
Single Family Dwellings	\$2,186	\$269	\$ 4,658	\$ 2,299	\$ 5,924	\$ 15,334
Senior Homes	\$1,457	\$179	\$ 1,806	\$ 891	\$ 3,949	\$ 8,282
Assisted Living - Senior	\$809	\$99	\$ 1,334	\$ 658	\$ 2,194	\$ 5,095
Multi-Family Dwellings	\$2,024	\$249	\$ 3,227	\$ 1,592	\$ 5,485	\$ 12,577
Non-residential						
Office/Research	\$648	\$166	\$ 5,359	\$ 2,644	\$ -	\$ 8,817
Retail/ Service ²	\$389	\$99	\$ 9,706	\$ 4,789	\$ -	\$ 14,983
Industrial	\$216	\$55	\$ 3,393	\$ 1,674	\$ -	\$ 5,338
Hotel	\$130	\$33	\$ 3,977	\$ 1,962	\$ -	\$ 6,102

¹ Fee in this table refers to "fee per dwelling unit", "fee per hotel room", or "fee per 1,000 square feet of building space for non-residential land uses"

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**CITY COUNCIL TO CONSIDER RECEIVING INVESTMENT REPORTS
FOR THE CITY OF MARINA AND SUCCESSOR AGENCY TO THE
MARINA REDEVELOPMENT AGENCY FOR MONTHS ENDED
JANUARY 31, FEBRUARY 29, AND MARCH 31, 2016**

REQUEST:

It is requested that the City Council:

1. Consider receiving Investment Reports for the City of Marina and City of Marina as Successor Agency to the Former Marina Redevelopment Agency for months ended January 31, February 29, and March 31, 2016.

BACKGROUND:

On December 7, 2010, the City Council adopted Resolution 2010-195, amending the Investment Policy and Management Plan. As amended, the policy's 'Investment Reporting' section requires the Finance Department to provide the City Council and City Manager with quarterly investment reports that include all portfolio investments including investments held by trustees. The Policy requires that reports be issued within thirty (30) days after the end of each quarterly reporting period. The reports are no longer required to be filed with the California State Treasurer.

ANALYSIS:

On December 29, 2011, the California Supreme Court issued an opinion upholding Assembly Bill 1X26, which dissolved all California redevelopment agencies effective February 1, 2012. Simultaneously, pursuant to AB1X26, the City of Marina became successor agency to the Marina Redevelopment Agency, to wind down the Agency's activities and assume the Agency's housing assets and obligations. Therefore, the attached investment reports include the City of Marina's and the City of Marina as Successor Agency to the Marina Redevelopment Agency's reports (“**EXHIBIT A**”). These include unreconciled balances of City and Successor Agency investments held by financial institutions as reported on their monthly statements. Cash balances on Exhibit B are subject to change due to fiscal-year-end and audit adjustments that cannot be anticipated as of the date of this report, and may therefore differ from beginning balances shown for the only of July cash balances report.

Due to the recent New World System financial system implementation, there are pending journal entries which affect the general ledger balances. These journal entries will be posted in the upcoming months. These exhibits will be provided at a later date: General Ledger balances (formerly “**EXHIBIT B**”) and Negative Cash Balances Summary (**formerly “EXHIBIT C**”).

FISCAL IMPACT:

None

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Lily Suarez
Account Technician
City of Marina

REVIEWED/CONCUR:

Lauren Lai, CPA
Finance Director
City of Marina

Layne P. Long
City Manager
City of Marina

To: Honorable Mayor and City Council Members

Page 1 of 4

From: Lily Suarez, Accounting Technician

RE: Investment Report

Month Ended January 31, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Imprest Cash	City of Marina	Market	\$ 5,900.00
Checking/Savings Account/Certificate of Deposit	Rabobank	Market	\$ 3,647,791.37
Paying Agent	Union Bank/Wells Fargo	Market	\$ 1,725,303.27
	Total Investments		\$ 19,566,099.01

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City of Marina's anticipated expenditure requirements for the next six (6) months. (California Government Code Section 53645)

Lily Suarez

Lily Suarez, Accounting Technician

EXHIBIT A

CITY OF MARINA
INVESTMENT AND EARNINGS REPORT
MONTH ENDED JANUARY 31, 2016

INSTITUTION	Maturity	Rate (%)	Beginning Balance			Change			Ending Balance		
			Amount	Deposits	Withdrawals	Amount	Maturity	Rate (%)	Cost	Book Value	Market Value
Petty Cash	N/A		5,900.00	0.00	0.00	5,900.00	N/A		5,900.00	5,900.00	5,900.00
Revolving Loan - NoleWorld	N/A	0.26%	171,844.65	27.30	0.00	171,871.95	N/A	0.20%	171,871.95	171,871.95	171,871.95
Interest Checking Account*	Sweep	0.00%	3,749,246.52	726,295.95	-1,677,250.19	3,064,854.11	Sweep	0.00%	3,064,854.11	3,064,854.11	3,064,854.11
Money Market/Bond Proceeds	N/A	0.26%	677,529.48	107.95	0.00	677,637.14	N/A	0.20%	677,637.14	677,637.14	677,637.14
Public Checking	N/A		0.00	0.00	0.00	0.00			0.00	0.00	0.00
Total: Rabobank			4,598,620.65	726,420.91	-1,677,250.19	3,647,791.37			3,647,791.37	3,647,791.37	3,647,791.37
Local Agency Investment Fund (LAIF)	N/A	0.40%	14,173,985.84	13,118.53	0.00	14,187,104.37	N/A	0.45%	14,187,104.37	14,187,104.37	14,187,104.37
Paying Agent - Union Bank or Wells Fargo			1.00	0.00	-1.00	0.00			0.00	0.00	0.00
05 GO Library	Sweep	variable	181,845.83	67,354.57	0.00	249,185.40	Sweep	variable	249,185.40	249,185.40	249,185.40
Marina Abrams B 2006 Fund 72	Sweep	variable	661,904.61	16.07	0.00	661,919.62	Sweep	variable	661,919.62	661,919.62	661,919.62
Marina Abrams B 2006 Fund 57	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
Marina Greens AD	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
Marina Landing AD	Sweep	variable	4.48	0.00	0.00	4.48	Sweep	variable	4.48	4.48	4.48
98 GO Refunding	Sweep	variable	1.00	204,850.30	0.00	204,850.30	Sweep	variable	204,850.30	204,850.30	204,850.30
2015 GO Refunding	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
2015 GO Refunding-Escrow	Sweep	variable	17,519.45	0.00	-17,519.45	0.00	Sweep	variable	0.00	0.00	0.00
2015 GO Refunding-Insurance	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
2015 GO Refunding-Precedents	Sweep	variable	609,343.47	4.33	-3.08	609,343.47	Sweep	variable	609,343.47	609,343.47	609,343.47
Pension Obligation Bonds	Sweep	variable	1,470,617.99	272,208.81	-17,523.53	1,725,303.27	Sweep	variable	1,725,303.27	1,725,303.27	1,725,303.27
Total Trustee Accounts			20,249,124.48	1,011,748.25	-1,694,773.72	19,566,099.01			19,566,099.01	19,566,099.01	19,566,099.01

The Interest Bearing Checking and LAIF accounts contain the funds of the City of Marina and the City of Marina as Successor Agency to the Marina Redevelopment Agency. The Interest checking account is allocated to each entity on the basis of the accounting transactions recorded for the pooled checking account. LAIF accounts are registered and accounted for in the separate names of each entity. Revolving Loan, Money Market & Trustee accounts contain City resources, only.

To: Marina City Council as Successor Agency to the Marina Redevelopment Agency

From: Lily Suarez, Accounting Technician

RE: Investment Report

Month Ended: January 31, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Interest Checking Account*	Rabobank	Market	\$ 1,311,206.67
Local Agency Investment Fund	State of California	Market	\$ 563,153.46
	Total Investments		<u>\$ 1,874,360.13</u>

* Negative Rabobank Interest Checking Account balance due to timing of transfer between Marina RDA Successor Agency Rabobank and LAIF accounts. Resolved in December.

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the Successor Agency's anticipated expenditure requirements for the next six (6) months. (California Government Code Section 53646)

Lily Suarez

Lily Suarez, Accounting Technician

EXHIBIT A

CITY OF MARINA AS SUCCESSOR AGENCY TO THE MARINA REDEVELOPMENT AGENCY
 INVESTMENT AND EARNINGS REPORT
 MONTH ENDED JANUARY 31, 2016

INSTITUTION	Maturity	Rate (%)	Beginning Balance		Change			Ending Balance		Cost	Book Value	Market Value
			Amount	Rate (%)	Deposits	Withdrawals	Amount	Maturity	Rate (%)			
Rabobank												
Interest Checking Account*	73099032	Sweep	0.00%	858,508.41	723,320.00	-4,049.91	1,311,206.67	Sweep	0.00%	1,311,206.67	1,311,206.67	1,311,206.67
Local Agency Investment Fund (LAIF)	65-27-003	N/A	0.40%	562,632.72	520.74	0.00	563,153.46	N/A	0.45%	563,153.46	563,153.46	563,153.46
TOTAL				1,421,141.13	723,840.74	-4,049.91	1,874,360.13			1,874,360.13	1,874,360.13	1,874,360.13

* The Interest Bearing Checking and LAIF accounts contain idle funds of the City of Marina and the City of Marina as Successor Agency to the Marina Redevelopment Agency. The interest checking account is allocated to each entity on the basis of the accounting transactions recorded for the pooled checking account. LAIF accounts are registered and accounted for in the separate names of each entity. Revolving Loan, Money Market & Trustee accounts contain City resources, only.

To: Honorable Mayor and City Council Members

From: Lily Suarez, Accounting Technician

RE: Investment Report
Month Ended February 28, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Imprest Cash		Market	\$ 5,900.00
Checking/Savings Account/Certificate of Deposit	City of Marina	Market	\$ 4,408,927.78
Local Agency Investment Fund	Rabobank	Market	\$ 14,187,104.37
Paying Agent	State of California	Market	\$ 1,605,316.02
	Union Bank/Wells Fargo	Market	\$ 20,207,248.17
	Total Investments		\$ 20,207,248.17

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City of Marina's anticipated expenditure requirements for the next six (6) months.
(California Government Code Section 53646)


Lily Suarez, Accounting Technician

EXHIBIT A

CITY OF MARINA
INVESTMENT AND EARNINGS REPORT
MONTH ENDED February 28, 2016

INSTITUTION	Maturity	Rate (%)	Beginning Balance			Change			Ending Balance		
			Amount	Deposits	Withdrawals	Amount	Maturity	Rate (%)	Cost	Book Value	Market Value
Patty Cash	N/A		5,900.00	0.00	0.00	5,900.00	N/A	5,900.00	5,900.00	5,900.00	
Rabobank											
Revolving Loan - NoleWorld	N/A	0.20%	171,871.95	29.29	0.00	171,901.15	N/A	171,901.15	171,901.15	171,901.15	
Interest Checking Account*	Sweep	0.00%	3,064,864.11	2,251,230.04	-1,756,809.74	3,559,616.43	Sweep	3,559,616.43	3,559,616.43	3,559,616.43	
Money Market/Bond Proceeds	N/A	0.20%	677,637.14	115.11	0.00	677,752.25	N/A	677,752.25	677,752.25	677,752.25	
Public Checking	N/A		0.00	0.00	0.00	0.00					
Total-Rabobank			3,914,563.20	2,251,374.32	-1,756,809.74	4,409,927.78		4,409,269.83	4,409,269.83	4,409,269.83	
Local Agency Investment Fund (LAIF)											
Paying Agent - Union Bank or Wells Fargo											
05 GO Library	98-27-509	N/A	14,187,104.37	0.00	0.00	14,187,104.37	N/A	14,187,104.37	14,187,104.37	14,187,104.37	
Marina Abrams B 2006 Fund 72	6711797700-06	Sweep	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
Marina Abrams B 2006 Fund 57	6711797711-14	Sweep	249,185.40	67,336.13	0.00	316,521.53	Sweep	316,521.53	316,521.53	316,521.53	
Marina Greens AD	6711639400	Sweep	661,919.62	1.25	0.00	661,920.91	Sweep	661,920.91	661,920.91	661,920.91	
Marina Landing AD	6711699601	Sweep	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
98 GO Refunding	6711617300	Sweep	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
2015 GO Refunding	6718129601	Sweep	4.48	0.00	0.00	4.48	Sweep	4.48	4.48	4.48	
2015 GO Refunding-Escrow	6712129902	Sweep	204,850.30	0.00	-187,328.85	17,520.45	Sweep	17,520.45	17,520.45	17,520.45	
2015 GO Refunding-Insurance	6712129903	Sweep	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
2015 GO Refunding-Proceeds	6712129904	Sweep	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
Person Obligation Bonds	6712129904	Sweep	609,348.65	0.00	0.00	609,348.65	Sweep	609,348.65	609,348.65	609,348.65	
	-22284780-701	Sweep	0.00	12.35	-7.18	0.00	Sweep	0.00	0.00	0.00	
Total Trustee Accounts			1,725,303.27	67,349.78	-187,333.03	1,605,316.02		1,605,316.02	1,605,316.02	1,605,316.02	
TOTAL			19,832,670.84	2,318,724.10	-1,944,146.77	20,207,248.17		20,207,590.22	20,207,590.22	20,207,590.22	

The Interest Bearing Checking and LAIF accounts contain the funds of the City of Marina and the City of Marina as Successor Agency to the Marina Redevelopment Agency. The Interest checking account is allocated to each entity on the basis of the accounting transactions recorded for the pooled checking account. LAIF accounts are registered and accounted for in the separate names of each entity: Revolving Loan, Money Market & Trustee accounts contain City resources, only.

To: Marina City Council as Successor Agency to the Marina Redevelopment Agency

From: Lily Suarez, Accounting Technician

RE: Investment Report
Month Ended February 28, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Interest Checking Account*	Rabobank	Market	\$ 1,300,847.89
Local Agency Investment Fund	State of California	Market	\$ 563,153.46
	Total Investments		<u>\$ 1,864,001.35</u>

- * Negative Rabobank Interest Checking Account balance due to timing of transfer between Marina RDA Successor Agency Rabobank and LAIF accounts. Resolved in December.

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the Successor Agency's anticipated expenditure requirements for the next six (6) months. (California Government Code Section 53546)

Lily Suarez

Lily Suarez, Accounting Technician

EXHIBIT A

CITY OF MARINA AS SUCCESSOR AGENCY TO THE MARINA REDEVELOPMENT AGENCY
 INVESTMENT AND EARNINGS REPORT
 MONTH ENDED February 28, 2016

INSTITUTION	Maturity	Beginning Rate (%)	Beginning Balance Amount	Change		Ending Balance		Cost	Book Value	Market Value
				Deposits	Withdrawals	Amount	Maturity Rate (%)			
Rabobank										
Interest Checking Account*	72095032 Sweep	0.00%	1,311,206.67	0.00	-10,016.73	1,300,847.89	Sweep 0.00%	1,300,847.89	1,300,847.89	1,300,847.89
Local Agency Investment Fund (LAIF)	65-27-003 NA	0.45%	563,153.46	0.00	0.00	563,153.46	NA 0.47%	563,153.46	563,153.46	563,153.46
TOTAL			1,874,360.13	0.00	-10,016.73	1,864,001.35		1,864,001.35	1,864,001.35	1,864,001.35

* The Interest Bearing Checking and LAIF accounts contain idle funds of the City of Marina and the City of Marina as Successor Agency to the Marina Redevelopment Agency. The Interest checking account is allocated to each entity on the basis of the accounting transactions recorded for the pooled checking account. LAIF accounts are registered and accounted for in the separate names of each entity. Revolving Loan, Money Market & Trustee accounts contain City resources only.

To: Honorable Mayor and City Council Members

From: Lily Suarez, Accounting Technician

RE: Investment Report

Month Ended March 31, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Imprest Cash	City of Marina	Market	\$ 5,900.00
Checking/Savings Account/Certificate of Deposit	Rabobank	Market	\$ 4,200,054.93
Local Agency Investment Fund	State of California	Market	\$ 14,187,104.37
Paying Agent	Union Bank/Wells Fargo	Market	\$ 1,605,320.86
	Total Investments		\$ 19,998,380.16

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the City of Marina's anticipated expenditure requirements for the next six (6) months. (California Government Code Section 53546)

Lily Suarez

Lily Suarez, Accounting Technician

EXHIBIT A

CITY OF MARINA
INVESTMENT AND EARNINGS REPORT
MONTH ENDED March 31, 2016

INSTITUTION	Maturity	Rate (%)	Beginning Balance		Change			Ending Balance			Cost	Book Value	Market Value
			Amount	Rate (%)	Deposits	Withdrawals	Amount	Maturity	Rate (%)				
Petty Cash	N/A		5,900.00		0.00	0.00	0.00	5,900.00	N/A	5,900.00	5,900.00	5,900.00	
Rabobank													
Revolving Loan - NoleWorld	N/A	0.20%	171,901.15		29.20	0.00	0.00	171,930.35	N/A	171,930.35	171,930.35	171,930.35	
Interest Checking Account*	Sweep	0.00%	3,559,616.43		2,770,473.33	-5,080,137.76	0.00	250,353.79	Sweep	250,353.79	250,353.79	250,353.79	
Money Market/Bond Proceeds	N/A	0.20%	677,752.25		4,100,420.33	-1,000,000.00	0.00	3,778,172.58	N/A	3,778,172.58	3,778,172.58	3,778,172.58	
Public Checking	N/A		0.00		0.00	0.00	0.00	0.00		0.00	0.00	0.00	
Total-Rabobank			4,409,269.83		6,870,922.86	-7,080,137.76	0.00	4,200,054.93		4,200,456.72	4,200,456.72	4,200,456.72	
Local Agency Investment Fund (LAIF)													
Paying Agent - Union Bank or Wells Fargo													
05 GO Library													
Marina Abrams B 2006 Fund 72	6/7/17/97/00-06	Sweep	0.00	0.00	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
Marina Abrams B 2006 Fund 57	6/7/17/97/11-14	Sweep	316,521.53	0.47%	238.81	-288.81	0.00	316,521.53	Sweep	316,521.53	316,521.53	316,521.53	
Marina Greens AD	6/7/18/93/00	Sweep	661,920.91	variable	0.00	0.00	0.00	661,920.91	Sweep	661,920.91	661,920.91	661,920.91	
Marina Landng AD	6/7/18/93/00	Sweep	0.00	variable	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
98 GO Refunding	6/7/16/17/00	Sweep	0.00	variable	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
2015 GO Refunding	6/7/12/28/01	Sweep	4.48	variable	0.00	0.00	0.00	4.48	Sweep	4.48	4.48	4.48	
2015 GO Refunding-Escrow	6/7/12/28/02	Sweep	17,520.45	variable	0.00	0.00	0.00	17,520.45	Sweep	17,520.45	17,520.45	17,520.45	
2015 GO Refunding-Issuance	6/7/12/28/03	Sweep	0.00	variable	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
2015 GO Refunding-Proseds	6/7/12/28/04	Sweep	0.00	variable	0.00	0.00	0.00	0.00	Sweep	0.00	0.00	0.00	
Pension Obligation Bonds	6/7/12/28/04	Sweep	609,348.65	variable	0.00	0.00	0.00	609,348.65	Sweep	609,348.65	609,348.65	609,348.65	
Total Trustee Accounts	-22264703-701	Sweep	1,605,316.02	variable	18.94	-14.00	0.00	1,605,320.86	Sweep	1,605,320.86	1,605,320.86	1,605,320.86	
TOTAL			20,207,590.22		6,871,230.51	-7,080,440.57	19,998,380.16	19,998,781.95		19,998,781.95	19,998,781.95	19,998,781.95	

The Interest Bearing Checking and LAIF accounts contain the funds of the City of Marina and the City of Marina as Successor Agency to the Marina Redevelopment Agency. The Interest checking account is allocated to each entity on the basis of the accounting transactions recorded for the pooled checking account. LAIF accounts are registered and accounted for in the separate names of each entity. Revolving Loan, Money Market & Trustee accounts contain City resources, only.

To: Marina City Council as Successor Agency to the Marina Redevelopment Agency

From: Lily Suarez, Accounting Technician

RE: Investment Report

Month Ended March 31, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Interest Checking Account*	Rabobank	Market	\$ 1,289,054.98
Local Agency Investment Fund	State of California	Market	\$ 563,153.46
	Total Investments		<u>\$ 1,852,208.44</u>

* Negative Rabobank Interest Checking Account balance due to timing of transfer between Marina RDA Successor Agency Rabobank and LAF accounts. Resolved in December.

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the Successor Agency's anticipated expenditure requirements for the next six (6) months.
(California Government Code Section 53646)

Lily Suarez

Lily Suarez, Accounting Technician

EXHIBIT A

CITY OF MARINA AS SUCCESSOR AGENCY TO THE MARINA REDEVELOPMENT AGENCY
 INVESTMENT AND EARNINGS REPORT
 MONTH ENDED March 31, 2016

INSTITUTION	Maturity	Rate (%)	Beginning Balance		Change		Ending Balance		Cost	Book Value	Market Value
			Amount	Rate (%)	Deposits	Withdrawals	Amount	Maturity			
Rabobank											
Interest Checking Account*	72095032	sweep	0.00%	1,300,847.89	0.00	-11,391.12	1,289,054.98	sweep	0.03%	1,289,054.98	1,289,054.98
Local Agency Investment Fund (LAIF)	65-27-003	NA	0.47%	563,153.46	0.00	0.00	563,153.46	NA	0.47%	563,153.46	563,153.46
TOTAL				1,864,001.35	0.00	-11,391.12	1,852,208.44			1,852,208.44	1,852,208.44

* The interest bearing Checking and LAIF accounts contain idle funds of the City of Marina and the City of Marina as Successor Agency to the Marina Redevelopment Agency. The interest checking account is allocated to each entity on the basis of the accounting transactions recorded for the pooled checking account. LAIF accounts are registered and accounted for in the separate names of each entity. Revolving Loan, Money Market & Trustee accounts contain City resources only.

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
APPROVING PUBLIC WORKS/COMMUNITY CENTER PHASE 2
RESTORATION PROJECT AND AUTHORIZE THE FINANCE
DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY
ENTRIES**

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2016-, approving Public Works Community Center Restoration Project:
2. Authorize the Finance Director to make necessary accounting and budgetary entries

BACKGROUND

The Community Centers last major facility renovation was done in 2004. Since that time and with the extensive use of the community center for ongoing city programs including Youth, Seniors and ongoing rentals of the Community Center, the center is now in dire need of basic upkeep renovations. During Phase I public works completed the following: Replaced the flooring in the bathrooms and kitchen areas, replaced all the ceiling lighting, repaired walls and repainted, plumbing work was done in the kitchen and bathrooms, and the roof top heater was repaired.

Under Phase II request the public works department will replace metal bathroom stalls, with plastic fixtures, replace the existing wall carpet, install new bathroom toilets and urinals with new water efficient hardware, (grant assistance from MCWD.)

ANALYSIS

The item before the Council tonight is a budgetary request to authorize budget amendments for public works to complete the Phase II project at a cost of 15,000.

The below outlines the breakdown of the cost listed above:

Bathroom Phase 2 Revitalization Project

- | | |
|--|--------|
| 1) Cost of partitions in the bathroom includes freight | \$3500 |
| 2) Cost of Recarpeting the Community Center Walls | \$8700 |
| 3) Bathroom Fixtures and Hardware | \$2480 |
| 4) 10% Contingency | \$320 |

FISCAL IMPACT

Should the City Council approve this request, the requested budget appropriation is \$15,000 from the City's Unallocated General Fund balance to the Public Works Fund account.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Ed Meachum
Crew Section Lead
Public Works
City of Marina

Terry Siegrist
Recreation and Cultural Services Director
City of Marina

REVIEW/CONCUR:

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2016-

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
APPROVING PUBLIC WORKS/COMMUNITY CENTER PHASE II
RESTORATION PROJECT AND AUTHORIZE THE FINANCE DIRECTOR TO
MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES

WHEREAS, The Community Centers last major facility renovation was done in 2004. Since that time and with the extensive use of the community center for ongoing city programs including Youth, Seniors and ongoing rentals of the Community Center, the center is now in dire need of basic upkeep renovations. During phase 1 public works completed the following: Replaced the flooring in the bathrooms and Kitchen areas, replaced all the ceiling lighting, repaired walls and repainted, plumbing work was done in the kitchen and bathrooms, and the roof top heater was repaired; and

WHEREAS, Under Phase II request the public works department will replace metal bathroom stalls, with plastic fixtures, replace the existing wall carpet, install new bathroom toilets and urinals with new water efficient hardware, (grant assistance from MCWD.); and

WHEREAS, the item before the Council tonight is a budgetary request to authorize budget amendments from the City's Unallocated General Fund balance to the Public Works Fund account for public works to complete the Phase II project at a cost of 15,000.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Marina does hereby:

1. Approve Public Works Public Works/Community Center Phase II Restoration Project
2. Authorize the Finance Director to make necessary accounting and budgetary entries

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

April 11, 2016

Item No. **9a**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

CITY COUNCIL OPEN PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2016-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$184.42 FOR FY 2016-17 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZING CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2016

REQUEST:

It is requested that the City Council:

1. Open public hearing and take any testimony from the public;
2. Consider adopting Resolution No. 2016-, confirming diagram, assessment and ordering levy of \$184.42 for FY 2016-17 assessment for Seabreeze Landscape Maintenance Assessment District, and;
3. Authorize City Clerk to file certified copy of diagram and assessment with Monterey County Auditor-Controller prior to Friday, August 1, 2016.

BACKGROUND:

At the regular meeting of June 4, 1996, the City Council adopted Resolution No. 1996-62, ordering the formation of the Seabreeze Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared which includes the costs to maintain the improvements of the Districts and what the proposed assessments will be to provide for that maintenance.

At the regular meeting of April 5, 2016, the City Council adopted Resolution No. 2016-40, preliminarily approving the FY 2016-17 Engineer's Report for Seabreeze Landscape Maintenance Assessment District and calling a public hearing on April 19, 2016 on proposed intention to levy and collect assessments for the Seabreeze Landscape Maintenance Assessment District.

ANALYSIS:

Based on the Engineer's Report (Exhibit A), the assessment has been set in the amount of \$184.42. This is the same amount as last year's assessment and does not represent an increase.

The current contract agreement with New Image Landscaping for District landscape maintenance will expire at the end of Fiscal Year 16/17. Additional funds have been programmed into that fiscal year's administration budget to prepare specifications and conduct a public bidding process for the maintenance contract of this District.

FISCAL IMPACT:

Should the City Council approve this request, the anticipated revenue for the FY 2016-17 assessment levy is \$6,823.54 for the purpose of the landscape maintenance district.

Levying of the assessment is the first step to collect the assessments to fund the landscape maintenance district.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer, Engineering Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

Nourdin Khayata, PE
Acting City Engineer, Engineering Division
Community Development Department
City of Marina

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF \$184.42
FOR FY 2016-17 ASSESSMENT FOR SEABREEZE LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT AND AUTHORIZING THE CITY CLERK TO FILE
CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH THE MONTEREY
COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2016

WHEREAS, on June 4, 1996, the City ordered the formation of the Seabreeze Landscape Maintenance District pursuant to Streets and Highway Code §22594, and;

WHEREAS, the City Engineer filed the Engineer's Report, fiscal year 2016-2017, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on April 5, 2016, the City approved said Engineer's Report, declared its intention to levy and collect assessments within said District and set a hearing to ascertain whether the City shall order the levy and assessment of said assessment, and;

WHEREAS, said public hearing was held on April 19, 2016, and;

WHEREAS, levying of the assessment is the first step to collect the assessments to fund the landscape maintenance districts, and;

WHEREAS, provisions of this resolution are severable and if anyone provision is determined to be impermissible then the remainder of the resolution shall remain in full force and effect, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. The City does hereby confirm the diagram and assessment as described in the Engineer's Report on file with the City Clerk.
2. The City does hereby order the levy and collection of said assessment, \$184.42, for FY 2016-17 assessment for Seabreeze Landscape Maintenance Assessment District.
3. It is the intention of the City of Marina that any monetary advance made by it during any fiscal year to cover a deficit in the improvement fund of Seabreeze Landscape Maintenance Assessment District shall be repaid from the next annual assessments levied and collected within Seabreeze Landscape Maintenance Assessment District.
4. The City Clerk is hereby authorized and directed to file a certified copy of said diagram and assessment with the Monterey County Auditor prior to August 1, 2016.

SEABREEZE
Resolution No. 2016-
Page Two

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



**CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA**

**SEABREEZE LANDSCAPE
MAINTENANCE
ASSESSMENT DISTRICT

ENGINEER'S REPORT**

FY 2016-17

Council Members:

B. DELGADO, MAYOR

**F. O'CONNELL
N. AMADEO**

**G. MORTON
D. BROWN**

**LAYNE LONG
ANITA SHEPHERD-SHARP
ROBERT WELLINGTON
THERESA SZYMANIS**

**City Manager
Acting Deputy City Clerk
City Attorney
Acting Community Development Department
Director**

**Prepared By
City of Marina
Public Works Division**

SEABREEZE
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2016-2017

This report concerns the Seabreeze Landscape Maintenance Assessment District.

This report has been prepared pursuant to Section 22265 through 22574 of the Streets and Highway Code (Landscaping and Landscaping Act 1972).

The Assessment District encompasses the Seabreeze subdivision located on the north side of Beach Road and west of Marina Drive in the City of Marina, County of Monterey, State of California.

The subdivision consists of 37 residential lots, with all underground utilities (water, sewer, gas and electric) street and drainage improvements. The Assessment District has been formed for the purpose of maintaining the proposed landscape areas including the street scape along the Northerly side of Beach Road adjacent to Seabreeze Subdivision, Tract No. 1251 and the buffer along the westerly side of the Southern Pacific Railroad within the rear portion of Lots 18 through 21 of the Seabreeze subdivision. Lot 38 is dedicated to the City for the maintenance of the drainage percolation basin. These improvements were installed and paid for by the developer.

A brief description of the improvements that are to be maintained by the Assessment District are:

All landscaping elements, irrigation systems and services thereto located along the Northerly side of Beach Road, the westerly of Southern Pacific Railroad and the easterly of the percolation pond. Also included is the maintenance, repair and replacement of the sound walls. Landscaping elements consist of ground cover, shrubs, trees, irrigation pipelines, controllers, valves, emitters, sprinklers and appurtenant improvements all as delineated on the plans with the City of Marina and titled Seabreeze Streetscape and Buffer Plans prepared by Isaacson Wood & Associates, Landscape Architecture.

This report includes the following attached exhibits:

EXHIBIT A - An Assessment Diagram and Boundary Map showing all the parcels of the real property within the Assessment District and location of the landscaped areas to be maintained by the Assessment District. The Diagram is keyed to Exhibit C by the separate "Assessment District".

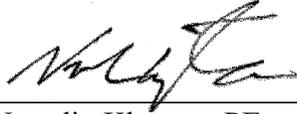
EXHIBIT B - Spreadsheet showing estimated costs for FY 2015-2016, FY 2016-2017 and FY 2017-2018.

EXHIBIT C - An assessment roll showing the amount proposed to be assessed against each parcel of real property within this Assessment District. In addition to the Assessors Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to the lot number of each parcel.

Page Two
Engineer's Report
Seabreeze Landscape Maintenance Assessment District

EXHIBIT D - Method of determination of assessment spread.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Nourdin Khayata', written over a horizontal line.

Nourdin Khayata, PE
Acting City Engineer

March 2016

Boundary and Landscaped Area Map

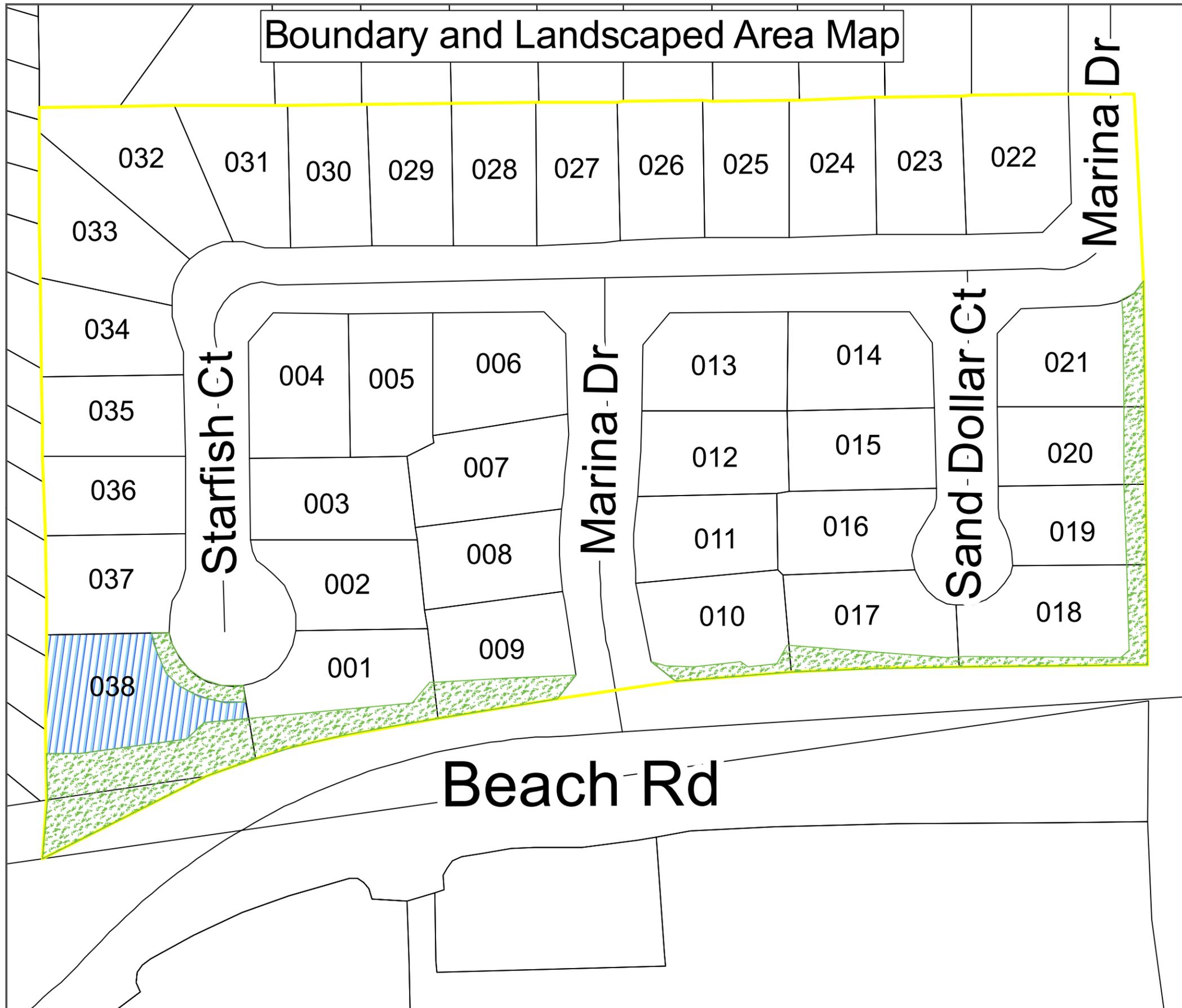
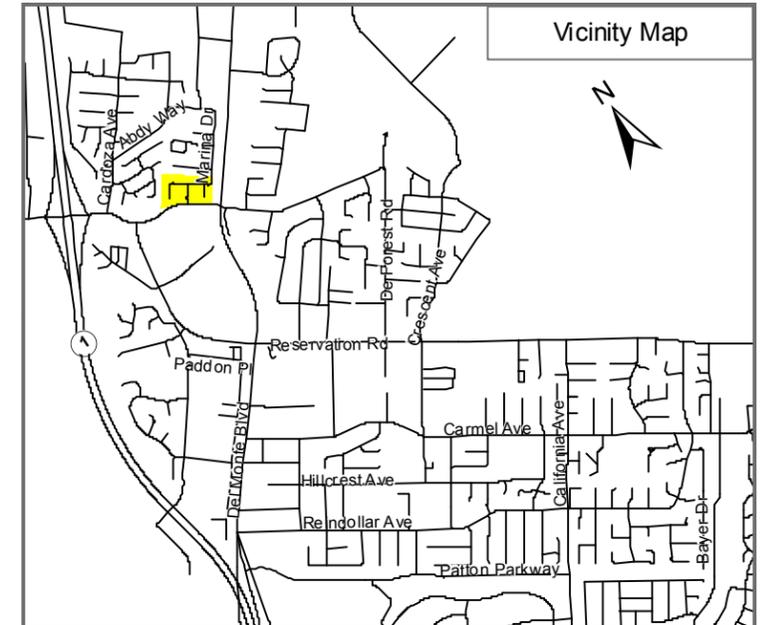


EXHIBIT A Seabreeze Landscape Maintenance District



Legend

- Seabreeze**
- Boundary
- Landscaped Area
20,470 SQ FT
- Parcels
- Percolation Lot
- Roads

Date: April 15th, 2009

Notes: The City of Marina assume no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates/modifications and may not be complete or appropriate for all purposes. The City of Marina and Monterey County GIS should be queried for the most current information. Parcel data is of mapping grade only and does not represent reliable locations or legal boundaries.

Sources: Monterey County GIS, City of Marina CDD
Map Projection: California State Plane Zone IV, NAD 83 (Feet)

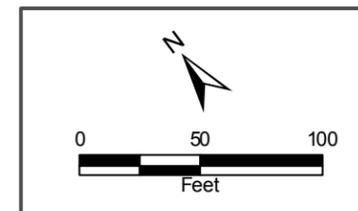


EXHIBIT B
SEABREEZE LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2015-2016	Estimates FY 2016-2017	Estimates FY 2017-2018
Beginning Cash Balance, July 1st	\$ 1,442	\$ 2,317	\$ 2,331
(a) Total Assessment Revenues (37 Parcels)	\$ 6,750	\$ 6,750	\$ 6,750
Expenditures			
Contractor Services			
Landscape Maintenance Contract	\$ 2,100	\$ 2,160	\$ 2,160
Utilities	\$ -	\$ -	\$ -
Large Tree Trimming	\$ -	\$ -	\$ -
Extraordinary Maintenance	\$ -	\$ -	\$ -
Plant Replacement	\$ -	\$ -	\$ -
Administrative Services			
Supervision	\$ 800	\$ 800	\$ 800
Administration (Incl. Engineers Report)	\$ 1,000	\$ 1,800	\$ 1,000
Cost Allocation Plan Charges	\$ 1,740	\$ 1,740	\$ 1,740
Legal Advertising	\$ 235	\$ 235	\$ 235
Total Expenditures	\$ 5,875	\$ 6,735	\$ 5,935
(b) Net Change in Fund Balance	\$ 2,317	\$ 2,331	\$ 3,146
(c) Ending Fund Balance, June 30th	\$ 2,317	\$ 2,331	\$ 3,146

(a) Maximum Assessment per Prop 218 is \$182.42 per parcel. The assessment amount for FY15-16 is consistent with FY14-15 at \$182.42 per parcel.

(b) Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

(c) End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

EXHIBIT C

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
1	033-082-001	\$182.42
2	033-082-002	\$182.42
3	033-082-003	\$182.42
4	033-082-004	\$182.42
5	033-082-005	\$182.42
6	033-082-006	\$182.42
7	033-082-007	\$182.42
8	033-082-008	\$182.42
9	033-082-009	\$182.42
10	033-082-010	\$182.42
11	033-082-011	\$182.42
12	033-082-012	\$182.42
13	033-082-013	\$182.42
14	033-082-014	\$182.42
15	033-082-015	\$182.42
16	033-082-016	\$182.42
17	033-082-017	\$182.42

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
18	033-082-018	\$182.42
19	033-082-019	\$182.42
20	033-082-020	\$182.42
21	033-082-021	\$182.42
22	033-082-022	\$182.42
23	033-082-023	\$182.42
24	033-082-024	\$182.42
25	033-082-025	\$182.42
26	033-082-026	\$182.42
27	033-082-027	\$182.42
28	033-082-028	\$182.42
29	033-082-029	\$182.42
30	033-082-030	\$182.42
31	033-082-031	\$182.42
32	033-082-032	\$182.42
33	033-082-033	\$182.42
34	033-082-034	\$182.42

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
35	033-082-035	\$182.42
36	033-082-036	\$182.42
37	033-082-037	\$182.42

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the landscaped areas within the Assessment District benefits the Assessment District as a whole. Therefore, the assessment should be equally apportioned over the 37 residential building sites or lots contained within the district as indicated on the Assessment Diagram (Exhibit A).

April 11, 2016

Item No. **9b**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

CITY COUNCIL OPEN PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2016-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$180.78 FOR FY 2016-17 ASSESSMENT FOR CYPRESS COVE II LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZING CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2016

REQUEST:

It is requested that the City Council:

1. Open public hearing and take any testimony from the public;
2. Consider adopting Resolution No. 2016-, confirming diagram, assessment and ordering levy of \$180.78 for FY 2016-17 assessment for Cypress Cove II Landscape Maintenance Assessment District, and;
3. Authorize City Clerk to file certified copy of diagram and assessment with Monterey County Auditor-Controller prior to Friday, August 1, 2016.

BACKGROUND:

At the regular meeting of June 16, 1987, the City Council adopted Resolution No. 1987-23, ordering the formation of the Cypress Cove II Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared, which includes the costs to maintain the improvements of the Cypress Cove II Landscape Maintenance Assessment District and what the proposed assessments will be to provide for that maintenance.

At the regular meeting of April 5, 2015, the City Council adopted Resolution No. 2016-41, preliminarily approving the FY 2016-17 Engineer's Report for Cypress Cove II Landscape Maintenance Assessment District and calling a public hearing on April 19, 2016 on proposed intention to levy and collect assessments for the Cypress Cove II Landscape Maintenance Assessment District.

ANALYSIS:

Based on the Engineer's Report (Exhibit A), the assessment has been set in the amount of \$180.78. This is the same amount as last year's assessment and does not represent an increase.

At the request of the homeowners, staff has been meeting with a group of their representatives to discuss further beautification and improvements to the District. Tree improvements, slope stabilization improvements and utility repairs will occur in Fiscal Year 15/16. Additional tree improvements are scheduled for Fiscal Year 16/17 along Cardoza Ave. Regular maintenance of the existing District will continue.

FISCAL IMPACT:

Should the City Council approve this request, the anticipated revenue for the FY 2016-17 assessment levy is \$19,885.80 for the purpose of the landscape maintenance district.

Levying of the assessment is the first step to collect the assessments to fund the landscape maintenance district.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer, Engineering Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

Nourdin Khayata, PE
Acting City Engineer, Engineering Division
Community Development Department
City of Marina

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF \$180.78
FOR FY 2016-17 ASSESSMENT FOR CYPRESS COVE II LANDSCAPE
MAINTENANCE ASSESSMENT DISTRICT AND AUTHORIZING THE CITY CLERK
TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH THE
MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1,
2016

WHEREAS, on June 16, 1987, the City ordered the formation of the Cypress Cove II Landscape Maintenance District pursuant to Streets and Highway Code §22594, and;

WHEREAS, the City Engineer filed the Engineer's Report, fiscal year 2016-2017, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on April 5, 2016, the City preliminarily approved said Engineer's Report, declared its intention to levy and collect assessments within said District and set a hearing to ascertain whether the City shall order the levy and assessment of said assessment, and;

WHEREAS, said public hearing was held on April 19, 2016, and;

WHEREAS, levying of the assessment is the first step to collect the assessments to fund the landscape maintenance districts, and;

WHEREAS, provisions of this resolution are severable and if anyone provision is determined to be impermissible then the remainder of the resolution shall remain in full force and effect, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. The City does hereby confirm the diagram and assessment as described in the Engineer's Report on file with the City Clerk.
2. The City does hereby order the levy and collection of said assessment, \$180.78, for FY 2016-17 assessment for Cypress Cove II Landscape Maintenance Assessment District.
3. It is the intention of the City of Marina that any monetary advance made by it during any fiscal year to cover a deficit in the improvement fund of Cypress Cove II Landscape Maintenance Assessment District shall be repaid from the next annual assessments levied and collected within Cypress Cove II Landscape Maintenance Assessment District.
4. The City Clerk is hereby authorized and directed to file a certified copy of said diagram and assessment with the Monterey County Auditor prior to August 1, 2016.

CYPRESS COVE II
Resolution No. 2016-
Page Two

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:
ABSTAIN: COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk



CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA

**CYPRESS COVE II
LANDSCAPE MAINTENANCE
ASSESSMENT DISTRICT

ENGINEER'S REPORT**

FY 2016-2017

Council Members:

B. DELGADO, MAYOR

F. O'CONNELL
N. AMADEO

G. MORTON
D. BROWN

LAYNE LONG
ANITA SHEPHERD-SHARP
ROBERT WELLINGTON
THERESA SZYMANIS

City Manager
Acting Deputy City Clerk
City Attorney
Acting Community Development Department
Director

Prepared By
City of Marina
Public Works Division

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2016-2017

This report concerns the Cypress Cove II Landscape Maintenance Assessment District.

The Assessment District consists of the Cypress Cove II Subdivision located in the westerly portion of the City of Marina just east of the Highway I and Reservation Road interchange. The subdivision is bounded on three sides by Abdy Way, Cardoza Avenue, and Beach Road, contains 110 lots, a percolation pond parcel (Parcel B), and an emergency access road (Parcel C).

The subdivision consists of 110 single family homes complete with underground utilities, water and wastewater facilities, street and drainage improvements, and landscaping. The Assessment District has been formed for the purpose of maintaining the exterior boundary landscaping and retaining walls, installed and paid for by the developer.

This report has been prepared pursuant to Sections 22565 through 22574 of the Streets and Highways Code (Landscaping and Lighting Act of 1972).

The existing improvements to be maintained which are the subject of this report, are briefly described as follows:

All exterior landscaping elements located adjacent to the subdivision boundaries along Abdy Way, Cardoza Avenue, and Beach Road and outside the chain link fence on Parcel B are considered as the improvements included in the Assessment District. Landscaping elements consist of hydroseeded areas, groundcover, shrubs, trees, irrigation pipelines, controllers, valves, sprinklers, masonry retaining walls, and electrical service. Plans and specifications showing these existing improvements which are to be maintained are on file in the City of Marina Public Works Division.

This report includes the following attached exhibits:

EXHIBIT A - An assessment diagram and boundary map showing all of the parcels of the real property within the Assessment District. The diagram is keyed to Exhibit C by the separate "Assessment Number".

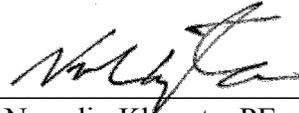
EXHIBIT B - Spreadsheet showing estimated costs for FY 2015-2016 and estimated costs for FY 2016-2017 and FY 2017-2018.

EXHIBIT C - An assessment roll showing the amount proposed to be assessed against each parcel of real property within this Assessment District. In addition to the Assessor's Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to that parcels lot number.

Page Two
Engineer's Report
Cypress Cove II Landscape Maintenance Assessment District

EXHIBIT D - Method of determination of assessment spread.

Respectfully Submitted,



Nourdin Khayata, PE
Acting City Engineer

March 2016

Boundary and Landscaped Area Map

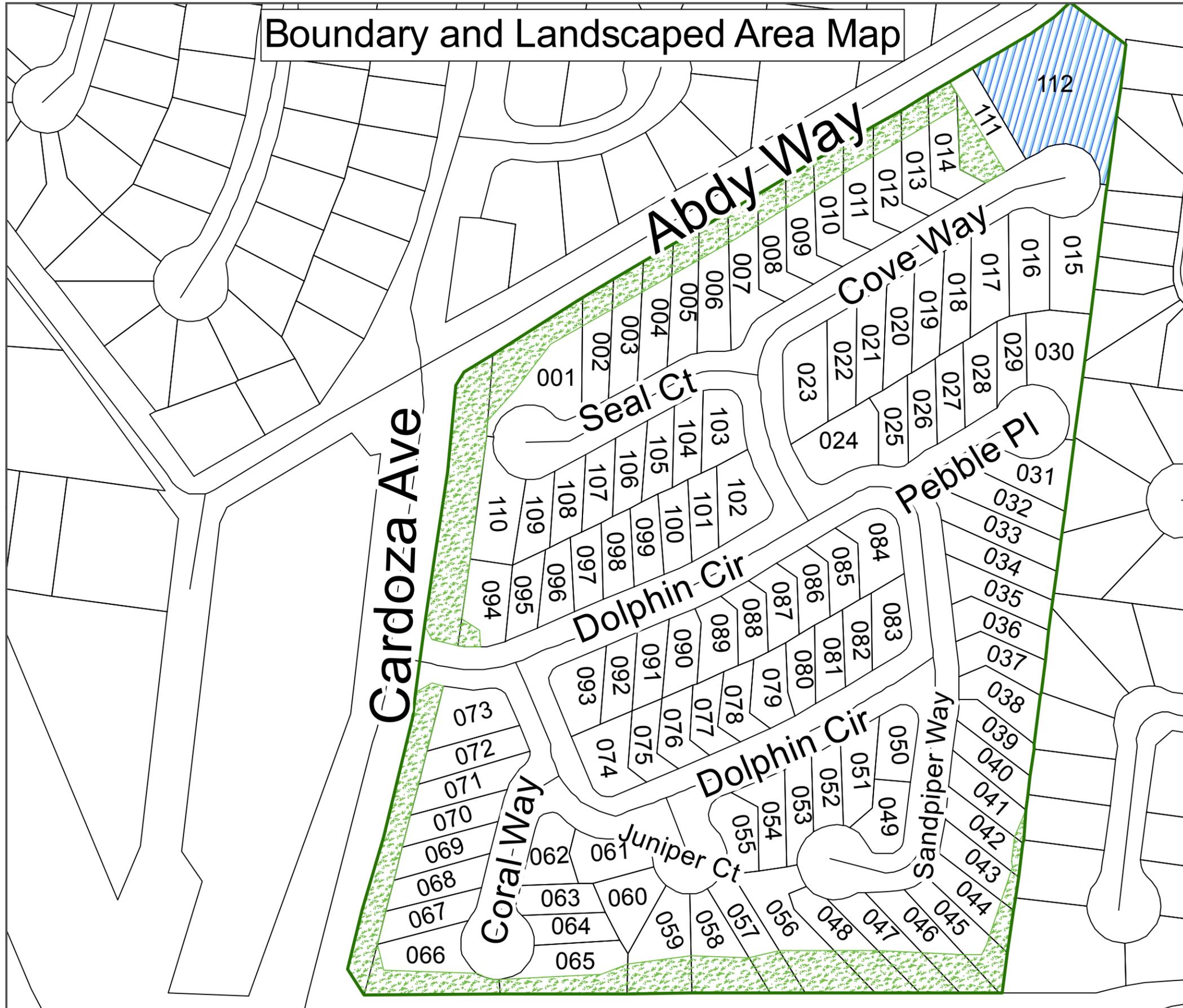
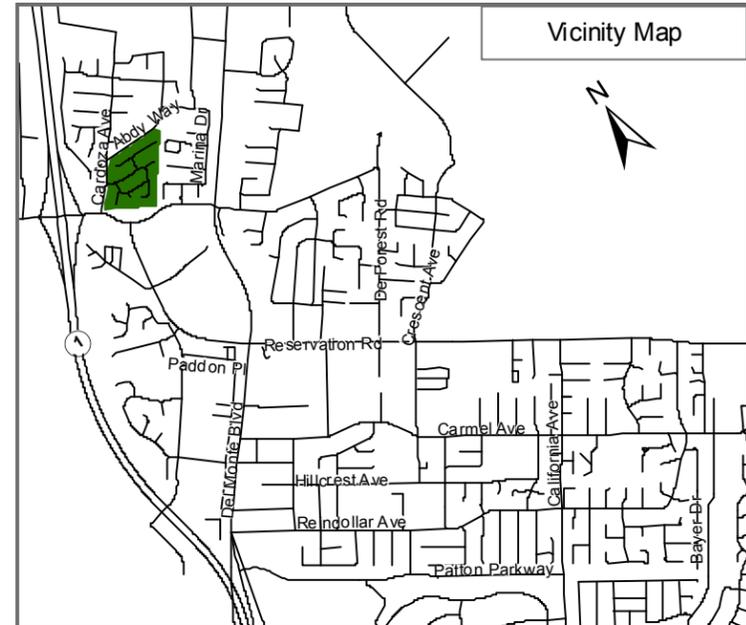


EXHIBIT A
Cypress Cove II
Landscape Maintenance District



Legend

- Boundary
- Landscaped Area
2.00 Acres
- Parcels
- Percolation Lot
- Roads

Date: April 15th, 2009

Notes: The City of Marina assume no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates/modifications and may not be complete or appropriate for all purposes. The City of Marina and Monterey County GIS should be queried for the most current information. Parcel data is of mapping grade only and does not represent reliable locations or legal boundaries.

Sources: Monterey County GIS, City of Marina CDD
Map Projection: California State Plane Zone IV, NAD 83 (Feet)

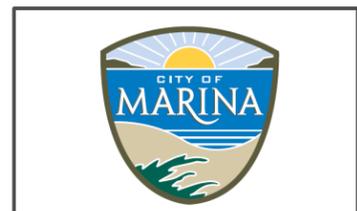
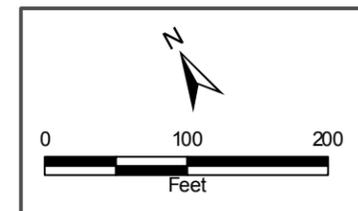


EXHIBIT B
CYPRESS COVE II LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2015-2016	Estimates FY 2016-2017	Estimates FY 2017-2018
Beginning Cash Balance, July 1st	\$ 4,152	\$ 5,594	\$ 6,886
(a) Total Assessment Revenues (110 Parcels)	\$ 19,886	\$ 19,886	\$ 19,886

Expenditures

Contractor Services			
Landscape Maintenance Contract	\$ 5,220	\$ 5,340	\$ 5,340
Utilities	\$ 1,500	\$ 1,500	\$ 1,500
Large Tree Trimming	\$ 5,770	\$ 2,600	\$ -
Extraordinary Maintenance	\$ -	\$ 3,000	\$ -
Plant Replacement	\$ -	\$ -	\$ -
Administrative Services			
Supervision	\$ 1,000	\$ 1,000	\$ 1,000
Administration (Incl. Engineers Report)	\$ 2,000	\$ 2,200	\$ 1,500
Cost Allocation Plan Charges	\$ 2,751	\$ 2,751	\$ 2,751
Legal Advertising	\$ 203	\$ 203	\$ 203
Total Expenditures	\$ 18,444	\$ 18,594	\$ 12,294

(b) Net Change in Fund Balance	\$ 1,442	\$ 1,292	\$ 7,592
---------------------------------------	-----------------	-----------------	-----------------

(c) Ending Fund Balance, June 30th	\$ 5,594	\$ 6,886	\$ 14,478
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(a) Maximum Assessment per Prop 218 is \$180.78 per parcel. The assessment amount for FY15-16 is consistent with FY14-15 at \$180.78 per parcel.

(b) Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

(c) End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

EXHIBIT C

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
1	33-076-01	\$180.78
2	33-076-02	\$180.78
3	33-076-03	\$180.78
4	33-076-04	\$180.78
5	33-076-05	\$180.78
6	33-076-06	\$180.78
7	33-076-07	\$180.78
8	33-076-08	\$180.78
9	33-076-09	\$180.78
10	33-076-10	\$180.78
11	33-076-11	\$180.78
12	33-076-12	\$180.78
13	33-076-13	\$180.78
14	33-076-14	\$180.78

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
15	33-076-15	\$180.78
16	33-076-16	\$180.78
17	33-076-17	\$180.78
18	33-076-18	\$180.78
19	33-076-19	\$180.78
20	33-076-20	\$180.78
21	33-076-21	\$180.78
22	33-076-22	\$180.78
23	33-076-23	\$180.78
24	33-076-24	\$180.78
25	33-076-25	\$180.78
26	33-076-26	\$180.78
27	33-076-27	\$180.78
28	33-076-28	\$180.78
29	33-076-29	\$180.78
30	33-076-30	\$180.78
31	33-076-31	\$180.78
32	33-076-32	\$180.78

CYPRESS COVE II
 LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
 FOR FISCAL YEAR 2016-2017

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
33	33-076-33	\$180.78
34	33-076-34	\$180.78
35	33-076-35	\$180.78
36	33-076-36	\$180.78
37	33-076-37	\$180.78
38	33-076-38	\$180.78
39	33-076-39	\$180.78
40	33-076-40	\$180.78
41	33-076-41	\$180.78
42	33-076-42	\$180.78
43	33-076-43	\$180.78
44	33-076-44	\$180.78
45	33-076-45	\$180.78
46	33-076-46	\$180.78
47	33-076-47	\$180.78
48	33-076-48	\$180.78
49	33-076-49	\$180.78
50	33-076-50	\$180.78

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
51	33-076-51	\$180.78
52	33-076-52	\$180.78
53	33-076-53	\$180.78
54	33-076-54	\$180.78
55	33-076-55	\$180.78
56	33-076-56	\$180.78
57	33-076-57	\$180.78
58	33-076-58	\$180.78
59	33-076-59	\$180.78
60	33-076-60	\$180.78
61	33-076-61	\$180.78
62	33-076-62	\$180.78
63	33-076-63	\$180.78
64	33-076-64	\$180.78
65	33-076-65	\$180.78
66	33-076-66	\$180.78
67	33-076-67	\$180.78
68	33-076-68	\$180.78

CYPRESS COVE II
 LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
 FOR FISCAL YEAR 2016-2017

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
69	33-076-69	\$180.78
70	33-076-70	\$180.78
71	33-076-71	\$180.78
72	33-076-72	\$180.78
73	33-076-73	\$180.78
74	33-075-01	\$180.78
75	33-075-02	\$180.78
76	33-075-03	\$180.78
77	33-075-04	\$180.78
78	33-075-05	\$180.78
79	33-075-06	\$180.78
80	33-075-07	\$180.78
81	33-075-08	\$180.78
82	33-075-09	\$180.78
83	33-075-10	\$180.78
84	33-075-11	\$180.78
85	33-075-12	\$180.78
86	33-075-13	\$180.78

CYPRESS COVE II
 LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
 FOR FISCAL YEAR 2016-2017

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
87	33-075-14	\$180.78
88	33-075-15	\$180.78
89	33-075-16	\$180.78
90	33-075-17	\$180.78
91	33-075-18	\$180.78
92	33-075-19	\$180.78
93	33-075-20	\$180.78
94	33-076-74	\$180.78
95	33-076-75	\$180.78
96	33-076-76	\$180.78
97	33-076-77	\$180.78
98	33-076-78	\$180.78
99	33-076-79	\$180.78
100	33-076-80	\$180.78
101	33-076-81	\$180.78
102	33-076-82	\$180.78
103	33-076-83	\$180.78
104	33-076-84	\$180.78

CYPRESS COVE II
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT ASSESSMENT ROLL
FOR FISCAL YEAR 2016-2017

DIAGRAM & ASSESSMENT NO.	ASSESSOR'S PARCEL NUMBER	NET ASSESSMENT
105	33-076-85	\$180.78
106	33-076-86	\$180.78
107	33-076-87	\$180.78
108	33-076-88	\$180.78
109	33-076-89	\$180.78
110	33-076-90	\$180.78
111		EXEMPT
112		EXEMPT

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the subdivision exterior boundary landscaping benefits the Assessment District as a whole. Therefore, the assessment spread should be based on the number of building sites or lots contained within the district.

Assessments shall be spread over the 110 lots indicated on the Assessment Diagram (Exhibit A).

April 11, 2016

Item No. **9c**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

CITY COUNCIL OPEN PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2016-, CONFIRMING DIAGRAM, ASSESSMENT AND ORDERING LEVY OF \$77.14 FOR FY 2016-17 ASSESSMENT FOR MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT, AND; AUTHORIZING CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY, AUGUST 1, 2016

REQUEST:

It is requested that the City Council:

1. Open public hearing and take any testimony from the public;
2. Consider adopting Resolution No. 2016-, confirming diagram, assessment and ordering levy of \$77.14 for FY 2016-17 assessment for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District, and;
3. Authorize City Clerk to file certified copy of diagram and assessment with Monterey County Auditor-Controller prior to Friday, August 1, 2016.

BACKGROUND:

At the regular meeting of October 3, 1989, the City Council adopted Resolution No. 1989-62, ordering the formation of the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared which includes the costs to maintain the improvements of the Districts and what the proposed assessments will be to provide for that maintenance.

At the regular meeting of April 5, 2016, the City Council adopted Resolution No. 2016-42, preliminarily approving the FY 2016-17 Engineer's Report for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District and calling a public hearing on April 19, 2016 on proposed intention to levy and collect assessments for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District.

ANALYSIS:

Based on the Engineer's Report (Exhibit A), the assessment has been set in the amount of \$77.14. This is the same amount as last year's assessment and does not represent an increase.

The current contract agreement with New Image Landscaping for District landscape maintenance will expire at the end of Fiscal Year 16/17. Additional funds have been programmed into that fiscal year's administration budget to prepare specifications and conduct a public bidding process for the maintenance contract of this District.

FISCAL IMPACT:

Should the City Council approve this request, the anticipated revenue for the FY 2016-17 assessment levy is \$12,496.68 for the purpose of the landscape maintenance district.

Levying of the assessment is the first step to collect the assessments to fund the landscape maintenance district.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Edrie Delos Santos, P.E.
Senior Engineer, Engineering Division
Community Development Department
City of Marina

REVIEWED/CONCUR:

Nourdin Khayata, PE
Acting City Engineer, Engineering Division
Community Development Department
City of Marina

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
CONFIRMING DIAGRAM AND ASSESSMENT AND ORDERING LEVY OF \$77.14
FOR FY 2016-17 ASSESSMENT FOR MONTEREY BAY ESTATES LIGHTING &
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT AND AUTHORIZING THE
CITY CLERK TO FILE CERTIFIED COPY OF DIAGRAM AND ASSESSMENT WITH
THE MONTEREY COUNTY AUDITOR-CONTROLLER PRIOR TO FRIDAY,
AUGUST 1, 2016

WHEREAS, on October 3, 1989, the City ordered the formation of the Monterey Bay Estates Lighting & Landscape Maintenance District pursuant to Streets and Highway Code §22594, and;

WHEREAS, the City Engineer filed the Engineer's Report, fiscal year 2016-2017, required by Streets and Highways Code §22622 for said District, and;

WHEREAS, on April 5, 2016, the City preliminarily approved said Engineer's Report, declared its intention to levy and collect assessments within said District and set a hearing to ascertain whether the City shall order the levy and assessment of said assessment, and;

WHEREAS, said public hearing was held on April 19, 2016, and;

WHEREAS, levying of the assessment is the first step to collect the assessments to fund the landscape maintenance districts, and;

WHEREAS, provisions of this resolution are severable and if anyone provision is determined to be impermissible then the remainder of the resolution shall remain in full force and effect, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina that:

1. The City does hereby confirm the diagram and assessment as described in the Engineer's Report on file with the City Clerk.
2. The City does hereby order the levy and collection of said assessment, \$77.14, for FY 2016-17 assessment for Monterey Bay Estates Lighting & Landscape Maintenance Assessment District.
3. It is the intention of the City of Marina that any monetary advance made by it during any fiscal year to cover a deficit in the improvement fund of Monterey Bay Estates Lighting & Landscape Maintenance Assessment District shall be repaid from the next annual assessments levied and collected within Monterey Bay Estates Lighting & Landscape Maintenance Assessment District.
4. The City Clerk is hereby authorized and directed to file a certified copy of said diagram and assessment with the Monterey County Auditor prior to August 1, 2016.

MONTEREY BAY ESTATES

Resolution No. 2016-

Page Two

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk



CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA

MONTEREY BAY ESTATES LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ENGINEER'S REPORT

FY 2016-2017

Council Members:

B. DELGADO, MAYOR

F. O'CONNELL
N. AMADEO

G. MORTON
D. BROWN

LAYNE LONG
ANITA SHEPHERD-SHARP
ROBERT WELLINGTON
THERESA SZYMANIS

City Manager
Acting Deputy City Clerk
City Attorney
Acting Community Development Department
Director

Prepared By
City of Marina
Public Works Division

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2016-2017

This report concerns the Monterey Bay Estates Lighting and Landscape Maintenance District.

The Assessment District consists of the Monterey Bay Estates Subdivision located in the northeasterly portion of the City of Marina. The subdivision contains 162 lots, a percolation pond parcel, and a park parcel.

The subdivision consists of 162 single family homes complete with underground utilities, water and wastewater facilities, public lighting facilities, street and drainage improvements, and landscaping. The Assessment District has been formed for the purpose of maintaining and servicing both the landscaping areas and public lighting facilities within the subdivision. The landscaping areas to be maintained and serviced are those in the percolation pond parcel and the street rights-of-way of De Forest Road and Quebrada Del Mar adjacent thereto; in and adjacent to the Crescent Avenue right-of-way, installed and paid for by the developer. The public lighting facilities to be maintained and serviced include all the public lighting facilities within the subdivision installed and paid for by the developer.

This report has been prepared pursuant to Sections 22500 through 22679 of the Streets and Highway Code (Landscaping and Lighting Act of 1972).

The improvements to be maintained which are the subject of this report, are briefly described as follows:

Landscaping elements within the percolation pond parcel and the street rights-of-way of De Forest Road and Quebrada Del Mar adjacent thereto, and landscaping elements within and adjacent to the Crescent Avenue right-of-way (See Exhibit A) are considered as the landscaping improvements included in the Assessment District. Landscaping elements consist of hydroseeded areas, groundcover, shrubs, trees, irrigation pipelines, controllers, valves, sprinklers, water and electrical service, and freestanding concrete block walls.

Public Lighting facilities within the street right-of-way of De Forest Road, Costa Del Mar Road, Sirena Del Mar Road, Tallmon Street, Quebrada Del Mar Road, Isla Del Sol Way, Estrella Del Mar Way and Crescent Avenue all within the boundary of the Monterey Bay Estates Subdivision (Tract no. 1102) are considered as the public lighting improvements included in the Assessment District, see Exhibit A. The public lighting facilities consist of electroliers, mast arm, ballast, electrical service, wiring and lamps.

This report includes the following exhibits:

EXHIBIT A - An assessment diagram and boundary map showing all of the parcels of the real property within the Assessment District. The diagram is keyed to Exhibit C by the separate "Assessment Number".

EXHIBIT B - Spreadsheet showing estimated maintenance costs for FY 2015-2016, FY 2016-2017 and FY 2017-2018.

EXHIBIT C - An assessment roll showing the amount proposed to be assessed against each parcel of real property within this Assessment District. In addition to the Assessor's Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to that parcel's lot number.

EXHIBIT D- A statement of the method by which the undersigned determined the amount to be assessed against each parcel based on the benefits to be derived by each parcel, respectively, from the improvements.

Respectfully submitted,



Nourdin Khayata, PE
Acting City Engineer

March 2016

Boundary and Landscaped Area Map

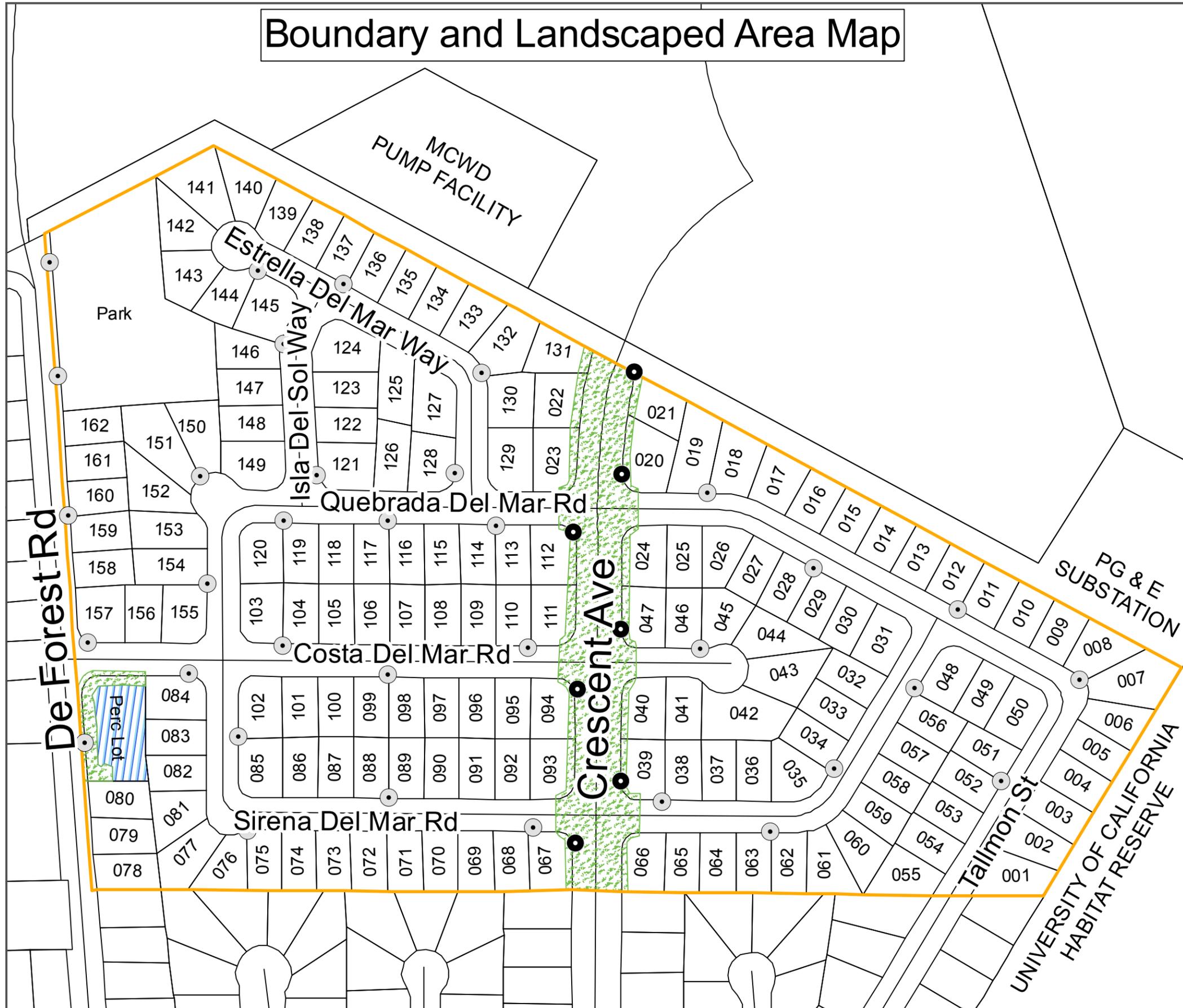
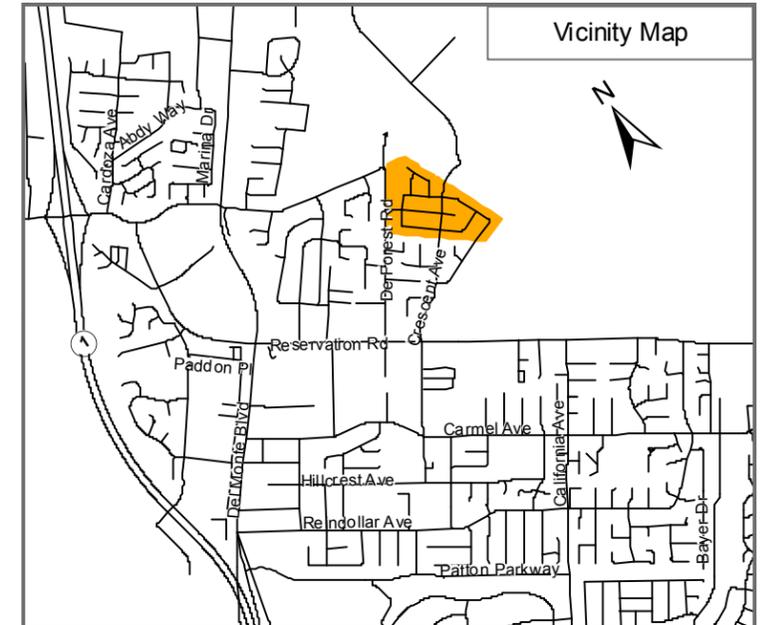


EXHIBIT A Monterey Bay Estates Lighting and Landscape Maintenance District



Legend

- Boundary
- Landscaped Area
2.14 Acres
- Percolation Lot
- Roads
- Parcels

Maintained Street Lights

- Total 34 - 100W
- Total 7 - 200W

Date: April 15th, 2009

Notes: The City of Marina assume no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates/modifications and may not be complete or appropriate for all purposes. The City of Marina and Monterey County GIS should be queried for the most current information. Parcel data is of mapping grade only and does not represent reliable locations or legal boundaries.

Sources: Monterey County GIS, City of Marina CDD
Map Projection: California State Plane Zone IV, NAD 83 (Feet)

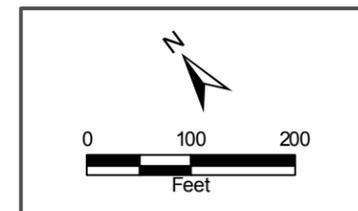


EXHIBIT B

MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE DISTRICT

Summary	Estimates FY 2015-2016	Estimates FY 2016-2017	Estimates FY 2017-2018
Beginning Cash Balance, July 1st	\$ 3,237	\$ 5,100	\$ 5,843
(a) Total Assessment Revenues (162 Parcels)	\$ 12,497	\$ 12,497	\$ 12,497
Expenditures			
Contractor Services			
Landscape Maintenance Contract	\$ 4,560	\$ 4,680	\$ 4,680
Utilities	\$ 1,000	\$ 1,000	\$ 1,000
Large Tree Trimming	\$ -	\$ -	\$ -
Extraordinary Maintenance	\$ -	\$ -	\$ -
Plant Replacement	\$ -	\$ -	\$ -
Administrative Services			
Supervision	\$ 1,000	\$ 1,000	\$ 1,000
Administration (Incl. Engineers Report)	\$ 1,000	\$ 2,000	\$ 1,000
Cost Allocation Plan Charges	\$ 2,871	\$ 2,871	\$ 2,871
Legal Advertising	\$ 203	\$ 203	\$ 203
Total Expenditures	\$ 10,634	\$ 11,754	\$ 10,754
(b) Net Change in Fund Balance	\$ 1,863	\$ 743	\$ 1,743
(c) Ending Fund Balance, June 30th	\$ 5,100	\$ 5,843	\$ 7,585

(a) Maximum Assessment per Prop 218 is \$77.14 per parcel. The assessment amount for FY15-16 is consistent with FY14-15 at \$77.14 per parcel.

(b) Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

(c) End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

EXHIBIT C

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
1	032-541-01	\$77.14
2	032-541-02	\$77.14
3	032-541-03	\$77.14
4	032-541-04	\$77.14
5	032-541-05	\$77.14
6	032-541-06	\$77.14
7	032-541-07	\$77.14
8	032-541-08	\$77.14
9	032-541-09	\$77.14
10	032-541-10	\$77.14
11	032-541-11	\$77.14
12	032-541-12	\$77.14
13	032-541-13	\$77.14
14	032-541-14	\$77.14
15	032-541-15	\$77.14
16	032-541-16	\$77.14
17	032-541-17	\$77.14
18	032-541-18	\$77.14

MONTEREY BAY ESTATES
 LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
 ASSESSMENT ROLL FOR
 FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
19	032-541-19	\$77.14
20	032-541-20	\$77.14
21	032-541-21	\$77.14
22	032-555-38	\$77.14
23	032-555-02	\$77.14
24	032-542-01	\$77.14
25	032-542-02	\$77.14
26	032-542-03	\$77.14
27	032-542-04	\$77.14
28	032-542-05	\$77.14
29	032-542-06	\$77.14
30	032-542-07	\$77.14
31	032-542-08	\$77.14
32	032-542-09	\$77.14
33	032-542-10	\$77.14
34	032-542-11	\$77.14
35	032-542-12	\$77.14
36	032-542-13	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
37	032-542-14	\$77.14
38	032-542-15	\$77.14
39	032-542-16	\$77.14
40	032-542-17	\$77.14
41	032-542-18	\$77.14
42	032-542-25	\$77.14
43	032-542-26	\$77.14
44	032-542-21	\$77.14
45	032-542-22	\$77.14
46	032-542-23	\$77.14
47	032-542-24	\$77.14
48	032-543-01	\$77.14
49	032-543-02	\$77.14
50	032-543-03	\$77.14
51	032-543-04	\$77.14
52	032-543-05	\$77.14
53	032-543-06	\$77.14
54	032-543-07	\$77.14
55	032-543-08	\$77.14

MONTEREY BAY ESTATES
 LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
 ASSESSMENT ROLL FOR
 FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
56	032-543-09	\$77.14
57	032-543-10	\$77.14
58	032-543-11	\$77.14
59	032-543-12	\$77.14
60	032-543-13	\$77.14
61	032-543-14	\$77.14
62	032-543-15	\$77.14
63	032-543-16	\$77.14
64	032-543-17	\$77.14
65	032-543-18	\$77.14
66	032-543-19	\$77.14
67	032-551-01	\$77.14
68	032-551-02	\$77.14
69	032-551-03	\$77.14
70	032-551-04	\$77.14
71	032-551-05	\$77.14
72	032-551-06	\$77.14
73	032-551-07	\$77.14
74	032-551-08	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
75	032-551-09	\$77.14
76	032-551-10	\$77.14
77	032-551-11	\$77.14
78	032-551-12	\$77.14
79	032-551-13	\$77.14
80	032-551-14	\$77.14
81	032-551-15	\$77.14
82	032-551-16	\$77.14
83	032-551-17	\$77.14
84	032-551-18	\$77.14
85	032-552-01	\$77.14
86	032-552-02	\$77.14
87	032-552-03	\$77.14
88	032-552-04	\$77.14
89	032-552-05	\$77.14
90	032-552-06	\$77.14
91	032-552-07	\$77.14
92	032-552-08	\$77.14
93	032-552-09	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
94	032-552-10	\$77.14
95	032-552-11	\$77.14
96	032-552-12	\$77.14
97	032-552-13	\$77.14
98	032-552-14	\$77.14
99	032-552-15	\$77.14
100	032-552-16	\$77.14
101	032-552-17	\$77.14
102	032-552-18	\$77.14
103	032-553-01	\$77.14
104	032-553-02	\$77.14
105	032-553-03	\$77.14
106	032-553-04	\$77.14
107	032-553-05	\$77.14
108	032-553-06	\$77.14
109	032-553-07	\$77.14
110	032-553-08	\$77.14

MONTEREY BAY ESTATES
 LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
 ASSESSMENT ROLL FOR
 FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
111	032-553-09	\$77.14
112	032-553-10	\$77.14
113	032-553-11	\$77.14
114	032-553-12	\$77.14
115	032-553-13	\$77.14
116	032-553-14	\$77.14
117	032-553-15	\$77.14
118	032-553-16	\$77.14
119	032-553-17	\$77.14
120	032-553-18	\$77.14
121	032-554-01	\$77.14
122	032-554-02	\$77.14
123	032-554-03	\$77.14
124	032-554-04	\$77.14
125	032-554-05	\$77.14
126	032-554-06	\$77.14
127	032-554-07	\$77.14
128	032-554-08	\$77.14
129	032-555-03	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
130	032-555-39	\$77.14
131	032-555-05	\$77.14
132	032-555-06	\$77.14
133	032-555-07	\$77.14
134	032-555-08	\$77.14
135	032-555-09	\$77.14
136	032-555-10	\$77.14
137	032-555-11	\$77.14
138	032-555-12	\$77.14
139	032-555-13	\$77.14
140	032-555-14	\$77.14
141	032-555-15	\$77.14
142	032-555-16	\$77.14
143	032-555-17	\$77.14
144	032-555-18	\$77.14
145	032-555-19	\$77.14
146	032-555-20	\$77.14
147	032-555-21	\$77.14

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2016-2017

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
148	032-555-22	\$77.14
149	032-555-23	\$77.14
150	032-555-24	\$77.14
151	032-555-25	\$77.14
152	032-555-26	\$77.14
153	032-555-27	\$77.14
154	032-555-28	\$77.14
155	032-555-29	\$77.14
156	032-555-30	\$77.14
157	032-555-31	\$77.14
158	032-555-32	\$77.14
159	032-555-33	\$77.14
160	032-555-34	\$77.14
161	032-555-35	\$77.14
162	032-555-36	\$77.14

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance of the percolation pond and Crescent Avenue landscaping together with maintenance and service of the public lighting facilities, benefits the Assessment District as a whole. The tentative subdivision map approval was conditioned on the formation of this Maintenance District. Since the creation of the lots was so conditioned, each lot equally benefits from the District. Therefore, the assessment spread just based on the number of building sites or lots contained within the district.

Assessments shall be spread over the 162 lots indicated on the Assessment Diagram (Exhibit B).

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2016-,
RECEIVING INFORMATION REGARDING UTILITY USERS TAX FOR THE
CITY OF MARINA AND PROVIDING FURTHER DIRECTION TO CITY STAFF**

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2016-, receiving information regarding Utility Users Tax for the City of Marina and to provide staff with further direction.

BACKGROUND:

For many years now, the City Council, City staff and community members have been discussing options for balancing the City's budget and for addressing unmet City needs. The City has eliminated many staff positions, reduced or eliminated services, improved operational efficiencies, expanded economic development opportunities and added to its revenue base by approving a card room tax and increasing the Transient Occupancy Tax from 10% to 12%. However, even with these additional revenue sources there are significant city needs that are unmet.

Specifically these unmet needs are:

1. City infrastructure which includes the complete city road system, city facilities and parks.
2. Public safety – police officers for patrol, firefighters to provide minimum staff for simultaneous calls, and code enforcement to respond to city code violations.
3. Staffing in other city departments to meet required state laws and federal mandates, recommendations by city auditors, and service level demands of the public.
4. City facilities including city hall, community center, recreational buildings, and parks

While one aspect of the city's revenue strategy has focused on the expansion and enhancement of economic development, it is understood that this mechanism will take time before it generates significant new revenue to the city and that economic development revenue will primarily only offset new service demands caused by future growth and inflationary and cost of living increases. Even though some of this revenue can be redirected to meet some of the current and future unmet needs, this approach alone will not address the core unmet needs that are becoming critical. There appears to be a general consensus around the concept that the City has significant unmet needs, however, there are mixed opinions about what defines a need and whether new revenue should be pursued to address those needs.

At the City Council Strategic Planning and Goal Setting Retreat on February 19-20, 2016, one of the issues discussed by the City Council was consideration of another Utility Users Tax. The Council directed staff to bring additional information regarding a Utility Users Tax back to the Council for additional discussion.

The Utility Users Tax was established and approved by the voters of Marina in 1993 and was an important component of the city's revenue tax base. The Utility Users Tax was enacted solely to raise revenue for the general government purposes of the City. The tax was placed on the telephone, electricity, gas, water and cable television users. It was set at five percent (5%) for both residential and commercial and raised approximately \$1.2 million dollars annually for the city's general fund. The tax provided exemptions for low income households. The initial tax was for a period of one year. The following is the UUT history:

- 1993 – approved for one year
- 1994 – approved a two year extension to 1996
- 1996 – approved a two year extension to 1998
- 1998 – approved a six year extension to 2004
- 2000 – approved a reduction of extension to 2002
- 2002 - approved a two year extension to 2004
- 2004 – extension was **not** approved by a vote of 3,170 No and 3,059 Yes.

During the period of time the UUT was approved, it was designated to provide for a basic level of essential city services for public health and safety, and activities and services for city youth and senior citizens. It was estimated to account for approximately 13% of the City's annual revenue and generated approximately \$1.2 million dollars a year.

In 2012 the voters approved increasing the Transient Occupancy Tax (TOT) from 10% to 12% and also approved a 1% additional sales tax measure which was extended by the voters in 2014 to 2026. This additional 1% sales tax was designated to continue preserving funds for general city services, including maintaining firefighters and police officers for adequate emergency response, reducing crime and criminal gang and drug activity, maintaining city streets and parks, and youth after school programs.

While the sales tax and TOT new tax measures have helped the city maintain its current bare minimum level of service, it does not address the unmet needs listed above.

ANALYSIS:

Utility User Tax

Utility user taxes are levied as a percentage of the direct cost of the utility service delivered, and may be levied on utilities such as gas, electric, telephone/communications, water, sewer, solid waste and cable TV. The tax appears in the monthly billing paid by the customer and the tax is paid to the utility, which in turn remits the taxes to the local government that levied the tax. Many California cities levy a utility user tax and it is often a substantial revenue stream for their general fund. Utility user tax tracks with inflation, it applies to a broad range of the population (e.g. homeowners, renters, businesses) and it is not as sensitive to economic downturns as the other general city taxes (e.g. property, sales, TOT, and franchise).

About 50% of the population and 1/3 of the cities in California pay a UUT. City utility user tax rates range from 1 percent to 11 percent. In some cities different rates apply to residential versus commercial users. However, the most common rate is 5 percent applied evenly among the various utility types. The Utility User Tax is a vital element in the funding of critical city services. On average, the UUT provides 15 percent of the general purpose revenue in cities that levy it.

In Monterey County nine (9) out of the twelve (12) cities have a Utility User Tax and depend on it as a major revenue source for the General Fund. Only Carmel and Del Ray Oaks in addition to Marina do not have a UUT. “**EXHIBIT A**” is a Utility User Tax summary for Monterey County which shows the percentage UUT charged, the amount collected and the per capita paid by city. The chart also shows how Marina would compare to other cities in the County if it collected \$1.2 million from a 5% UUT.

At the strategic planning retreat, Council requested a breakdown of the utility bill collections by residential and commercial customer. Staff has been unable to get this, but can provide the following information. In the 2010 Census, there were 7,200 reported housing units and 1,383 total number of firms in Marina. In Central Marina there are 3,960 residential water accounts and 273 business water accounts.

Unmet Needs

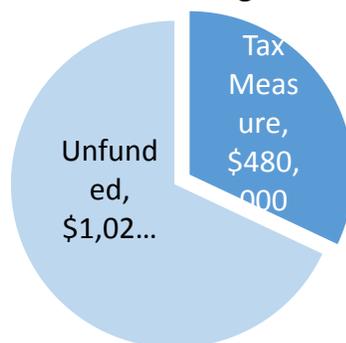
In previous budget years, the Council has had extensive discussions about unmet service needs. The focus has been on getting to a balanced operating budget where on-going expenditures are funded by on-going revenues. While we have achieved this goal strictly from a daily operating expenditures point of view, we still do not have on-going revenue sources that are able to fund critical pavement maintenance, vehicle, equipment and facility maintenance and replacement costs. These critical infrastructure assets continue to deteriorate. The demands of our community exceed the current staffing needs not only in police and fire, but in all other city departments. For this report we'll only discuss three needs, pavement maintenance, police officers and firefighters.

Pavement Maintenance

The City has 156 lane miles of arterial, collector and residential paved streets. The street network is divided into 336 sections including 39 arterial, 51 collector and 246 residential/local sections. A Pavement Management Inspection Report was completed in 2013 which identified how much maintenance was required to keep the streets throughout the city in fair to good operating condition. In 2013, it was estimated that the City needed to allocated \$1.2 million dollars annually to keep city streets from deteriorating significantly. The City has only about \$200,000 available annually to allocate for street maintenance. To put it into perspective, we have only the ability to fund pavement maintenance annually from city hall down to Sunset Avenue. Because the City does not have a funding source for city streets, the street conditions have continued to deteriorate at a quickened pace. Staff estimates now that at least \$1.5 million is now needed annually to meet street maintenance repair costs. This number will continue to increase exponentially as streets move from needed slurry and chip seal treatments to reconstruction due to lack of regular maintenance.

Cities throughout Monterey County are in the exact same position as Marina. The Transportation Agency of Monterey County will be placing a 3/8 percent sales tax measure on the ballot in November 2016 which if passed will provide \$480,000 annually for street maintenance in Marina. While this is great and will certainly help Marina if passed, it will still fall significantly short of the funded needed for our city streets. The City of Marina will still need to find an additional \$1.0 million annually to maintain our streets even if the TAMC measure passes as shown in the following chart.

Pavement Maintenance - Annual Funding Need



Police

The City of Marina received a \$250,000 annual COPS grant that kept the City from eliminating another two patrol officer positions. This grant is funded for one more year 2016-17 and then the City is required to pay the annual \$250,000 for these two patrol officer positions in 2017-18. After 2018 if the city is not able to fund these positions, they will be eliminated.

Fire

The City's fire department is staffed to only be able to respond one engine at a time to a single incident. "EXHIBIT B" shows that not only are the total number of fire responses increasing annually, the number of overlapping incidents that require a response from a neighboring agency are also increasing. We are also advised that when the VA/DOD clinic becomes operational this fall, an estimated 300 annual responses from the fire department will be required.

CONCLUSION:

This information is submitted to the City Council to facilitate further discussion regarding the Utility User Tax.

Respectfully submitted,

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
RECEIVING INFORMATION REGARDING UTILITY USERS TAX FOR THE CITY OF MARINA
AND PROVIDING FURTHER DIRECTION TO CITY STAFF

WHEREAS, for many years now, the City Council, City staff and community members have been discussing options for balancing the City's budget and for addressing unmet City needs. The City has eliminated many staff positions, reduced or eliminated services, improved operational efficiencies, expanded economic development opportunities and added to its revenue base by approving a card room tax and increasing the Transient Occupancy Tax from 10% to 12%. However, even with these additional revenue sources there are significant city needs that are unmet; and

WHEREAS, the Utility Users Tax was established and approved by the voters of Marina in 1993 and was an important component of the city's revenue tax base. The Utility Users Tax was enacted solely to raise revenue for the general government purposes of the City. The tax was placed on the telephone, electricity, gas, water and cable television users; and

WHEREAS, in Monterey County nine (9) out of the twelve (12) cities have a Utility User Tax and depend on it as a major revenue source for the General Fund. "EXHIBIT A" is a Utility User Tax summary for Monterey County which shows the percentage UUT charged, the amount collected and the per capita paid by city. The chart also shows how Marina would compare to other cities in the County if it collected \$1.2 million from a 5% UUT.

WHEREAS, At the City Council Strategic Planning and Goal Setting Retreat on February 19-20, 2016, one of the issues discussed by the City Council was consideration of another Utility Users Tax. The Council directed staff to bring additional information regarding a Utility Users Tax back to the Council for additional discussion

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Marina does hereby:

1. Adopt Resolution No. 2016-, receiving information regarding Utility Users Tax for the City of Marina and to provide staff with further direction

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016 by the following vote:

AYES, COUNCIL MEMBERS:
NOES, COUNCIL MEMBERS:
ABSTAIN, COUNCIL MEMBERS:
ABSENT, COUNCIL MEMBERS:

ATTEST:

Bruce C. Delgado, Mayor

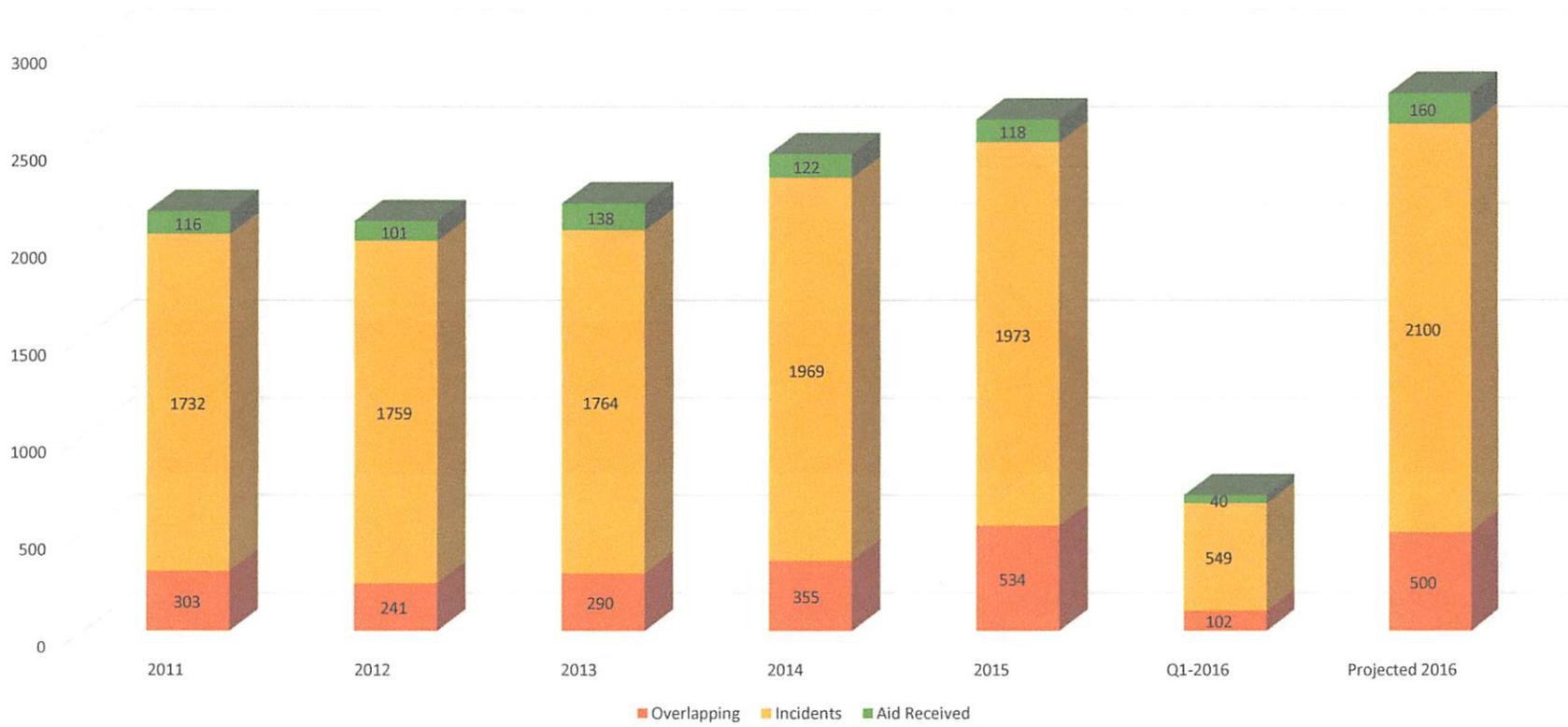
Anita Sharp, Deputy City Clerk

**UTILITY USERS TAX SUMMARY - As of April 2016
Monterey County**

UUT Rate	Seaside	Sand City	Pacific Grove	Salinas	King City	Soledad	Monterey	Gonzales	Greenfield	Del Ray Oak	Carmel	Current Marina	Proposed Marina
Telephone Intrastate	6%		5%	5%	2%	5%	2% R/5% NR	4% R/4% NR	3%	-	-	-	5% to 6%
Telephone Wireless			5%	5%		5%	2% R/5% NR	4% R/4% NR	3%	-	-	-	5% to 6%
Electricity	6%	5%	5%	6%	2%	5%	2% R/5% NR	4% R/2% NR	3%	-	-	-	5% to 6%
Gas	6%	5%	5%	6%	2%	5%	2% R/5% NR	4% R/2% NR	3%	-	-	-	5% to 6%
CATV	6%		5%	5%	2%	5%			3%	-	-	-	5% to 6%
Water	6%		5%	6%	2%		2% R/5% NR			-	-	-	5% to 6%

	Seaside	Sand City	Pacific Grove	Salinas	King City	Soledad	Monterey	Gonzales	Greenfield	Del Ray Oak	Carmel	Current Marina	Proposed Marina
UUT Revenues	\$ 2,491,000	\$ 120,000	\$ 1,600,000	\$ 12,370,000	\$ 253,000	\$ 570,719	\$ 2,776,359	\$ 300,000	\$ 1,265,000	-	-	-	\$ 1,100,000
Population	33,672	362	15,388	154,815	13,417	24,540	28,163	8,357	16,870	-	-	-	20,872
UUT Per Capita	\$ 73.98	\$ 331.49	\$ 103.98	\$ 79.90	\$ 18.86	\$ 23.26	\$ 98.58	\$ 35.90	\$ 74.99	-	-	-	\$ 52.70

Call Volume in Gold
 Overlapping Incidents in Orange
 Mutual & Auto Aid in Green



April 15, 2016

Item No. **11b**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 19, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-
RECEIVING BUSINESS LICENSE TAX INFORMATION AND
PROVIDE STAFF WITH ANY FURTHER DIRECTION IN THE
MATTER**

REQUEST:

1. Adopting Resolution No. 2016-, receiving Business License Tax information and provide staff with any further direction in the matter.

BACKGROUND:

The City Council held its Strategic Planning and Goal Setting Retreat on February 19 and 20th, 2016. During the retreat, the Council discussed various goals, strategies and priorities for improving the community, City service levels and City financial position. Staff informed the Council that the Marina business license tax is significantly lower than its neighboring jurisdictions and a review of the business license tax may be warranted.

The Marina business license tax took effect in 1978 and based upon the municipal code, the tax rates have not changed since 1978 (or 38 years). The business license tax rates were not index (i.e. to Consumer Price Index CPI) so the tax rates remained the same since 1978. For example, many business license categories pay \$25 per year.

Any expansion and/or increase of the Marina business license tax would require the City voter approval at a general election.

ANALYSIS:

At a summary level, the City annual business license revenue is \$120,000 (tax approx.\$80k and processing fee approx.\$40k). As of March 2016, there were 1,056 active Marina business licenses, with 540 businesses located within the city limits. The detail are as follows:

Count of BusinessName	
Classifications	Total
Advertising - outdoor structures	1
Any person conducting a business exclusively with a vehicle	25
Card Rooms	2
Coin operated machines - generally	9
Coin operated machines, laundry equipment	3
Contractors	348
Industrial Manufacturing	12
Motel, Apartment, etc. (living facility with ten or more units or spaces)	63
Professional Establishments	77
Retail, wholesale sales (services dealing with the public)	514
Soliciting, hawking, peddling	2
Grand Total	1,056

Classifications	Located within Marina
Advertising - outdoor structures	1
Any person conducting a business exclusively with a vehicle	2
Card Rooms	2
Coin operated machines - generally	7
Coin operated machines, laundry equipment	1
Contractors	50
Industrial Manufacturing	11
Motel, Apartment, etc. (living facility with ten or more units or spaces)	63
Professional Establishments	40
Retail, wholesale sales (services dealing with the public)	363
Soliciting, hawking, peddling	
Grand Total	540

For comparison purpose, **Exhibit A, B and C** provides the business license tax rates for Marina, Seaside and Salinas, respectively. Below is are examples of business license tax due by agency:

Description	Marina	Seaside	Salinas
Retail with gross revenues of \$1,500,000	\$135	\$1,343	\$1,050
Hotel with 80 rooms or gross revenues of \$2,000,000	\$80	\$3,700	\$300
Professional = owner only (no employee) or gross revenues of \$500,000	\$50	\$893	\$200
Contractors = owner only (no employee) or gross revenues of \$500,000	\$50	\$394	\$100

FISCAL IMPACT: No fiscal impact to receive this information.

CONCLUSION: This request is submitted for City Council consideration and possible action.

Lauren Lai, CPA
Finance Director
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
RECEIVING BUSINESS LICENSE TAX INFORMATION AND PROVIDE
STAFF WITH ANY FURTHER DIRECTION IN THE MATTER

WHEREAS, the City Council held its Strategic Planning and Goal Setting Retreat on February 19 and 20th, 2016; and

WHEREAS, during the retreat, the Council discussed various goals, strategies and priorities for improving the community, City service levels and City financial position; and

WHEREAS, the City Council requested that Staff provide additional information regarding the Marina business license tax.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina do hereby receives the business license tax information and provides staff with any further direction in the matter.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of April 2016, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

New Business License Applicants

- Every business is required to have a business license. An application must be made to the Finance Officer stating the party to whom the license is issued, the nature of the trade or business to be pursued and place of business. New business license applicants are required to pay a non-refundable application review fee (\$55.00 for businesses located outside of Marina or \$130.00 if located in Marina) *and* applicable business license tax (see business license classifications below to determine tax).
- Business license are not assignable or transferable.
- For the protection of the public, various types of business operations are regulated through City of Marina Police, Fire, Building, Planning Departments and the Monterey County Health Department. Your business may or may not be so regulated.
- The law provides that a Business License is necessary before any business, occupation, or calling is conducted within the City. A City of Marina Business License is required even though the business may be located outside the City or have a Business License from another City. Any persons who by the use of signs, circulars, cards, telephone book, newspaper or other means of communication or advertisement, holds or represents that he/she is engaged in business in the city shall be evidence of liability to pay tax on business conducted within the City.
- A separate license must be obtained for each branch, location or type of business operating in one location.
- All Business Licenses must be displayed at a fixed location. For businesses that do not have a fixed place, the responsible party must carry the Business Licenses on his/her person.

Business License Classifications & Tax Rates

(The tax rates below are annual tax rates, please call (866) 240-3665 for prorated tax payment amounts for new businesses.)

I. Retail, wholesale sales, businesses dealing directly with the public.

- **Code 1.00** – Retail/Wholesale: Based on Gross Receipts. See Gross Receipts Table.

II. Industrial, Manufacturing & Research and Development Firms

- **Code 2.00** – Industrial Manufacturing: Based on Gross Payroll. See Gross Payroll Table.

III. Professional establishments or skilled services

Option 1 – Based on # of Employees

- **Code 3.00** - Professional Option 1(a) – # of Professionals
- **Code 3.01** - Professional Option 1(b) - # of Non-professionals

Note: Schedules 3.00 and 3.01 are linked and must be reported at the same time if the business elects to pay based on # of employees.

Min Fee = \$50.00 (includes 1 professional and 1 non-professional)

Additional fee of \$50.00 for each additional professional and \$5.00 for each additional non-professional.

Option 2 – Based on Gross Receipts

- **Code 3.02** - Based on Gross Receipts. See Gross Receipts Table.

Note: Also have the option to pay based on employee count. See schedules 3.00 and 3.01.

IV. Contractors

- **Code 4.00** - Contractors - A, B Contractors; Owner/Builder; Sub-Contractors: \$50.00 flat fee

Includes:

- General Engineering Contractors (A)
- General Building Contractors (B)
- Swimming Pool Contractors (C-53)
- Owner/Builder Contractor
- Subcontractor Misc (Not C-53, C-36, C-10)

- **Code 4.01** - Contractors - Plumbing (C-36); Electrical (C-10): \$50.00 flat fee. Includes: Plumbing or Electrical Contractor (C-36, C-10)

- **Code 4.02** - Contractors – Specialty (Not C-53, C-36, C-10): \$25.00 flat fee. Includes: Specialty Contractor (Not C-53, C-36, C-10)

Additional Contractor Fees (if applicable). Contractors who conduct one or more of the below businesses in conjunction with a contracting business, must pay the additional fee as well.

- **Code 4.95** - Contractors – Additional Retail Store, Wholesale, Service. Based on Gross Receipts. See Gross Receipts Table. Must also pay Code 4.00, 4.01 or 4.02.

- **Code 4.96** - Contractors Fixed Place City Limits – Additional Vehicle # of Vehicles. \$25.00 for first vehicle, \$5.00 for each additional vehicle. Must also pay Code 4.00, 4.01 or 4.02.

- **Code 4.97** - Contractors Outside City Limits – Additional Vehicle # of Vehicles. \$50.00 for first vehicle, \$10.00 for each additional vehicle. Must also pay Code 4.00, 4.01 or 4.02.

- **Code 4.98** - Contractors –Additional Vehicle Gross Receipts – Based on Gross Receipts. See Gross Receipts Table. Must also pay Code 4.00, 4.01 or 4.02

V. Vehicle Business

- **Code 5.00** - Vehicle Business Option 1 – Fixed City Limits # of Vehicles. \$25.00 for first vehicle, \$5.00 for each additional vehicle. # of Vehicles required.

Note: Vehicle Businesses with a fixed location inside the city limits of Marina also have the option to pay based on gross receipts instead.

- **Code 5.01** - Vehicle Business Option 1 – Outside City Limits # of Vehicles. \$50.00 for first vehicle, \$10.00 for each additional vehicle. # of Vehicles required.

Note: Option 2 is NOT available for Vehicle Businesses located outside of the city limits of Marina.

- **Code 5.02** - Vehicle Business Option 2 – Gross receipts.

Based on Gross Receipts. See Gross Receipts Table.

Note: Also have the option to pay based on # of vehicles instead.

VI. Coin Operated Machines - Vending, Laundry, Rental, Leasing, Operating

- **Code 6.00** - Coin Operated Machines – Vending, Laundry, Rental, Leasing, Operating. 1% of gross receipt

Minimum Fee = \$25.00. Gross receipts required.

VII. Coin Operated Generally – Select all that apply.

- **Code 7.00** - Coin operated Generally – Amusement. \$25.00 per machine, # of machines required.

- **Code 7.01** - Coin operated Generally – Beverage. \$10.00 per machine, # of machines required.

- **Code 7.02** - Coin operated Generally – Food. \$10.00 per machine, # of machines required.

- **Code 7.03** - Coin operated Generally – Laundry Machine. \$5.00 per machine, # of machines required.

- **Code 7.04** - Coin operated Generally – Photograph. \$25.00 per machine, # of machines required.

- **Code 7.05** - Coin operated Generally – Service Machine. \$5.00 per machine, # of machines required.

- **Code 7.06** - Coin operated Generally – One Cent. \$25.00 for first 25 machines, plus \$0.50 for each machine over 25, # of machines required.

- **Code 7.07** - Coin operated Generally – Other Machines. \$5.00 per machine, # of machines required.

VIII. Sporting Events or Carnivals

- **Code 8.00** - Sporting Events or Carnivals, First Day = \$100.00, \$50.00 Each Additional Day. Must report # of days.

IX. Soliciting, Hawking, Peddling

Option 1 – Based on the # of individuals

- **Code 9.00** - Soliciting/Hawking/Peddling Option 1 – Pay on # of Individuals. \$100.00 per year per individual. # of Individuals required. *Note: Also have the option to pay based on gross receipts instead.*

Option 2 – Based on Gross Receipts

- **Code 9.01** - Soliciting/Hawking/Peddling Option 2 – Pay on Gross Receipts. See Gross Receipts Table. *Note: Also have the option to pay based on # of individuals instead.*

X. Auctioneering

Option 1 – Based on # of Days

- **Code 10.98** - Auctioneering Option 1 – Per Day. \$ 50.00 per day. # of days required. *Note: Also have the option to pay by # of quarters.*

Option 2 – Based on # of Quarters

- **Code 10.99** - Auctioneering Option 2 – Per Quarter. \$ 300.00 per quarter. # of quarters required. *Note: Also have the option to pay by # of days.*

XI. Bankrupt Sales

- **Code 11.00** - Bankrupt Sales \$100.00 per day. # of days required.

XII. Advertising – Outdoor Structures – Select all that apply.

- **Code 12.00** - Advertising Outdoor – Single faced. Based on # of signs. \$50.00 base fee, plus \$ 5.00 for each sign. # of signs required.
- **Code 12.01** - Advertising Outdoor – Double faced. Based on # of signs. \$50.00 base fee, plus \$ 10.00 for each sign. # of signs required.

XIII. Motel, Apartment, Leasing/Rental Units

- **Code 13.00** - Motel/Apartments/Lease/Rental Units – Based on # of Units. 1 to 25 units/spaces = \$25.00. Additional \$1.00 for each unit/space over 25. # of units required.

XIV. Cardrooms

- **Code 14.00** - Cardrooms-Based on # of Tables. \$ 300.00 per year for first table \$150.00 per year for each additional. # of tables required.

XV. Temporary Retail, Exhibits or Shows

- **Code 15.10** - 1 - 4 Outside Temporary Retail Booths-Based on # of Days. \$ 25.00 per day for 1-4 booths, \$ 1.00 per day for each additional booth. # of days and # of booths required.
- **Code 15.11** - 5+ Outside Temporary Retail Booths – Based on # of Days. \$ 25.00 per day for 1-4 booths, \$ 1.00 per day for each additional booth. # of days and # of booths required.
- **Code 15.98** - Exhibits or Shows Temporary. \$25.00 per day. # of days required.
- **Code 15.99** - Temporary Lectures, Seminars, Performances. \$25.00 per day. # of days required.

Gross Receipts Table

Gross Receipts to and including \$40,000 = \$25.00
 Over \$40,000 but less than \$100,000 = \$30.00
 Over \$100,000 but less than \$250,000 = \$41.00
 Over \$250,000 but less than \$500,000 = \$60.00
 Over \$500,000 but less than \$750,000 = \$79.00
 Over \$750,000 but less than \$1,000,000 = \$98.00
 Over \$1,000,000 but less than \$1,500,000 = \$135.00
 Over \$1,500,000 but less than \$2,000,000 = \$172.00
 Over \$2,000,000 but less than \$3,000,000 = \$247.00
 Over \$3,000,000 but less than \$5,000,000 = \$397.00
 Over \$5,000,000 but less than \$7,500,000 = \$585.00
 Over \$7,500,000 but less than \$10,000,000 = \$773.00

Gross receipts greater than \$10,000,000 – Use the fee schedule to calculate both the base fee and the additional amount due on gross receipts amounts greater than 10,000,000.

Example: Total License Fee Due for Gross Receipts of \$12,000,000, \$10,000,000=\$773 / \$2,000,000 = \$172.
 Sum \$773 + \$172 = \$945.00.

Gross Payroll Table

Gross annual payroll to and including \$100,000 = \$25.00
 Over \$100,000 but less than \$250,000 = \$55.00
 Over \$250,000 but less than \$500,000 = \$105.00
 Over \$500,000 but less than \$750,000 = \$155.00
 Over \$750,000 but less than \$1,000,000 = \$205.00
 Over \$1,000,000 but less than \$1,500,000 = \$305.00
 Over \$1,500,000 but less than \$2,000,000 = \$405.00
 Over \$2,000,000 but less than \$3,000,000 = \$605.00
 Over \$3,000,000 but less than \$5,000,000 = \$1,205.00
 Over \$5,000,000 but less than \$7,500,000 = \$1,705.00
 Over \$7,500,000 but less than \$10,000,000 = \$2,205.00

Gross annual payroll greater than \$10,000,000 – Use the fee schedule to calculate both the base fee and the additional amount due on gross annual payroll amount greater than 10,000,000.

Example: Total License Fee Due for Gross Annual Payroll of \$12,000,000, \$10,000,000=\$2,205 / \$2,000,000 = \$405.
 Sum \$2,205 + \$405 = \$2,610.00.

Business License Renewals

- All business licenses expire on June 30th.
- Renewal fees include a \$39.00 renewal fee and applicable business license tax.
- Failure to pay a business tax prior to due date will result in a 10% penalty on the 15th day of the succeeding month, and 25% for each succeeding month but not exceeding 50% of the total tax due.

Business License Fees/Tax Waived

- Charitable-nonprofit organizations, with proof of qualification for Section 501 of the IRS.
- Disabled veterans, with certificate of physical disability executed by a qualified Military physician.
- Minors whose annual income within the City does not exceed \$800 annually.
- Artists and art exhibits incidental to the primary business and primarily for cultural and educational purposes.
- Artists whose gross income within the City does not exceed \$1,000 annually.
- Any person claiming an exemption shall file a sworn statement with the Finance Officer stating facts upon which the exemption is claimed, and in the absence of such a statement substantiating the claim, such person shall be liable for the payment of the tax imposed by this ordinance.

Disclaimer

A business license does not authorize any person to conduct any unlawful business or lawful business in an illegal manner or without strictly complying with all provisions of the City Ordinances requiring a permit from any department, board, commission or office of the City. A Business license does not constitute a permit to conduct the business. It is solely for the purpose of collecting revenue.

CITY OF SEASIDE CALIFORNIA BUSINESS LICENSE FEES

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee, in addition to the Admin Fee and License Fee. Home Based Businesses are not required to pay the Fire Inspection Fee.

All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

<u>Schedule Number</u>	<u>Schedule Code</u>	<u>BUSINESS OPERATIONS TAX DESCRIPTIONS</u>	<u>Pay Amount Due or See Fee Schedule Indicated</u>
541	00	ABTRACTOR	B
541211	00	ACCOUNTANT (CPA)	B
541810	00	ADVERTISING AGENT	B
621910	00	AMBULANCE SERVICE - PER VEHICLE	\$37.50 PER VEHICLE
		APARTMENTS Additional Info: Apartments located in the city limits of Seaside must also pay an annual fire inspection based on the number of units as noted below. Four (4) or less units \$219.00 Five (5) to twenty (20) units \$219.00 Twenty-one (21) to fifty (50) units \$438.00 More than fifty (50) units \$584.00	\$7.50 per rental unit, plus fire inspection fee based on units Note: License fees are required only for apartments with 3 or more units.
531311	00	See Fire Inspection Fee - Schedule 1.00	
531320	00	APPRAISER	B
541310	00	ARCHITECT	B
541380	00	ASSAYER	B
541110	00	ATTORNEY	B
		AUCTION AND CLOSING OUT SALES Additional Information: Each application for a Class A or Class B permit under Chapter 5.12 of the City Ordinance must be accompanied by a bond in the principal sum of \$2,500.00, the form of which shall be approved by the city attorney, with one or more sureties, thereon, to be approved by the city clerk. Upon receipt of permit, license can be applied for/purchased.	
561990	00		D
541211	01	AUDITOR	B

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

<u>Schedule Number</u>	<u>Schedule Code</u>	<u>BUSINESS OPERATIONS TAX DESCRIPTIONS</u>	<u>Pay Amount Due or See Fee Schedule Indicated</u>
811111	00	AUTO REPAIR BUSINESS Additional Information: All Auto Repair Businesses that are physically located within the city limits of Seaside are required to pay an ANNUAL Fire Inspection Fee (Schedule 1.01) of \$219.00.	Schedule B – plus fire inspection fee
441	00	AUTO, TRUCK, TRAILER, MOTORCYCLE & BOAT SALES - ANY COMBINATION - INCLUDES RENT OR LEASE Additional Info: All "NEW" businesses are required to provide a copy of their Sellers Permit.	E
999999	00	AUTOMOBILE OR TRUCKS FOR HIRE OR RENT - PER VEHICLE	\$37.50 PER VEHICLE
441110	00	AUTOMOBILE SALES - NEW OR USED - INCLUDES RENT OR LEASE Additional Info: All "NEW" businesses are required to provide a copy of their Sellers Permit.	E
541710	00	BACTERIOLOGIST	B
812199	00	BATHS, PUBLIC, STEAM	B
812112	00	BEAUTY SALON	B
713290	00	BINGO Additional Information: All "New" businesses require city approval	\$50.00
441222	00	BOAT SALES - NEW OR USED - INCLUDES RENT OR LEASE Additional Info: All "NEW" businesses are required to provide a copy of their Sellers Permit.	E
425	00	BROKERS	B
812990	00	BUSINESS DEALING IN PERSONAL SERVICES - NOT OTHERWISE SPECIFIED	B
611410	00	BUSINESS SCHOOL	B
541710	01	CHEMISTS	B
621391	00	CHIROPODISTS	B
621310	00	CHIROPRACTOR	B
454390	00	CHRISTMAS TREE LOTS - with no permanent location within the city limits of Seaside or not in conjunction with an established business. Additional Information: A surety bond is required.	\$20.00 per day with a maximum of \$75.00 per month "Temp License"
713990	00	CIRCUSES AND CARNIVALS	\$1,125.00 for the first 3 days, or any part thereof, and \$75.00 per day thereafter "Temp License"

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

Schedule Number	Schedule Code	BUSINESS OPERATIONS TAX DESCRIPTIONS	Pay Amount Due or See Fee Schedule Indicated
541330	00	CIVIL ENGINEER	B
999999	01	CLEANING AND/OR LAUNDRY TRUCKS - PER VEHICLE - NO FIXED PLACE OF BUSINESS	\$37.50 PER VEHICLE
812990	01	CLEANING BUILDINGS, WINDOWS	B
561440	00	COLLECTION AGENCY	B
488410	01	CONTRACT -PATROL TOWING OPERATIONS - All "NEW" businesses require approval from the city	B
238210	01	CONTRACTORS - INSIDE CITY LIMITS Additional Information: All "NEW" businesses carrying on the business of general engineering or building contractor, or plumbing or electrical roofing contractor, or other specialty contractor - must provide valid state contractors license and be approved by the city. All renewal licenses must provide a valid state contractors license.	F
238210	00	CONTRACTORS - OUTSIDE OF CITY LIMITS Additional Information: All "NEW" and "Renewal" businesses carrying on the business of general engineering or building contractor, or plumbing or electrical roofing contractor, or other specialty contractor - must provide valid state contractors license.	F
561450	00	CREDIT BUREAU	B
812220	00	CREMATORIUM	B
999999	02	DAIRY PRODUCTS, RETAIL - PER VEHICLE - NO FIXED PLACE OF BUSINESS	\$37.50 PER VEHICLE
713990	01	DANCES	\$7.50 per dance, Max of \$37.50 per quarter "Temp License"
611610	00	DANCING SCHOOL	B
812990	02	DANCING TEACHER	B
999999	03	DELIVERY OF GASOLINE, OIL, OR OTHER PETROLEUM PRODUCTS - PER VEHICLE	\$75.00 PER VEHICLE
339116	00	DENTAL LABORATORY	B
621210	00	DENTAL TECHNICIAN	B
621210	01	DENTIST	B
621111	00	DERMATOLOGIST	B

All NEW businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

<u>Schedule Number</u>	<u>Schedule Code</u>	<u>BUSINESS OPERATIONS TAX DESCRIPTIONS</u>	<u>Pay Amount Due or See Fee Schedule Indicated</u>
812990	03	DESIGNER	B
561611	00	DETECTIVE	B
621	00	DOCTOR	B
812320	00	DRY CLEANER	B
541330	01	ELECTRICAL ENGINEER	B
541612	00	EMPLOYMENT AGENT	B
541330	02	ENGINEER	B
522	00	FINANCE COMPANY	B
451110	00	FIREARM SALES Additional Information: All Business must provide a copy of their Federal Firearms Permit along with a permit from the City of Seaside.	D
1	00 or 01, 03 (see to right)	FIRE INSPECTION FEE Additional Information: ALL NEW BUSINESSES PHYSICALLY LOCATED WITHIN THE CITY LIMITS OF SEASIDE must pay the Fire Inspection Fee of \$219.00 (Schedule 1.03). There is a REQUIRED ANNUAL FEE for Auto Repair, that fee is \$219.00 (Schedule 1.01) Apartments and Hotels/Motels located in the city limits of Seaside pay an annual fire inspection based on the number of units as noted below. (Schedule 1.00) Four (4) or less units \$219.00 Five (5) to twenty (20) units \$219.00 Twenty-one (21) to fifty (50) units \$438.00 More than fifty (50) units \$584.00	
812210	00	FUNERAL DIRECTOR	B
561730	00	GARDENING/MAINTENANCE	B
999999	08	GENERAL BUSINESS - Not otherwise classified	B
541	01	GEOLOGIST GRINDER	B
812990	04	GUNSMITH	B
236118	00	HANDYMAN	B
721110	00	HOTEL/MOTEL Additional Information: All Hotel/Motels that are physically located in the city limits of Seaside are required to pay an ANNUAL Fire Inspection Fee based on the number of units. See schedule 1.00	Schedule B - plus fire inspection fee based on units
561720	01	HOUSE CLEANING	B

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

<u>Schedule Number</u>	<u>Schedule Code</u>	<u>BUSINESS OPERATIONS TAX DESCRIPTIONS</u>	<u>Pay Amount Due or See Fee Schedule Indicated</u>
541213	00	INCOME TAX EXPERT	B
524291	00	INSURANCE ADJUSTER	B
541410	00	INTERIOR DECORATOR	B
541930	00	INTERPRETER	B
561720	00	JANITOR/JANITORIAL	B
541910	00	LABORATORY TECHNICIAN	B
541320	00	LANDSCAPE ARCHITECT	B
541910	01	LAPIDARY	B
812310	00	LAUNDROMAT	B
115210	00	LIVERY STABLE	B
561622	00	LOCKSMITH	B
721	00	LODGING PLACES	B
339	00	MANUFACTURING - If any person carrying on the business of manufacturing also engages in the retail business, whether selling products manufactured by him or not, he shall be required to obtain a license and pay the tax specified for such retail business in addition to this license: provided, that any person engaged in the business of manufacturing shall not be required to obtain a license in addition to his manufacturing license to engage in the wholesale or jobbing business with respect to products manufactured by him.	A
812990	05	MASSEUR	B
541330	03	MECHANICAL ENGINEER	B
621511	00	MEDICAL LABORATORY	B
492210	00	MESSENGER SERVICE	B
812199	01	MINERAL BATH	B
531190	00	MOBILE HOME PARKS	B
441229	01	MOTORCYCLE SALES - NEW OR USED - INCLUDES RENT OR LEASE Additional Info: All "NEW" businesses are required to provide a copy of their Sellers Permit.	E
611610	01	MUSIC SCHOOL	B
812199	02	MUSIC TEACHER	B
812113	00	NAIL SALON	B

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

<u>Schedule Number</u>	<u>Schedule Code</u>	<u>BUSINESS OPERATIONS TAX DESCRIPTIONS</u>	<u>Pay Amount Due or See Fee Schedule Indicated</u>
541850	00	NONAPPURTENANT OUTDOOR ADVERTISING STRUCTURES - shall pay fifteen cents per square foot of reader board area per year	\$.15 cents per square foot
999999	09	NON-PROFIT Additional Information: All NEW Non-Profit businesses physically located inside the city limits are required to pay the one time Fire Inspection Fee of \$219.00 plus the administration fee. See schedule 1.03 All RENEWALS only pay the administration fee.	All Renewals only pay the administration fee
621320	00	OCULIST	B
621320	01	OPTICIAN	B
621320	02	OPTOMETRIST	B
621111	01	ORTHOPEDIST	B
621310	01	OSTEOPATH	B
812930	00	PARKING LOT	B
621	01	PATHOLOGIST	B
561612	00	PATROL SERVICE	B
522298	00	PAWNSHOPS AND PAWNBROKERS Additional Information: All "NEW" businesses must present a certificate of clearance from the Chief of Police certifying that the business conforms in all respects with the laws and regulations of the city and the State.	\$150.00
454390	01	PEDDLERS, ITINERANT VENDORS, SOLICITORS, HAWKERS - All "NEW" businesses must present proof of clearance from the Chief of Police "Temp Licenses"	\$20.00 per day with a maximum of \$75.00 per month "Temp Licenses"
561710	00	PEST CONTROL	B
621	02	PHYSICIAN	B
621340	00	PHYSIOTHERAPIST	B
812990	06	PIANO TUNER	B
713990	02	PINBALL MACHINES AND JUKEBOXES	4% of gross receipts
812990	07	PLUNGE	B
621	03	POSTURE CORRECTION	B
812990	08	PRACTITIONER NATURE, ETC...	B

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

<u>Schedule Number</u>	<u>Schedule Code</u>	<u>BUSINESS OPERATIONS TAX DESCRIPTIONS</u>	<u>Pay Amount Due or See Fee Schedule Indicated</u>
561	00	PRIVATE POLICE Additional Information: - "Private investigators" and "street patrol officers" includes all persons who furnish, supervise, agree to furnish or otherwise provide patrol, guard, watchmen or other protection services for property or help prevent theft, unlawful taking, loss, embezzlement, misappropriation or concealment of any property - must provide permit issued by chief of police	B
999999	07	PROPERTY MANAGEMENT	\$7.50 per rental unit
812990	09	PUBLIC STENOGRAPHER	B
221	00	PUBLIC UTILITIES	A
812990	10	RADIOGRAPHER	B
531210	00	REAL ESTATE BROKER	C
531110	00	REAL PROPERTY RENTAL - Every person engaged in the business of owning, conducting or operating an apartment house, dwelling houses, house court, bungalow, or contiguous dwelling units, containing three or more rental units or other accommodations for dwelling, sleeping or lodging in such place shall pay a business operations tax for each fiscal year per rental unit. Additional Information: An ANNUAL Fire Inspection Fee is due based upon the number of units for Apartments and Hotels/Motels only. See schedules for Apartments and Hotels/Motels.	\$7.50 per rental unit
722110	00	RESTAURANTS - full service	D
722211	00	RESTAURANTS - limited service	D
44	00	RETAIL BUSINESSES Additional Information: All "NEW" Retail Licenses require city approval if physically located inside Seaside and must provide a copy of their Sellers Permit.	D

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

<u>Schedule Number</u>	<u>Schedule Code</u>	<u>BUSINESS OPERATIONS TAX DESCRIPTIONS</u>	<u>Pay Amount Due or See Fee Schedule Indicated</u>
445	00	RETAIL LIQUOR AND BEVERAGE STORES - Establishments selling liquor and other beverages and/or retail food items in conjunction with the sale of retail liquor for off-site consumption as the principal sales items. This rate shall not apply to retail food establishments and similar establishments which do not sell liquor or alcoholic beverages as the principal item. Additional Information: All NEW businesses must provide a copy of the Alcoholic Beverage Control (ABC) Board of California license to the city. Upon City approval of the new business and payment in full a license will be issued.	\$75.00
999999	04	SCOOTERS OR MOTORBIKES, RENTAL - PER VEHICLE	\$37.50 PER VEHICLE
561612	01	SECURITY	B
812990	11	SIGN PAINTER	B
713940	00	SPAS	B
493120	00	STORAGE WAREHOUSE	B
541330	04	STRUCTURAL ENGINEER	B
621111	02	SURGEON	B
541990	00	SURVEYOR	B
812199	04	TANNING SALON	B
485310	00	TAXICABS - PER VEHICLE - certificate and drivers permit required by the city	\$37.50 PER VEHICLE
711510	00	TAXIDERMIST	B
524127	00	TITLE INSURANCE	B
441229	00	TRAILER SALES - NEW OR USED - INCLUDES RENT OR LEASE Additional Info: All "NEW" businesses are required to provide a copy of their Sellers Permit.	E
441110	01	TRUCK SALES - NEW OR USED - INCLUDES RENT OR LEASE Additional Info: All "NEW" businesses are required to provide a copy of their Sellers Permit.	E
812199	03	TURKISH BATHS	B
812210	01	UNDERTAKER	B
621111	03	UROLOGIST	B

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$ 219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

<u>Schedule Number</u>	<u>Schedule Code</u>	<u>BUSINESS OPERATIONS TAX DESCRIPTIONS</u>	<u>Pay Amount Due or See Fee Schedule Indicated</u>
488410	00	VEHICLE TOWING AND GARAGE SERVICES - All "NEW" businesses require approval from the city.	B
532490	00	VENDING MACHINES - The owner of the business establishment and/or premises whereat vending machines are located shall be liable and responsible for the licensing of such vending machines.	G
541940	00	VETERINARIAN	B
811490	00	WATCH REPAIRING	B
812990	12	WEIGHING MACHINE	B
999999	05	WHOLESALE DELIVERY - PER VEHICLE	\$52.50 PER VEHICLE
42	00	WHOLESALE OR JOBBING BUSINESS	A
999999	06	WHOLESALE PICKUP - PER VEHICLE	\$52.50 PER VEHICLE
621	04	X-RAY TECHNICIAN	B

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

**Seaside, CA Business License Fee Schedules
Reference Tables**

SCHEDULE "A"

Gross receipts of \$100,000.00 or less per year, the sum of \$37.50. Gross receipts in excess of \$100,000.00 per year, the sum of \$37.50 **plus** \$37.50 for each \$100,000.00 of gross receipts, or fraction thereof, in excess of \$100,000.00 per year.

SCHEDULE "B"

Gross receipts of \$25,000.00 or less per year, the sum of \$37.50. Gross receipts in excess of \$25,000.00 per year, the sum of \$37.50 **plus** \$9.00 for each \$5,000.00 of gross receipts, or fraction thereof, in excess of \$25,000.00 per year.

SCHEDULE "C"

Gross receipts of \$25,000.00 or less per year, the sum of \$45.00. Gross receipts in excess of \$25,000.00 per year, the sum of \$45.00 **plus** \$10.00 for each \$5,000.00 of gross receipts, or fraction thereof, in excess of \$25,000.00 per year.

SCHEDULE "D"

Gross receipts of \$49,999.99 or less per year, the sum of \$37.50 **plus** \$4.50 for each additional \$5,000.00 of gross receipts, or fraction thereof

SCHEDULE "E"

Gross receipts of \$100,000.00 or less per year, the sum of \$75.00. Gross receipts in excess of \$100,000.00 per year, the sum of \$75.00 **plus** \$1.00 for each \$5,000.00 of gross receipts, or fraction thereof, in excess of \$100,000.00 per year.

All **NEW** businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

**Seaside, CA Business License Fee Schedules
Reference Tables**

SCHEDULE "F"

<u>FROM</u>	<u>TO</u>	<u>FEE DUE</u>
ZERO	\$24,999.99	\$18.75
\$25,000.00	\$49,999.99	\$37.50
\$50,000.00	\$74,999.99	\$56.25
\$75,000.00	\$100,000.00	\$75.00
\$100,000.01	\$124,999.99	\$93.75
\$125,000.00	\$149,999.99	\$112.50
\$150,000.00	\$174,999.99	\$131.25
\$175,000.00	\$200,000.00	\$150.00
\$200,000.01	\$224,999.99	\$168.75
\$225,000.00	\$249,999.99	\$187.50
\$250,000.00	\$274,999.99	\$206.25
\$275,000.00	\$300,000.00	\$225.00
\$300,000.01	\$324,999.99	\$243.75
\$325,000.00	\$349,999.99	\$262.50
\$350,000.00	\$374,999.99	\$281.25
\$375,000.00	\$400,000.00	\$300.00
\$400,000.01	\$424,999.99	\$318.75
\$425,000.00	\$449,999.99	\$337.50
\$450,000.00	\$474,999.99	\$356.25
\$475,000.00	\$500,000.00	\$375.00
\$500,000.01	\$524,999.99	\$393.75
\$525,000.00	\$549,999.99	\$412.50
\$550,000.00	\$574,999.99	\$431.25
\$575,000.00	\$600,000.00	\$450.00
\$600,000.01	\$624,999.99	\$468.75
\$625,000.00	\$649,999.99	\$487.50
\$650,000.00	\$674,999.99	\$506.25
\$675,000.00	\$700,000.00	\$525.00
\$700,000.01	\$724,999.99	\$543.75
\$725,000.00	\$749,999.99	\$562.50
\$750,000.00	\$774,999.99	\$581.25
\$775,000.00	\$800,000.00	\$600.00
\$800,000.01	\$824,999.99	\$618.75
\$825,000.00	\$849,999.99	\$637.50
\$850,000.00	\$874,999.99	\$656.25
\$875,000.00	\$900,000.00	\$675.00
\$900,000.01	\$924,999.99	\$693.75
\$925,000.00	\$949,999.99	\$712.50
\$950,000.00	\$974,999.99	\$731.25
\$975,000.00	\$1,000,000.00	\$750.00

For additional gross receipts beyond \$1,000,000.00, the license tax will follow the above scale in increments of \$18.75, \$37.50, \$56.25 and \$75.00.

All NEW businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

**Seaside, CA Business License Fee Schedules
Reference Tables**

SCHEDULE "G"

FROM	TO	FEE DUE
ZERO	\$1,000.00	\$7.50
\$1,000.01	\$2,000.00	\$15.00
\$2,000.01	\$10,000.00	\$30.00
\$10,000.01	\$20,000.00	\$97.50
\$20,000.01	\$30,000.00	\$172.50
\$30,000.01	\$40,000.00	\$247.50
\$40,000.01	\$50,000.00	\$322.50
\$50,000.01	\$60,000.00	\$405.00
\$60,000.01	\$70,000.00	\$487.50
\$70,000.01	\$80,000.00	\$577.50
\$80,000.01	\$90,000.00	\$667.50
\$90,000.01	\$100,000.00	\$757.50

If gross receipts exceed \$100,000.00 then an additional fee is due based upon an increment scale as noted above.

All NEW businesses located inside the city limits of the City of Seaside are required to pay a Fire Inspection Fee of \$219.00, in addition to the Admin Fee and License Fee. All new businesses located inside the city limits of Seaside will require city approval prior to the issuance of a business license.

EXHIBIT C

Article II. - License Tax Rates.

Sec. 19-23. - Retail sales and general business.

Every person conducting, carrying on or managing any business consisting of selling at retail any goods, wares, merchandise or commodities, or conducting or carrying on any trade, occupation, calling or business not otherwise specifically licensed by other sections of this chapter, shall pay an annual license tax based on annual gross receipts as per the schedule and rates set forth herein:

Annual Gross Receipts	Annual Fee
Less than \$25,000	\$ 25
25,001—50,000	50
50,001—100,000	100
100,001—200,000	150
200,001—300,000	200
\$300,001—400,000	300
400,001—500,000	400
500,001—600,000	500
600,001—700,000	600
700,001—800,000	700
800,001—900,000	800
900,001—1,000,000	900
1,000,001 and greater	1,000 plus \$100 for each \$100,000 of gross receipts over \$1,000,000.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 2; Ord. No. 2271 (NCS), § 3; Ord. No. 2431 (NCS), § 4.)

Sec. 19-24. - Water utility.

- (a) Every person conducting, managing or carrying on in the city the business of selling and distributing water as a public utility shall pay an annual license tax in a sum equal to three and three-quarter percent of the gross annual receipts of such business conducted within the limits of the city.
- (b) If any section, subsection, sentence, clause, phrase or portion of this section is for any reason held void, invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and an independent provision, and such decision shall not affect the validity of the remaining portions thereof.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2112 (NCS), § 2; Ord. No. 2231 (NCS), § 3; Ord. No. 2271 (NCS), § 4; Ord. No. 2431 (NCS), § 5.)

Sec. 19-25. - Wholesalers.

Every person conducting, carrying on or managing a business selling at wholesale any goods, wares, merchandise or commodities within the limits of the city, shall pay an annual license tax of one hundred dollars, plus an additional tax of ten dollars per annum for each employee.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 4; Ord. No. 2271 § 5; Ord. No. 2431 (NCS), § 6.)

Sec. 19-26. - Contractors.

- (a) Every person conducting, carrying on or managing a business who is licensed as a contractor by the state and who undertakes to, or offers to undertake to, or purports to have the capacity to undertake to, or submits bid to, or does himself or by or through others, construct, alter, repair, add to, subtract from, improve, move, wreck, or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or other structures or works in connection therewith, is defined as a contractor, and shall pay an annual license tax of either: (1) one hundred dollars per annum, plus an additional tax of ten dollars per annum for each employee; or (2) fifty dollars per quarter, plus an additional tax of ten dollars per quarter for each employee.
- (b) Any contractor conducting or carrying on the business of selling goods, wares or merchandise or a retailer or wholesaler in addition to his contracting business shall, in addition to the contractor's business license provided herein, secure a license for such retail or wholesale business as required under this chapter.
- (c) The term contractor as used in this section includes subcontractor and specialty contractor and whether operating within the city or from outside the city with no fixed place of business in the city.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 5; Ord. No. 2431 (NCS), § 7.)

Sec. 19-27. - Professions.

Every person conducting, managing, carrying on or engaging in any business, profession, occupation or service hereinafter enumerated in this subsection or similar thereto, shall pay a license tax of two hundred dollars per annum for each person practicing his or her profession or occupation other than a salaried employee, plus an additional tax of ten dollars per annum for each employee.

- Abstract and title
- Accountant or auditor
- Appraiser
- Architect
- Attorney

EXHIBIT C

Auctioneer
 Bacteriologist
 Business school
 Certified public accountant
 Chemist
 Chiropodist
 Chiropractor
 Civil, electrical, mining, chemical, structural, consulting or hydraulic engineer
 Collection agency
 Credit reporting bureau
 Dentist and dental laboratories
 Dermatologist
 Detective agency and/or private patrol
 Draftsman
 Employment office
 Entomologist
 Feed, grain and fruit broker
 Finance companies—savings and loan
 Geologist
 Landscape architect
 Medical laboratory
 Mercantile agency
 Optician
 Optometrist
 Osteopath
 Physician
 Physiotherapist
 Podiatrist
 Real estate broker
 Roentgenologist
 Stock broker
 Surgeon
 Telephone answering service
 Travel agency

(Ord. No. 1353 (NCS), § 1; Ord. No. 1444 (NCS), § 2; Ord. No. 2131 (NCS), § 2 (B); Ord. No. 2231 (NCS), § 6; Ord. No. 2271 (NCS), § 7; Ord. No. 2431 (NCS), § 8.)

Sec. 19-27.1. - Occupations and services.

Every person conducting, managing, carrying on or engaging in any business, profession, occupation or service enumerated in this subsection or similar thereto, shall pay a license tax of one hundred dollars per annum for each person practicing his or her profession or occupation other than a salaried employee, plus an additional tax of ten dollars per annum for each employee.

Advertising agent
 Artist
 Assayer
 Blue printer
 Book agent
 Broker or commission agent
 Dancing school

EXHIBIT C

- Designer, illustrator or decorator
- Drugless practitioner
- Electrologist
- Engraver
- Gardener service
- Herblst
- Illustrator or show card writer
- Insurance or claims adjuster
- Interpreter
- Janitor service
- Lapidary
- Locksmith
- Masseuse
- Naturopath
- News agency
- Oculist
- Outdoor advertiser
- Pest control
- Piano tuner
- Public relations
- Public stenographer
- Sign painter
- Surveyor
- Taxidermist
- Termite inspector
- Trading stamps

(Ord. No. 2231 (NCS), § 7; Ord. No. 2271 (NCS), § 8; Ord. No. 2431 (NCS), § 9.)

Sec. 19-28. - Taxicabs, trucks and public transportation.

Every person conducting, carrying on or managing a business of operating a taxi service within the limits of the city or conducting or carrying on the business of running or operating any motor-driven vehicle for the transportation for hire of freight or merchandise shall pay an annual license of one hundred dollars for each such vehicle.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 8; Ord. No. 2271 (NCS), § 9; Ord. No. 2431 (NCS), § 10.)

Sec. 19-29. - Motels, hotels, inns, motor courts, etc.

Every person conducting, carrying on or managing a business of a hotel, motel, auto court, motor court, trailer court, inn or convalescent home shall pay an annual license tax as follows:

1 to 15 units	\$100.00 per annum
16 to 25 units	150.00 per annum
26 to 70 units	250.00 per annum
Over 70 units	300.00 per annum

For the purpose of this section, the term "unit" shall be defined to be such room or rooms rented for sleeping purposes and shall not include dining rooms, kitchens, bathrooms, lobbies or balconies.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 9; Ord. No. 2271 (NCS), § 10; Ord. No. 2431 (NCS), § 11.)

Sec. 19-30. - Coin-operated devices and vending machines.

EXHIBIT C

Every person conducting, managing or carrying on a business of distributing, renting, leasing or placing of coin-operated machines for public patronage in the city shall pay an annual license tax of one hundred dollars. In addition, an individual license tax, as indicated, shall be paid annually for each coin-operated machine installed for public patronage, except in penny arcades. Payment of individual license tax is the responsibility of the owner or operator of the business where machine is installed; provided, however, that distributor of machine may pay all individual license fees for all machines installed in the city, if prior arrangements are made with the city license collector.

Pinball or other coin-operated machine installed for amusement	\$50.00 per annum
Music device, coin-operated	\$50.00 per annum
Vending machine over five cents per sale	\$10.00 per annum

Each coin-operated or vending machine placed, distributed or located in the city shall have affixed thereto, in printing, plainly visible to the public, the name, address and telephone number of the owner of such machine.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 10; Ord. No. 2271 (NCS), § 11; Ord. No. 2431 (NCS), § 12.)

Sec. 19-31. - Transportation and sales of goods or services by person having no fixed place of business in city.

For every person, outside of those conducting a regular place of business, conducting, managing or carrying on the business of running, driving or operating any automobile, automobile truck, automobile tank wagon, or any other vehicle, used for the transportation, selling, collection or delivery of goods, wares, merchandise or other personal property of any kind, at retail or wholesale, from a vehicle, either as his or its principal business or in connection with any other business, or of soliciting for work, labor or services to be performed upon the public streets in or from a vehicle, or to be performed on goods, wares, merchandise, towels, laundry, or other personal property, to be taken for such purpose to a plant, laundry or establishment, inside or outside of the limits of the city, one hundred dollars per annum, in advance, per vehicle so used in such business in the city, except when a different license tax is specially provided by any other section of this chapter.

Each vehicle so used in such business in the city shall be separately licensed, and the license collector shall provide a separate windshield stamp or sticker for each such vehicle, which stamp or sticker shall identify by number or other description the vehicle for which the same is issued.

Each vehicle so used in such business shall at all times have such windshield stamp or sticker displayed on the windshield of such vehicle which such vehicle is being used for business purposes in the city. Any other vehicle may be substituted for the vehicle licensed at any time upon application to the city collector; provided, that a substitute windshield stamp or sticker shall be issued for such substituted vehicle showing the number or other identification of the substituted vehicle and the number or other identification of the vehicle for which the same was substituted. Such substitute stamp or sticker shall at all times be displayed on the windshield of the substituted vehicle while the same is being used for business in the city.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 11; Ord. No. 2271 (NCS), § 12; Ord. No. 2431 (NCS), § 13.)

Sec. 19-32. - Public amusement.

Every person conducting, managing or carrying on in the city the business of public amusement will pay a license tax as specified below:

Business	Fee
Amusement rides, except where carnival or circus license is obtained	\$10 per day, \$50 per quarter
Billiards, bagatelle, pool table (per table)	\$50 per annum
Bowling alley (per lane)	\$25 per annum
Carnival	\$150 per day
Circus	\$150 per day
Exhibitions, boxing, wrestling, public dancing, stage shows	\$100 per event
Penny arcade	\$300 per annum

(Ord. No. 1353 (NCS), § 1; Ord. No. 1983 (NCS), § 2; Ord. No. 2231 (NCS), § 12; Ord. No. 2271 (NCS), § 13; Ord. No. 2431 (NCS), § 14.)

Sec. 19-32.1. - License tax; bingo facility.

Every person providing a structure, building or facility, without or for consideration or remuneration to the holder of a bingo license which was obtained from the city of Salinas pursuant to Article 5 of Chapter 6 of this Code for the operation of bingo games, shall pay a license tax of fifteen dollars for each session of bingo played in said structure, building or facility. Said tax shall be due and payable monthly on or before the last day of each month for the taxes owed for the prior calendar month.

(Ord. No. 2231 (NCS), § 13; Ord. No. 2271 (NCS), § 14; Ord. No. 2431 (NCS), § 15.)

Sec. 19-33. - Newspapers, radio stations, television stations, and other communication services.

Every person conducting, carrying on or managing a business of a daily newspaper, radio station, television station or other similar communication service shall pay an annual license tax of two hundred dollars, plus an additional tax of ten dollars per annum for each employee.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 14; Ord. No. 2271 (NCS), § 15; Ord. No. 2431 (NCS), § 16.)

Sec. 19-34. - Barbers, beauty shops and schools of cosmetology or beauty culture.

Every person conducting, carrying on or managing a business of barber, beauty shop, school of cosmetology or beauty culture shall pay an annual license tax of fifty dollars, plus an additional tax of ten dollars per annum for each employee. Employees shall include operators, additional barbers, students, and other employees.

(Ord. No. 1353 (NCS), § 1; Ord. No. 2231 (NCS), § 15; Ord. No. 2271 (NCS), § 16; Ord. No. 2431 (NCS), § 17.)

EXHIBIT C

Sec. 19-35. - Miscellaneous businesses enumerated.

Every person conducting, carrying on or managing a business listed below shall pay the license tax specified:

Bootblack, whether or not operated in conjunction with any other business	\$25 per annum
Handyman	\$50 per annum
Lunch Wagon/Caterer	\$50 per annum
Pawnbroker	\$500 per annum
Route salesman	\$50 per annum
Soliciting, peddling and other transient business not at a fixed location in the city or otherwise covered in this chapter	\$50 per day or \$200 per quarter
Warehouse space	\$100 per annum

Any person who engages in a business not otherwise taxed by this section and not exempt by state or federal law that produces gross receipts as defined in Section 19-1 of this chapter shall pay the license tax specified:

Annual Gross Receipts	Annual Fee
Less than \$25,000	\$ 25
25,001—50,000	50
50,001—100,000	100
100,001—200,000	150
200,001—300,000	200
300,001—400,000	300
400,001—500,000	400
500,001—600,000	500
600,001—700,000	600
700,001—800,000	700
800,001—900,000	800
900,001—1,000,000	900
1,000,001 and greater	1,000 plus \$100 for each \$100,000 of gross receipts over \$1,000,000.

(Ord. No. 1353 (NCS), § 1; Ord. No. 1955 (NCS), § 2; Ord. No. 2131 (NCS), § 2 (A); Ord. No. 2231 (NCS), § 16; Ord. No. 2271 (NCS), § 17; Ord. No. 2431 (NCS), § 18.)

Sec. 19-35.1. - Residential rental—Four units or more.

On January 1 of each year, beginning 1995, every person engaged in the business of conducting, operating or renting, for a period of thirty days or more, four or more residential units situated on one assessor's parcel, regardless of the number of units rented, shall pay the license tax of twelve dollars per annum for each residential rental unit.

(Ord. No. 2226, § 4.)

Sec. 19-35.2. - Manufacturers, processors, agricultural businesses.

Every person engaging in a business consisting mainly of extracting natural resources, manufacturing, packing, or processing any goods, wares, merchandise, produce or agricultural products at a fixed place of business within the city shall pay an annual license tax of two hundred dollars, plus an additional tax of ten dollars per annum for each employee.

(Ord. No. 2431 (NCS), § 19.)