



MINUTES

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: ¹

799 West Birch Court and Wailea Beach Marriott Resort/Spa
Louisville, Colorado 80027 3700 Wailea Alanui Drive
Wailea, HI 96753

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 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

¹ 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

- 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

No reportable action taken. Closed Session cancelled due to a lack of quorum.

- 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.*

- Ted Crawford – Announced his intent to construct student housing on Cypress Avenue and the interest of the perc pond next to the proposed project site. Commented on the lack of planning staff to assist with his project. Would like to get this project off the ground.
- Chris Barlow – WRD Architect for Cypress Avenue project. Client is looking for a public/private partnership with the city.
- Hymina, Surf-Riders Foundation Representative – Provided council and public with an update on the Coastal Commission and the CEMEX Sand Plant
- Kathy Biala – Made comments on the continued erosion of the beach due from the CEMEX Sand Plant and its operations.
- Kevin P. Saunders – Commented on his intent to run in the November 2016 election. Commented on the downtown area's need for improvement and the use of Fort Ord lands.
- Mike Owen – Comments on newspaper article of 2015 which state Marina financially healthy but many needs a challenges on the horizon. Submitted several questions to the council related to this article. Commented on the State Assembly's decision to tax marijuana growers and Monterey County setting no limits on the number of permits that they will issue on this item

- Council Member Amadeo – Attended League of California Cities Public Policy for Public Safety committee meeting, main topic was adult use of marijuana. Imitative has made it on the ballot and the League has decided not to support it because it lacks a lot of local control. We do have opportunity as we look at medical marijuana to also look at adult use of marijuana in crafting ordinances that ensure we maintain local control.
- Mayor Delgado – Many graduations took place this week. Commented that Rebecca Tyson also graduated from Middle School Principal to High School Principal. Special thanks to all the organization/entities who provide scholarships. Thanks to all the strike teams who left to help with the wildfires. Thanks to Terry Siegrist for being the Commencement Speaker at the 8th grade promotion ceremony.

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. 2016-01(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.

MORTON/DELGADO: TO APPROVE RESOLUTION NO. 2016-01(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. 5-0-0-0 Motion Passes by Roll Call Vote

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. 2016-77**, 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. 2016-78**, 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. 2016-79**, 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. 2016-80**, 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. 2016-03**, 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

DELGADO/BROWN; TO APPROVE THE CONSENT AGENDA MINUS 8g(2), WHICH IS TO BE VOTED ON SEPARATELY. 5-0-0-0 Motion Passes by Roll Call Vote

MORTON/DELGADO: TO ADOPT RESOLUTION NO. 2016-79, 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 CONDITIONED UPON OUR CITY'S LEGAL COUNSEL DETERMINING IF IT'S LEGALLY FEASIBLE IN SECURING THIS PROPERTY'S SECURITY INTEREST FOR THE INDEMNIFICATION OF THE CITY. 5-0-0-0 Motion Passes by Roll Call Vote

Council Member Amadeo requested to place on the agenda an urgency item that came up after the city council agenda was posted related to the Governor's item on Affordable Housing.

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).

Council Member Amadeo announced that she needed to add an urgency item to the action agenda item. The urgency item is related to the state budget which is anticipated to be approved tomorrow and specifically to an item the Governor has added related to how local projects will be developed without public input. There is a letter that League of California Cities has drawn up that we would need to have approved tonight and faxed tonight in opposition to this trailer bill because it does take out public input and makes it ministerial to certain types of housing projects, anything that has low income in it.

DELGADO/BROWN: TO ADD THIS URGENCY ITEM TO OUR AGENDA. 5-0-0-0 Motion Passes by Roll call Vote

Urgency Item

BROWN/DELGADO: TO AGREE TO SUBMIT THIS LETTER WITH THE FOLLOWING CHANGES IN THE SECOND TO LAST PARAGRAPH AS FOLLOWS:

“THIS PROPOSAL FROM OUR GOVERNOR IS DISAPPOINTING. THE ELIMINATION OF REDEVELOPMENT AGENCIES HAS TAKEN OUR STATE BACKWARDS ON AFFORDABLE HOUSING BUT STRIPING LOCAL GOVERNMENTS AND THE STATE OF THE FEW RESOURCES AVAILABLE TO BUILD THESE UNITS. NOW, THIS PROPOSAL SEEKS TO AVOID A DISCUSSION OF HOW TO REPLACE THESE LOST FUNDS BY UNDERMINING PUBLIC INPUT, ENVIRONMENTAL AND DESIGN REVIEW.”

5-0-0-0 Motion Passes by Roll Call Vote

- a. City Council consider adopting **Resolution No. 2016-81**, 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.

BROWN/MORTON: TO ADOPT RESOLUTION NO. 2016-81, 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. 3-1(Amadeo)-1(Delgado)-0 Motion Passes by Roll Call Vote

Public Comments:

- Mike Owen – Commented that most surrounding cities have two year terms for their mayor seat. Past mayor terms for Marina have been two year terms. What is so uniquely problematic about the mayor performance in Marina that proponents think he needs four years to be able to be competent in doing his job?

- b. City Council consider adopting **Resolution No. 2016-82**, 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 on behalf of City, and; authorize the Finance Director to make the necessary accounting and budgetary entries.

Questions: Cost of services if necessary to write the ballot measure language and does the city need that kind of direction or do we have staff or are our attorney's able to do that? Do we have someone less costly than this for the preparation of the ballot? Was this \$40,000 expenditure included in our 2016-17 budget? Adding this \$40,000 would take us into a negative, correct? In 2014 we spent \$40,000 to communicate the scenario in which we find our city status to the public and it was successful because the public overwhelmingly agreed to pass E & F, so do you see this as a similar light that we spend \$40,000 and if everybody is on the same page we bring far more into city services that fairly dwarf that \$40,000 even in the first year? And if we were to learn something from the services provided that might discourage us from proceeding then we would not proceed with some of the scope of services? If we had to do this in-house what would be the cost to services and the dollar cost if we were to do it in-house? If it were done in-house you wouldn't really have anybody currently on staff with the level of expertise of this consulting group?

AMADEO/DELGADO: TO ADOPT RESOLUTION NO. 2016-82, 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 ON BEHALF OF CITY, AND; AUTHORIZE THE FINANCE DIRECTOR TO MAKE THE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES. 3-2(Morton/O'Connell)-0-0 Motion Passes by Roll Call Vote

Public Comments:

- Mike Owen – Questions on procedures or process. Spending \$40,000 on pavement repairs seems like a lot more applicable useful use of the money than on this consultant
- Karen Wolfe – difficult distinguishing between the Lew Edwards Group and the FM3 Group and all together costing about \$65,000. Asked that this not be a marketing job and noted there is a very fine line in terms of our accountability to city residents and guarding against that.

- c. City Council consider adopting **Resolution No. 2016-83**, 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 on behalf of City, and; authorize the Finance Director to make the necessary accounting and budgetary entries.

Questions: Did we do this for Measures E & F? Does the results of the resident’s poll get included if a resident did not complete the entire polling question? Is it true that the Lew Edwards Group does not want to participate with us if we don’t do the polling piece? Is that because they don’t want to be on the losing end and nip their reputation with a negative?

AMADEO/BROWN: TO ADOPT RESOLUTION NO. 2016-83, 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 ON BEHALF OF CITY, AND; AUTHORIZE THE FINANCE DIRECTOR TO MAKE THE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES. 3-2(Morton/O’Connell)-0-0 Motion Passes by Roll call Vote

Public Comments:

- Mike Owen – possibly of now going negative \$65,000 not just \$40,000 unless you can work some special magic to come up with avoiding a negative. Sounds like a good arrangement by the consulting firm to ensure that you don’t stop at \$40,000 but go to \$65,000. Interesting that they don’t want to do a survey if it’s going to be a no on the election, which brings up the questions about how objective would the consulting firm be if that’s one of their main objectives? Does not see any implication of an impartial analysis here on what’s been presented in this questionnaire.

- d. City Council receive Utility Users Tax and Business License Tax information and provide staff with any further direction in the matter.

Utility Users Tax Business License Tax Overview = Council Meeting: April 19 and May 3, 17 & 24; Considering Utility Users Tax (“UUT”) and/or updating Business License Tax (“BLT”); Review conceptual ideas; Summarize UUT & BLT fiscal impacts; Survey to understand public interest and feedback; Provide survey results and take next steps

City Manager commented on: Unmet needs, especially fixing our roads

Lost revenues = State ended Redevelopment Agency –reducing our funding for public facilities, State ended Vehicle License Fee (VLF); Gas Tax Revenues dropped 40%

We need to look at **local revenues** to pay for fixing our roads.

Several key considerations: **Businesses paying their fair share**, while being careful of impacts on our residents and “mom & pop” businesses; **Need over \$1 million** to fix our roads, facilities and pay for other vital services; **Diversify City revenues** – safeguards against economic downturns and enables us to provide consistent level of services. UUT diversifies the City revenue base.

Average UUT Marina Business

	Beauty Salon	Small Print Shop	Small Restaurant	Chain Restaurant	Laundromat	Hotel
Gas & Elec	\$ 150	\$ 150	\$ 400	\$ 1,000	\$ 1,000	\$ 2,700
Water	\$ 140	\$ 60	\$ 65	\$ 500	\$ 1,000	\$ 900
Total/month	\$ 290	\$ 210	\$ 465	\$ 1,500	\$ 2,000	\$ 3,600
6%	\$ 17	\$ 13	\$ 28	\$ 90	\$ 120	\$ 216

Thoughtful of impact on “mom & pop” businesses. Solid waste, telecom and video data unavailable.

Various UUT Rates and Estimate Revenue

Residential %	Commercial %	Telecom & Video	Estimated Revenue
1%	8%	3%	\$ 1,059,000
1%	7%	3%	\$ 984,000
1%	6%	3%	\$ 908,000
2%	8%	3%	\$ 1,166,000
2%	7%	3%	\$ 1,091,000
2%	6%	3%	\$ 1,015,000
3%	6%	3%	\$ 1,121,000

Business License Tax = *Businesses paying their fair share*

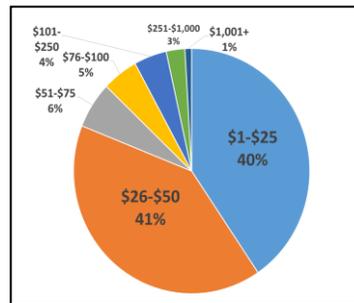
Updating BLT. Unchanged for 38 years.

\$75,000/year

1,000 licenses

40% pay \$1-\$25

41% pay \$26-50



HDL Report – Business License Tax

Confirmed Marina BLT is outdated and tax is significantly lower than other local cities.

Consideration to update tax, simplify the tax structure, provides for businesses to pay their fair share, and thoughtful of impact on “mom & pop” businesses.

HDL Report estimates \$620,000 annual revenue or about \$540,000 increase per year

Business License Tax Rate Conceptual Idea

Gross Receipts	Categories	Tax Rate
\$0 - \$40,000	General / Retail	\$40 Flat
Above \$40,000	General / Retail	0.001 X Gross Receipts
\$0 - \$80,000	Property Rentals	\$80 Flat
Above \$80,000	Property Rentals	0.002 X Gross Receipts
\$0 - \$60,000	Contractors	\$60 Flat
Above \$60,000	Contractors	0.0015 X Gross Receipts
\$0 - \$80,000	Professionals	\$80 Flat
Above \$80,000	Professionals	0.002 X Gross Receipts

(1) 4 categories (2) Gross Receipts (3) Includes rentals

Business License Tax Rate Sample Businesses

Sample Business & Estimated Annual Gross Receipts	Tax Amount Opt 2: #2
Small Craft Business - \$25,000	\$40
Restaurant - \$100,000	\$100
Big Retailer - \$1,500,000	\$1,500
Hotel / Rental Property \$2,000,000 / 80 units	\$4,000
Doctors Office - \$250,000	\$500
Professional Firm - \$1,500,000	\$3,000
Small Contractor - \$50,000	\$75
Contracting Firm - \$500,000	\$750

UUT & BLT Summary

City Council conceptual ideas re: UUT & BLT?

Utility Users Tax – rate(s) and duration; Business License Tax – rate(s) and duration

Conduct survey to understand public interest and feedback

Council Questions: How does someone who operates a small business out of their home know what kind a business license they’re coming into acquire? Going back to the UUT, if the consultants are going to ask the public, wouldn’t it be adventitious to get the public input on what they would support? And in polling, are you polling 300 residential or would your polling also include commercial? Should council wait to get the consultant’s feedback from the polling before moving forward? What is the negativity of eliminating all three categories and have a base amount of \$50 for the first \$25,000 and \$1/per \$1000 thereafter? Would it be feasible to conduct a survey that asks a number of questions for example “would you vote for either taxes or just one and different permutations and combination of commercial and residential rates on the UUT?” Would the polling firm be able to go that far in its polling or is it limited to more simple questions? Do we currently license residential homes as Air B&B and if not would they fall into a category and would they be required to be licensed? If we did the combination of Option 2 and Option 3 that would mean that if we looked at the UUT we could choose the 1&7 or 1&6 and still meet our desire goal?

10:00 PM

Delgado/Amadeo: to continue the meeting until 10:30 PM to complete this item and agenda item 11e. 3-2(Morton/O’Connell)-0-0 Motion Passes by Roll Call Vote

Amadeo/Delgado: that we narrow the list down on the UUT to either 1&6 or 2&7 or 2&6 to have that has part of the survey the combined options 2 and 3 for the business license.

AMADEO/DELGADO: NARROW THE LIST ON THE UUT TO EITHER 1% RESIDENTIAL AND 6% COMMERCIAL OR 2% RESIDENTIAL AND 7% COMMERCIAL OR 2% RESIDENTIAL AND 6% COMMERCIAL. 4-1(O’Connell)-0-0 Motion Passes by Roll Call Vote

Public Comments:

- Mike Owen – commented on past actions of Mayor’s persuasion to change a future vote on Cypress Knolls project and the cost to maintain the property; commented money spent on roundabouts and traffic islands on Crescent Ave instead of using the money for pavement repair as recommended by the Public Works Commission; How do you reconcile when you add up everything you’re asking the voters to pass, which comes up to \$1 million more than you need? If there’s a survey question and the voters are given a choice would you rather have everybody pay out of their pockets for a utility tax or support a 7.5 average marijuana use tax?

- Karen Wolfe – Was unclear until just stated that its \$1 million a year to fix our roads and suggest that it be stated. Suggested that a chart be provided showing dollar figure to match up with the percentage rates for the UUT; needs to be clear how the tax would be collected.

AMADEO/BROWN: THAT WE BRING FORWARD FOR THE APPROPRIATE ANALYSIS BY THE CONSULTANTS THE COMBINATIONS OF OPTION 2 AND OPTION 3 ON THE BUSINESS LICENSE TAX. 5-0-0-0 Motion Passes by Roll Call Vote

Public Comments: None

- e. City Council consider adopting **Resolution No. 2016-84**, 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. 2016-02 (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.

BROWN/AMADEO: TO ADOPT RESOLUTION NO. 2016-84, 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. 2016-02 (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. 5-0-0-0 Motion Passes by Roll Call Vote

Public Comments: None received.

- ~~f. City Council hold discussion on 9th Street Design between 2ND 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:** The meeting adjourned at 10:35 pm

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor