



## MINUTES

Wednesday, August 31, 2016

5:30 P.M. Closed Session

6:30 P.M. Open Session

**CONTINUED SPECIAL MEETING  
CITY COUNCIL, AIRPORT COMMISSION,  
MARINA ABRAMS B 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 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 - Anticipated Litigation – Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of CA Govt. Code Section 54956.9 – One Case (*Continued from August 29, 2016*)

City Attorney Bob Rathie announced the matter of the closed session has to do with the fact that the hotel, which is the subject of the Operating Covenant & Agreement which is on the open session for this evening was not completed in accordance with the time required in that document and the council will be consider terms and conditions of the operating covenant & agreement in context of anticipated litigation. ***We do not expect that there will be a need for open session following the closed session.***

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

City Attorney Bob Rathie reported out Closed Session: the council considered the information on the item listed on the agenda, potential litigation, Council received information from legal counsel and provided direction; and no reportable action was taken. We can entertain public comment on the item that is on the agenda even though we are not going to consider that item tonight.

4. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
5. OTHER ACTIONS 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-, approving the First Amendment to Operating Covenant and Agreement with Monterey Peninsula Hotels, LLC; and authorize the City Manager to execute amendment on behalf of the city subject to final review and approval by the City Attorney. ***Continued from August 29, 2016***

***Per City Attorney's comments prior to Closed Session, there would be no need for the Open Session item***

6. ADJOURNMENT: The meeting adjourned at 6:33 PM

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Anita Sharp, Deputy City Clerk

ATTEST:

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Bruce C. Delgado, Mayor