



## AGENDA

Wednesday, August 3, 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. Real Property Negotiations
    - i. Property: Building 521, 791 Neeson Road, Marina, CA  
Negotiating Party: Paul Kraus, California Department of Fish and Game  
Property Negotiator: City Manager  
Terms: All terms and conditions

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

Deborah Mall, Assistant City Attorney reported out closed session: We went into closed session today at 5:30 and the matter that we heard was real property negotiations, building 521 at 791 Neeson Road and direction was given to the city's negotiator and no other matters were heard in closed session

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

5. SPECIAL PRESENTATIONS:a Proclamations

## i. Jr. Giants

b Recreation Announcements6. 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.*

- Margaret Davis – Attended a meeting this afternoon of a group of organization that are promoting a ballot measure on Safe transportation for Monterey County Tax. Encourage everyone to support this measure. It will support business, increase mobility and access. Not a slush fund, built in tax payer safeguards and detail standing plan that benefits Marina in a substantial way.
- Patti Bradsahw – Thanked Mayor Pro-Tem O'Connell for introducing the Flag Salute so that everyone in the room can start out at the same time you do and the proper way.
- Karyn Wolfe – Commented on Urban Sprawl as it applies to Marina: Marina as Village. Reminded council that part of our mission is to avoid sprawl. The way that we develop our city and neighborhoods directly impacts how our residents are able to experience community life. We can either develop sprawl or create neighborhoods that will define the future. How can Marina becomes a connected village? In new development we need to create small neighborhoods with village centers; and in established neighborhoods we need to work over time to re-network the neighborhood by bringing in more parks, density, and retail.
- Jeramiah Smith – Touched on the impacts the Jr. Giants and the support. Recognized Terry Siegrist for all the time and compassion he puts in and the support from PAL. It's an outstanding opportunity for the kids. The Giants have created this wonderful gift and should be the model for all baseball programs across the country. Appreciates the city's support and hopes it will continue to flourish. We are having a BBQ on Sunday at 11:30 at the Teen Center, you're all invited to come.
- Kevin P. Saunders – Commented on the previous speakers and thanked them for their ideas/visions and thanked Terry Siegrist for his continued support for the children; announced that he is running for the mayor seat in the November 2016 election; commented on medicinal marijuana.
- Mike Owen – Commented on the rate increase by PG&E which took effect on August 1<sup>st</sup> . Hoping staff read the last newspaper article and that you would take some measure of satisfaction at the outcome of the last 6 months of hard work, staff research and council involvement in coming up with a measure that most beneficial and least taxing to the average citizen in Marina. Thanked the City Manager for responding to his questions on the hotel development.
- Steve Emerson – The Marina Foundation Annual Don Livermore Roast of Lenore Masterson on September 9<sup>th</sup> at Bayonet Blackhorse. \$40/ticket on sale next week.

- Dusan Tatomirovic – Commented on the Marina Heights development project and possible changes to the project; serious problems with the EIR and had comments related to the City’s website being outdated.
- Mayor Pro-Tem O’Connell – August 30<sup>th</sup> at 6:30 PM Town Hall meeting at the Marina Library Community Room, guest speaker is MPUSD Superintendent PK Diffenbaugh and the two Marina representative to the Board Wendy Askew and Tom Jennings. Discussion of the school district and latest development to Marina schools.
- Council Member Amadeo – Provided Zeka Virus update. The mosquitos that carry the Zeka virus is not in Monterey County. They are predominately in southern California. There has been one Zeka case in Monterey County that was contracted outside the country. Important to remember that is you travel to another area known to have mosquitos cover yourself and use repellents. Zeka virus can now be transmitted through sex, and through blood. More information coming out on a regular basis.
- Mayor Delgado – National Night Out sponsored by the Marina Police Department was a great event again; University Village Apartments held their own National Night Out for the third year in a row; Last week Marina High School held an Open House by new principal; Labor Day Parade on Saturday, September 3, 2016 from 11:00-4:00pm; August 27<sup>th</sup> Tennis Court clean-up

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 79374-79503, totaling \$401,473.08

b. MINUTES:

- (1) July 19, 2016, Regular City Council Meeting
- (2) July 20, 2016, Adjourned Regular City Council Meeting
- (3) July 26, 2016, Special City Council Meeting

c. CLAIMS AGAINST THE CITY: None

d. AWARD OF BID: None

e. CALL FOR BIDS:

- (1) City Council consider adopting **Resolution No. 2016-119**, authorizing advertising and call for bids to re-roof Building #504 at the Marina Municipal Airport.
- (2) City Council consider adopting **Resolution No. 2016-120**, authorizing advertising and call for bids to repair Post Indicator Valves and Piping at Hangar #510 at the Marina Municipal Airport.
- (3) City Council consider adopting **Resolution No. 2016-121**, authorizing advertising and call for bids to repair Hangar #527 at the Marina Municipal Airport.

f. ADOPTION OF RESOLUTIONS:

- (1) ~~City Council consider adopting Resolution No. 2016, approving an update to the Monterey County Multi-Jurisdictional Hazard Mitigation Plan, and; adopt the Monterey County Multi-Jurisdictional Hazard Mitigation Plan as an official plan of the City of Marina. *Pulled by Council Member Brown, becomes agenda item 11c*~~

g. APPROVAL OF AGREEMENTS: None

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

- (1) Monterey Regional Waste Management District, July 22, 2016 Highlights.

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING): None

m. APPROVE APPOINTMENTS: None

Council Member Brown – quick question for agenda item 8e(2), are the post indicator valves stuck in the open or shut position on the fire suppression unit and can the water be turned off? Council Member brown requested to pull agenda item 8f(1) for discussion.

**MORTON/BROWN: TO APPROVE THE CONSENT AGENDA MINUS AGENDA ITEM 8f(1). 5-0-0-0 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. 2016-122**, ~~awarding a construction contract to Kobo Utility Construction Corp. (“Kobo”) of Sandwich, Massachusetts, in amount of \$85,500; provided KOBO meets the State of California legal licensing and registration requirements at the time the contract is awarded; or, in the alternative,~~ awarding construction contract to Lee Wilson Electric Company, Inc. of Arroyo Grande, California, in the amount of \$91,300 in accordance with the Federal Aviation Administration (FAA) 2016 Airport Improvement Project Grant for the Airport Beacon Replacement Project; and authorizing Finance Director to make necessary accounting and budgetary entries; and authorizing City Manager to execute construction contract documents and change orders and any further required grant application documents on behalf of the City, subject to final review and approval by City Attorney

**DELGADO/AMADEO: TO APPROVE RESOLUTION NO. 2016-122, AWARDING CONSTRUCTION CONTRACT TO LEE WILSON ELECTRIC COMPANY, INC. OF ARROYO GRANDE, CALIFORNIA, IN THE AMOUNT OF \$91,300 IN ACCORDANCE WITH THE FEDERAL AVIATION ADMINISTRATION (FAA) 2016 AIRPORT IMPROVEMENT PROJECT GRANT FOR THE AIRPORT BEACON REPLACEMENT PROJECT; AND AUTHORIZING FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES; AND AUTHORIZING CITY MANAGER TO EXECUTE CONSTRUCTION CONTRACT DOCUMENTS AND CHANGE ORDERS AND ANY FURTHER REQUIRED GRANT APPLICATION DOCUMENTS ON BEHALF OF THE CITY, SUBJECT TO FINAL REVIEW AND APPROVAL BY CITY ATTORNEY. 3-2(Morton, O’Connell)-0-0 Motion Passes**

#### **Substitute Motion**

O’Connell/Morton: to go with KOBO Utility Construction Corp. 2-3(Amadeo, Brown, Delgado)  
Substitute Motion Fails

#### **Public Comments:**

- Margaret Davis – It is appears that Wilson is established here in California and even though they are not “next door neighbors” they’re “down the street neighbors.

- b. City Council consider providing direction to city staff regarding the future development of Cypress Knolls and how to proceed with proposals recently received from various developers.

City Manager Long state tonight is just to discuss whether to bring the Cypress Knolls project back on August 16<sup>th</sup> to hear a 10 minute presentation from each proposed developer.

**Brown/Delgado: that we hear the three (3) proposals on August 16, 2016.**

#### **Public Comments:**

- Dusan Tatomirovic – Agrees that this should not be done on August 16<sup>th</sup>, Community Development Director should be present during these presentations. City should contact those three developers and ask for them to provide a written bonified document showing their financial ability to construct a big project. Need to keep the design context along the lines that of what has been discussed in the past and force the developers to abide by those design rules.

- PK Diffenbaugh – commented on the blight surrounding the high school has a negative impact on the learning environment, has a direct correlation to student who choose to go to Seaside High or Monterey High instead of staying within Marina; there are approximately 800 high school age students within the boundaries of Marina High and 200 of them go to outside schools. Urge council to carefully consider this. Think of the impact his site has on the High School.
- Karyn Wolfe – Development of Cypress Knolls is one of the most important projects this city will undertake and an opportunity to unite practical, economic and aesthetic ways of old Marina with new development. It is worth taking a pause in our development hiatus to evaluate any proposed projects or developers that are in the wings to see if there is a way to begin moving forward on this property. In favor of council hearing developer presentations.
- Steve Emerson – Chaired the last go round of this project and had the financials reviewed by outside consultants, Keyser Marston Associates. That's a must because none of us have the capability to do that as far as financials go. You cannot nickel and dime this process on a property like that. You're never going to get perfect, you never will. Because we already have an EIR, if we do not decide to do a senior development does that reopen technically the EIR? What conditions do open the EIR? This is a big piece that if we start cracking this open we better know what we're getting into. The new community development director need to understand that whole process as well. We have commission, we have the ability to split this us a little bit and work thing through at different point of time.
- Mike Owen – You shouldn't be hasty, the next meeting after the new development director come would be 4 October, this person has so much to catch up on and then you're adding this; Expressed a little acknowledgement for Council Member Amadeo's stress on public input. Does not think you can go through all the links and time and the community presentations that went in the first time but thinks that's a really good process to try and get some input first. Understands that one of the prospects is to leave the current army streets in place and thinks that would be adding insult to injury as far as the city manager's stress on how much road improvement and pavement we're in the hole on as far as the future. City should some kind of estimate on if that's not part of the proposal how much is that going to cost the city. Residential's are a net loss.
- Kevin P. Saunders – homes should be torn down and property used for greenhouses, we have an opportunity to help our Vets, our tax base. Let's have the charrettes and a real discussion on what can be done outside the box.
- Virgil Piper – Likes the original motion, which just asked that we listen to 10 minute versions of three proposals. We don't have enough staff or time to even possibly consider the consequences of actually accepting the information provided. This city was looking for a tax because it's short of funds. You don't know if one of these proposals that you might hear if you elected to listen might not offer you some income for this city and maybe some immediate income, something that might fulfill some of your budgetary needs. Even though you have a director showing up here in the 22<sup>nd</sup> you can make a condition that these people while they make their 10 minute presentation provide you with a good outline so that the director can look at it at a later date and take his time and then reschedule a more in-depth proposal. You should at least have the courtesy to listen to these in accordance to the motion that's presented.
- Margaret Davis – Strongly opposes this measure. Pointed out that any presentation of plans will unleash a goat rodeo, it will become instantly politicized and people will take these standards and polarize “which one are you for?” this is what happened to us last year where a developer, that there was inadequate staff to really deal with the problem but he wedeled and glided around, picked off members of the planning commission and the city council to convince independently of the process. The planning commission was under attack for elitism and for imposing their high

handed vision when we were trying to respect the general plan principles that were developed in the 90's by past council. City Manager has stated that they do not have the staff to deal with this project. Urged council to let the process play itself out and politicize it.

- Kathy Biala – has no object to hearing the three proposals but it has to be really clear that there's no obligation for the city to do any further actions as a result of that. The previous Charrette for that parcel of land were not appropriate and ended up having to be backed off. Getting some ideas as opposed to starting from zero would be a lot more helpful for me. Thinks that if we just hear these proposals and there's no expectation on the part of us or the developers that out of that I would like to see is a "roadmap" with a timeline that works for all related projects. We need to look at connecting this development area to the old Marina as well as the new. Commented on the VTC property and how it relates to this project.
- Paula Pelot – Going back to all the statements made and the motion, there are a lot of questions and energy and people want to see things and get them moving along. This is what you have a community development director for, who is coming on board and it seems reasonable to wait a few weeks. Have a presentation now will put an undue burden and pressure on everyone. You need to have the community director on board to look at all of this and come back with a staff report. The developers can give their proposals to the community development director. Why are we doing this? It is related to the upcoming election? Please do not hear these and put this undue pressure on staff.
- Bob Schaffer – Announced the he is one of the proposed presenters for this project are and has been involved with The Dunes from the beginning. The Dunes, Marina Community Partners or Shae Homes/Properties is not a part of this proposal. Heard about the blight on the schools. Our group has put together a proposal worthy of hearing.

### **Substitute Motion**

Amadeo/O'Connell: that each of the development groups prepare a written presentation that can go to the new community development director for his analysis as well as including financial information as to their ability to be able to build this project, that would go to Keyser Marston Associates and then come before the council by no later than the last meeting in November.

Mayor Delgado asked Council Member Brown if he would amend him his to include the date of September 20<sup>th</sup> to hear the proposals.

Council Member Brown agreed to the amendment

Mayor Pro-Tem O'Connell withdrew his second due to the change of date from August 16<sup>th</sup> to September 20<sup>th</sup> in first motion.

### **Amended Motion**

**BROWN/DELGADO: THAT WE HEAR THE THREE (3) PROPOSALS ON SEPTEMBER 20, 2016. 5-0-0-0 Amended Motion Passes**

- c. City Council consider adopting Resolution No. 2016-, approving an update to the Monterey County Multi-Jurisdictional Hazard Mitigation Plan, and; adopt the Monterey County Multi-Jurisdictional Hazard Mitigation Plan as an official plan of the City of Marina. *Pulled by Council Member Brown, was agenda item 8f(1). Continued to August 16, 2016*

Council Member Brown had questions/issues on Appendix N of the staff report. On page 54 where it is listed “the City of Marina Critical Facilities Infrastructure” Table N-2 at the bottom “lifeline Utilities-Marina Coast Water District Seawater Desalination Plant (Offline). Believes this should be stricken. It is more than offline. This unit needs to be completely rebuilt. It’s dishonest to list this as an offline critical facility.

Council Member Morton questioned valuation of city facilities and insurance payments.

**DELGADO/BROWN: TO CONTINUE THIS ITEM UNTIL TO AUGUST 16, 2016. 5-0-0-0**  
**Motion Passes**

12. COUNCIL & STAFF INFORMATIONAL REPORTS:

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

Mayor Delgado - Monterey County Mayor’s Association meets this Friday, will report back at next meeting.

- b. Council and staff opportunity to ask a question for clarification or make a brief report on his or her own activities as permitted by Government Code Section 54954.2.

Mayor Pro-Tem O’Connell as why the city has money in the financial institution of RaboBank after all the problems we had with litigation with FORA, and the fact that they aren’t even in the city anymore? What would we have to do to get out of RaboBank?

City Manager Layne Long – Current status of the Marriot Hotel is they have not opened up and they continue to finish the hotel. No firm date as to opening. A letter was sent out notifying them that the terms and conditions have not been met and am awaiting a response from them. Developer may ask council for extension of conditions.

13. ADJOURNMENT: The meeting adjourned at 9:00 PM

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Anita Sharp, Deputy City Clerk

ATTEST:

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Bruce C. Delgado, Mayor