



## AGENDA

Tuesday, June 7, 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 LOCATIONS:<sup>1</sup>

799 West Birch Court  
Louisville, Colorado 80027

and Wailea Beach Marriott Resort/Spa  
3700 Wailea Alanui Drive  
Wailea, HI 96753

### 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.*

<sup>1</sup> Note: Pursuant to Government Code Section 54953(b), this meeting will include teleconference participation by Council Member Gail Morton and Mayor Pro-Tem Frank O'Connell from the address above. This Notice and Agenda will be posted at the teleconference location

- a. Labor Negotiations
  - i. Marina Public Safety Manager’s Association
  - ii. Marina Professional Firefighters Association
  - iii. Department Directors
    - a. Community Development Director
    - b. Finance Director
    - c. Fire Chief
    - d. Police Chief
    - e. Recreation & Cultural Services Director

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

- b. Performance Evaluation, Unrepresented Employee – City Manager
- c. Real Property Negotiations
  - (1) Property: 3240 Imjin Road, Hangar 510  
Negotiating Party: Rick Wilcoxsen, Driven Performance, LLC  
Property Negotiator: City Manager  
Terms: All terms and conditions
  - (2) Property: 761 Neeson Road, Hangar 524  
Negotiating Party: Md7 on behalf of Sprint Spectrum Realty Company, LLC  
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 **Junior Giants Diamond Level League Certificates**
  - b **Recreation Announcements**
  - c **Pacific Gas & Electric LED Presentation**
- 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.*

- a. Successor Agency Board consider adopting Resolution No. 2016- (SA/MRA), approving Renewal and Amendment No. 2 of agreement between Successor Agency of the former Marina Redevelopment Agency and Keyser Marston Associates, Inc. (KMA) of San Francisco, California, for Successor Agency services, and; authorizing Finance Director to make necessary accounting and budgetary entries, and; authorizing City Manager/Executive Director to execute Amendment on behalf of the Successor Agency subject to final review and approval by the City Attorney.

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 78747-78951, totaling \$919,602.06  
Wire transfers for April 2016, Checking & Payroll totaling: \$494,176.12

b. **MINUTES:**

- (1) May 17, 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-, authorizing the submittal of application(s) to CalRecycle for all grants for the City of Marina for which the City of Marina is eligible; and authorizing the City Manager, or his/her designee is hereby authorized and empowered to execute in the name of the City of Marina all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project subject to final review and approval by the City Attorney.

g. **APPROVAL OF AGREEMENTS:**

- (1) City Council consider adopting Resolution No. 2016-, approving Renewal and Amendment No.2 of Agreement between City of Marina and Keyser Marston Associates (KMA) of San Francisco, California, for Development Services; authorizing Finance Director to make necessary accounting and budgetary entries, and; authorizing City Manager to execute Amendment on behalf of the City subject to final review and approval by the City Attorney.
- (2) City Council consider adopting Resolution No. 2016-, authorizing an application for State of California Affordable Housing and Sustainable Communities Program Funding for the Junsay Oaks Affordable Housing Project and Housing Related Infrastructure.

- h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None
- i. MAPS: None
- j. REPORTS: (RECEIVE AND FILE):
  - (1) City Council consider adopting Resolution No. 2016-, approving the 2015-2016 Economic Development Commission Annual Report and Goals.
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING):
  - a. City Council consider adopting by title only Ordinance No. 2016-, amending Title 5 “Business Taxes, Licenses and Regulations”, deleting Chapter 5.36 “Massage Businesses”, and adding a new Chapter 5.36 “Massage Establishments”.
- m. APPROVE APPOINTMENTS: None
- 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-, placing a Charter amendment on the ballot for the November 8, 2016 General Municipal Election which will allow for a four-year term for the mayor.
- b. City Council consider adopting Resolution No. 2016-, approving agreement between City of Marina and The Lew Edwards Group for potential November 8, 2016 ballot measure(s) related to the Utility Users Tax and/or Business License Tax, authorize subsequent minor changes if necessary with City Attorney approval, and; authorize City Manager to execute agreement amendment on behalf of City, and; authorize the Finance Director to make the necessary accounting and budgetary entries.
- c. City Council consider adopting Resolution No. 2016-, approving agreement between City of Marina and Fairbank, Maslin, Maullin, Metz & Associates (FM3) for public opinion research services, authorize subsequent minor changes if necessary with City Attorney approval, and; authorize City Manager to execute agreement amendment on behalf of City, and; authorize the Finance Director to make the necessary accounting and budgetary entries.
- d. City Council receive Utility Users Tax and Business License Tax information and provide staff with any further direction in the matter.

- e. City Council consider adopting Resolution No. 2016-, consenting to the Partial Assignment and Assumption Agreement for the Marina Heights Development Agreement from Cypress Marina Heights, LLC to WC Marina, LLC and Partial Assignment and Assumption Agreement for the Marina Heights Option Agreement from Cypress Marina Heights LLC to WC Marina, LLC.; and consider adopting Successor Agency Resolution No. 2016- (SA-MRA), consenting to a Partial Assignment and Assumption Agreement of the Option Agreement for the Marina Heights Project from Cypress Marina Heights LLC to WC Marina, LLC.
- f. City Council hold discussion on 9<sup>th</sup> Street Design between 2<sup>ND</sup> Avenue and Imjin Road.
- g. City Council provide direction to staff on whether to consider revisions to the Resident Selection Policies in the Below Market Rate Housing Whether to explore accepting an in lieu fee in lieu of certain moderate income housing units at Marina Heights.

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:

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 6:45 p.m., Friday, June 3, 2016.

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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](http://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](mailto: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](mailto: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, June 21, 2016

Tuesday, October 4, 2016

Tuesday, October 18, 2016

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

Tuesday, November 1, 2016

Tuesday, July 19, 2016

Tuesday, November 15, 2016

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

Tuesday, December 6, 2016

Tuesday, August 16, 2016

Tuesday, December 20, 2016

**\*\*Wednesday, September 7, 2016**

Tuesday, September 20, 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.**

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**C I T Y   H A L L   H O L I D A Y S**  
(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
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## 2016 COMMISSION DATES

**Upcoming 2016 Meetings of Design Review Board**  
**3<sup>rd</sup> 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

June 15, 2016  
 July 20, 2016

August 17, 2016  
 September 21, 2016  
 October 19, 2016

November 16, 2016  
 December 21, 2016

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

August 4, 2016  
 September 1, 2016

October 6, 2016  
 December 1, 2016

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

June 9, 2016  
 June 23, 2016  
 July 14, 2016  
 July 28, 2016  
 August 11, 2016  
 August 25, 2016

September 8, 2016  
 September 22, 2016  
 October 13, 2016  
 October 27, 2016

November 10, 2016  
 November 24, 2016 (Cancelled)  
 December 8, 2016  
 December 22, 2016 (Cancelled)

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

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**  
**1<sup>st</sup> Wednesday of every quarter month.** Meetings are held at the Council Chambers at 6:30 P.M.

September 7, 2016

December 7, 2016