



AGENDA

Tuesday, November 1, 2016

5:30 P.M. Closed Session

5:45 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

- i. Initiation of litigation pursuant to paragraph (4) of subdivision d) of Section 54956.9 - Number of potential cases: 1

b. Real Property Negotiations

- (1) Property: Marina Municipal Airport Restaurant, 771 Neeson Road, Marina, CA
Negotiating Party: Mahony and Associates
Property Negotiator: City Manager
Terms: All terms and conditions

5:45 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. Proclamations

i. Bradley Hinckley, Division Fie Chief

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 MARINA ABRAMS-B NON PROFIT CORPORATION: *Background information has been provided to the Abrams B Non Profit Corporation 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 Abrams B Non Profit Corporation and placed at the end of Other Action Items of the Abrams B Non Profit Corporation.*

a. City Council/Abrams B Nonprofit Corporation Board Members consider adopting Resolution No. 2016- (NPC), approving Abrams B Continuing Disclosure Policies and Procedures Agreement.

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 80166-80284, totaling \$528,825.70

b. MINUTES:

- (1) October 18, 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-, approving proposed classification and salary range adjustment for the Planning Services Manager classification setting the salary range for the classification at \$8,231 to \$10,005 per month; and authorize the Finance Director to make the necessary accounting and budgetary entries.
- g. APPROVAL OF AGREEMENTS:
 - (1) 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 Professional Firefighters Association, and; authorizing adjustments to City Compensation Plan including adjustments to the salary schedule 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 receiving Investment Reports for the City of Marina and City of Marina as Successor Agency to the Marina Redevelopment Agency for months ended July 30, August 31, and September 30, 2016.
- k. FUNDING & BUDGET MATTERS: None
- l. APPROVE ORDINANCES (WAIVE SECOND READING): None
- m. APPROVE APPOINTMENTS: None
- 9. 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 consideration of the Fort Ord Reuse Authority's (FORA) potential action to initiate legislative amendment process for the extension of FORA through 2030 and provide direction.

10. PUBLIC HEARINGS:

- a. City Council open public hearing, taking testimony from public and consider reading by title only, waiving further reading, and adopting Ordinance No. 2016-____, adopting and amending Title 15 of the Marina Municipal Code to adopt 2016 editions of California Building Standards Code, specifically 2016 California Building Code, 2016 California Mechanical Code, 2016 California Residential Code, 2016 California Green Building Standards Code, 2016 California Existing Building Code, 2016 California Plumbing Code, 2016 California Electrical Code and 2016 California Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions; approving findings to support local modifications; so as to be in effect as of January 1, 2017.

11. COUNCIL & STAFF INFORMATIONAL REPORTS:

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

12. 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 6:30 p.m., Friday, October 28, 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, November 15, 2016

Tuesday, December 6, 2016
Tuesday, December 20, 2016

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

CITY HALL HOLIDAYS
(City Hall Closed)

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

November 16, 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.

November 3, 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.

November 10, 2016

December 8, 2016

November 24, 2016
(Cancelled)

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.

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.

December 7, 2016



Proclamation

Division Chief Brad Hinckley

*For his service to the City of Marina
June 1, 1981 through October 31, 2016*

WHEREAS, Division Chief Hinckley began his distinguished career in the fire service as a Volunteer for the City of Marina in June of 1981; and

WHEREAS, In March of 1989 Division Chief Hinckley began working full time for the City of Marina as a City Mechanic and in June of 2003, Division Chief Hinckley transferred to the Fire Division to work as an Administrative Fire Captain in charge of the Public Safety Officer Training Program; and

WHEREAS, Division Chief Hinckley has worked as an Instructor at the Monterey Peninsula College Public Safety Training Program since its inception teaching fire hose and appliances helping to train and prepare our future firefighters; and

WHEREAS, Division Chief Brad Hinckley was the first recipient of the Award of Excellence in recognition for continuing outstanding service above and beyond the call of duty for the Marina Department of Public Safety on July 15, 1991 and earned the distinction of being the Marina Fire Fighter of the year in 1985, 1994 and 2001 and in 1986 was honored by the Monterey County Fire Chiefs as the Monterey County Volunteer Firefighter of the year; and

WHEREAS, On September 1, 2008 Division Chief Hinckley was promoted to Division Chief and served as the first Division Chief for the Marina Fire Department; and

WHEREAS, Division Chief Brad Hinckley has provided local, state and national leadership in fire and emergency medical services, serving as a member of the Monterey County Fire Training Officers Association, the Monterey County Fire Dedicated Fire Dispatch Committee and the Monterey County Fire Chiefs Operations Committee; and

WHEREAS, Division Chief Brad Hinckley has worked tirelessly to understand the needs of the community and how the Marina Fire Department can best meet those needs to make the Marina Fire Department a leader within the fire and emergency medical services; and

WHEREAS, Division Chief Brad Hinckley has demonstrated throughout his life and career a sense of deep responsibility, pride and doing the right thing, whether it be for his family, his community or the fire service and has served the citizens of the City of Marina with distinction; and

WHEREAS, Division Chief Brad Hinckley retired on October 31, 2016, after more than thirty-five years of commendable dedication to the fire service and to the City of Marina.

NOW THEREFORE, this Council does hereby confer upon Division Chief Hinckley its highest commendation for the manner in which he has performed his duties as a member of the Marina Fire Department, with special thanks for his professionalism, dedication to service and kindness to the members of the public.

NOW, THEREFORE IS BE RESOLVED that I, Mayor Bruce Delgado, and the City Council of the City of Marina hereby congratulates Division Chief Brad Hinckley on the occasion of his retirement and extends best wishes for continued success in all of his future endeavors.

Dated this 1st day of November, 2016

Bruce Carlos Delgado, Mayor

October 27, 2016

Item No. **7a**

Honorable President and Corporation Board Members
Of the Marina Abrams B Non-Profit Corporation

City Council Meeting of
November 1, 2016

**ABRAMS B NON-PROFIT CORPORATION BOARD CONSIDER ADOPTING
RESOLUTION NO. 2016-, APPROVING CONTINUING DISCLOSURE
POLICIES AND PROCEDURES**

REQUEST:

It is requested that the City of Marina Abrams B Non-Profit Corporation adopt Resolution No. 2016- (NPC), approving the continuing disclosure policies and procedures.

BACKGROUND:

Pursuant to SEC Rule 15c2-12 (the “Rule”), issuers of obligations or other Obligated Persons (as defined in the Rule) are required under most circumstances to provide financial and operating information on an annual basis with the Municipal Securities Rulemaking Board (MSRB) using the Electronic Municipal Market Access system (EMMA).

The City of Marina Abrams B Non-Profit Corporation, a California nonprofit public benefit corporation (the “Corporation”), has entered into a Continuing Disclosure Agreement (the “Disclosure Agreement”), dated as of October 25, 2016, with Applied Best Practices, LLC in its capacity as a Dissemination Agent for the holders of the Marina Joint Powers Financing Authority Multifamily Housing Revenue Bonds (Abrams B Apartments Project), Series 2006 (the “Bonds” and together with any future obligations covered by the Rule, the “Obligations”), issued in the aggregate principal amount of \$14,360,000 under the Trust Indenture between the Marina Joint Powers Financing Authority, as the issuer, and MUFG Union Bank, N.A. (f/k/a Union Bank of California, N.A.), as trustee. The Disclosure Agreement governs the obligations of the parties with respect to continuing disclosure related to the Bonds.

These Policies and Procedures are intended to assure that all filings required under the Rule are made timely and completely and meet all requirements of the Rule. The Corporation has agreed to comply with certain disclosure requirements in order to assist Citigroup Global Markets, Inc., in connection with its function as a remarketing agent for the Bonds (the “Participating Underwriter”) to comply with Rule through the execution and delivery of the Disclosure Agreement (which, along with other continuing disclosure agreements or certificates applicable to each issue of Obligations, shall be hereinafter referred to as a “Continuing Disclosure Undertaking”).

ANALYSIS:

The City of Marina Abrams B Non-Profit Corporation adopt Resolution No. 2016- (NPC) is requested to approve the continuing disclosure policies and procedures. Applied Best Practices, LLC will assist the Corporation in its compliance with the Disclosure Agreement.

FISCAL IMPACT:

There is no impact for the Corporation to adopt this policy and procedures.

CONCLUSION:

This request is submitted for City of Marina Abrams B Non-Profit Corporation consideration and possible action

Respectfully submitted

Lauren Lai, CPA
Treasurer/Chief Fiscal Officer
City of Marina Abrams B Non-Profit Corporation

REVIEW AND CONCUR

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2016-__(NPC)

A RESOLUTION OF THE BOARD OF DIRECTORS OF CITY OF MARINA ABRAMS B NON-PROFIT CORPORATION APPROVING CONTINUING DISCLOSURE POLICIES AND PROCEDURES

WHEREAS, pursuant to SEC Rule 15c2-12 (the “Rule”), issuers of obligations or other Obligated Persons (as defined in the Rule) are required under most circumstances to provide financial and operating information on an annual basis with the Municipal Securities Rulemaking Board (MSRB) using the Electronic Municipal Market Access system (EMMA);

WHEREAS, the City of Marina Abrams B Non-Profit Corporation, a California nonprofit public benefit corporation (the “Corporation”), has entered into a Continuing Disclosure Agreement (the “Disclosure Agreement”), dated as of October 25, 2016, with Applied Best Practices, LLC in its capacity as a Dissemination Agent for the holders of the Marina Joint Powers Financing Authority Multifamily Housing Revenue Bonds (Abrams B Apartments Project), Series 2006 (the “Bonds” and together with any future obligations covered by the Rule, the “Obligations”), issued in the aggregate principal amount of \$14,360,000 under the Trust Indenture between the Marina Joint Powers Financing Authority, as the issuer, and MUFG Union Bank, N.A. (f/k/a Union Bank of California, N.A.), as trustee;

WHEREAS, the Disclosure Agreement governs the obligations of the parties with respect to continuing disclosure related to the Bonds;

WHEREAS, these Policies and Procedures are intended to assure that all filings required under the Rule are made timely and completely and meet all requirements of the Rule;

WHEREAS, the Corporation has agreed to comply with certain disclosure requirements in order to assist Citigroup Global Markets, Inc., in connection with its function as a remarketing agent for the Bonds (the “Participating Underwriter”) to comply with Rule through the execution and delivery of the Disclosure Agreement (which, along with other continuing disclosure agreements or certificates applicable to each issue of Obligations, shall be hereinafter referred to as a “Continuing Disclosure Undertaking”); and

NOW, THEREFORE, be it resolved by the Board of the Corporation adopts the Continuing Disclosure Policies and Procedures (**EXHIBIT A**).

PASSED AND ADOPTED by the Board of the City of Marina Abrams B Non-Profit Corporation at a regular meeting duly held on this 1st day of November 2016, by the following vote:

AYES, MEMBERS:

NOES, MEMBERS:

ABSENT, MEMBERS:

ABSTAIN, MEMBERS:

Bruce C. Delgado, Chairperson

ATTEST:

Anita Sharp, Secretary

CONTINUING DISCLOSURE POLICIES AND PROCEDURES

**FOR THE CITY OF MARINA
ABRAMS B NON-PROFIT CORPORATION**

Background

Pursuant to SEC Rule 15c2-12 (the “Rule”), issuers of obligations or other Obligated Persons (as defined in the Rule) are required under most circumstances to provide financial and operating information on an annual basis with the Municipal Securities Rulemaking Board (MSRB) using the Electronic Municipal Market Access system (EMMA).

The City of Marina Abrams B Non-Profit Corporation, a California nonprofit public benefit corporation (the “Corporation”), has entered into a Continuing Disclosure Agreement (the “Disclosure Agreement”), dated as of October 25, 2016, with Applied Best Practices, LLC in its capacity as a Dissemination Agent for the holders of the Marina Joint Powers Financing Authority Multifamily Housing Revenue Bonds (Abrams B Apartments Project), Series 2006 (the “Bonds” and together with any future obligations covered by the Rule, the “Obligations”), issued in the aggregate principal amount of \$14,360,000 under the Trust Indenture between the Marina Joint Powers Financing Authority, as the issuer, and MUFG Union Bank, N.A. (f/k/a Union Bank of California, N.A.), as trustee. The Disclosure Agreement governs the obligations of the parties with respect to continuing disclosure related to the Bonds.

These Policies and Procedures are intended to assure that all filings required under the Rule are made timely and completely and meet all requirements of the Rule. The Corporation has agreed to comply with certain disclosure requirements in order to assist Citigroup Global Markets, Inc., in connection with its function as a remarketing agent for the Bonds (the “Participating Underwriter”) to comply with Rule through the execution and delivery of the Disclosure Agreement (which, along with other continuing disclosure agreements or certificates applicable to each issue of Obligations, shall be hereinafter referred to as a “Continuing Disclosure Undertaking”).

The Rule requires that a Participating Underwriter, prior to purchasing or selling an issue of obligations in connection with a covered offering, determine that the issuer, and any other Obligated Person, including the Corporation, for whom financial or operating data is presented in the official statement, has undertaken in writing to provide the following information to the MSRB using EMMA and to the appropriate state information depository (“SID”), if any:

- By a specified date, annual financial and operating information for each Obligated Person for whom financial information or operating data is presented in the official statement (an “Annual Information Filing”);
- By a specified date, if available, audited annual financial statements for each Obligated Person (“Audited Financial Statements”);
- In a timely manner within 10 business days of occurrence, notice of the occurrence of one or more of the listed events described in the Rule (a “Rule 15c2-12 Event Notice”); and
- In a timely manner, notice of a failure of any Obligated Person required to make the Annual Information Filing and/or file the Audited Financial Statements on or before the date(s) specified in the Continuing Disclosure Undertaking (“Notice of Failure”).

Note: There is no SID currently in the State of California. If the State of California should establish a SID, the Corporation may also be required to file all required information with the SID depending on the contractual requirements of their previous Continuing Disclosure Undertaking.

Responsible Party: Maintenance of List and Files

The Responsible Party for the Corporation shall be Applied Best Practices, LLP and any alternate or assistant as the Applied Best Practices, LLP shall appoint. The Responsible Party shall maintain a current list for each fiscal year identifying each issue of Obligations of the Corporation outstanding during such fiscal year setting forth the name, original principal amount, date of issuance and CUSIP numbers for each such issue, the dates by which the Annual Information Filings and the Audited Financial Statements are required to be submitted to the MSRB using EMMA and the current contact information for the dissemination agent (if any) with respect to such Continuing Disclosure Undertaking, such list to be accompanied by copies of the related Continuing Disclosure Undertakings.

Annual Information Filing Requirements

The Responsible Party shall be knowledgeable and familiar with the provisions of each Continuing Disclosure Undertaking as to the type, format and content of the financial and operating information to be included in each Annual Information Filing to be made thereunder and the timing requirements for the filing thereof. The submission dates for the Continuing Disclosure Undertakings require the filing of annual reports not later than 180 days after the end of each fiscal year of the Corporation, commencing with the Corporation's fiscal year ending June 30, 2016.

Audited Financial Statements

Audited Annual Financial Statements of the Corporation are also required to be filed no later than the submission dates established under each Continuing Disclosure Undertaking. The Responsible Party shall be knowledgeable and familiar with the specific timing requirements for the filing of Audited Financial Statements and, if not available by the date(s) required, the provisions regarding the filing of unaudited financial statements under the terms of each Continuing Disclosure Undertaking.

Notices of Failures to File

The Responsible Party shall be knowledgeable and familiar with the specific requirements for the filing of a Notice of Failure to make Annual Information Filings and/or to file Audited Financial Statements by the date(s) required under the terms of each Continuing Disclosure Undertaking.

Preparation

Approximately 90 days before the submission date for required filings established under each Continuing Disclosure Undertaking, the Responsible Party shall initiate the process of preparing the financial and operating information required to be submitted thereunder. The Responsible Party shall assemble the information available at that time and determine the scope of additional information to be required and also contact the auditors to establish a schedule for completion and submission for the Audited Financial Statements.

Not less than 30 days before the submission date, the Responsible Party shall prepare a draft submission of required financial and operating information, highlighting any information still unavailable.

On or before the submission date established under each Continuing Disclosure Undertaking, the Responsible Party shall make the Annual Information Filing together with the Audited Financial Statements. If the Audited Financial Statements are not then available, unaudited financial information shall be filed

with the MSRB using EMMA and the Audited Financial Statements shall be filed within 10 business days of their receipt and acceptance.

The Responsible Party shall set calendar reminders in the Corporation's recordkeeping systems.

Listed Events

The Rule also requires filing of a Rule 15c2-12 Event Notice upon the occurrence of certain listed events described in the Continuing Disclosure Undertakings. The Responsible Party shall provide a Rule 15c2-12 Event Notice to the MSRB using EMMA within 10 business days of occurrence of any such listed event.

The listed events most likely to occur relate to bond redemptions or defeasances of outstanding issues and rating changes.

Familiarity with EMMA Submission Process

The Responsible Party shall register with EMMA and review the on-line process of filing with EMMA located at www.emma.msrb.org in order to submit the required information. The MSRB market Information Department can also be contacted at (202) 838-1330. A tutorial is available at the website and a practice submission is available as well.

The Responsible Party also shall enroll the Corporation in EMMA's reminder system to ensure timely performance of their responsibilities and obligations.

Training Efforts

To ensure adequate resources to comply with the Rule, the Responsible Party shall develop a training process aimed at providing additional assistance in preparing required information. The training process shall be conducted at least annually and shall encompass a review of the EMMA submission process and an understanding of the timing requirements necessary for full compliance.

Coordination Effort

The Responsible Party shall coordinate the preparation and submission of the required information with the Corporation's Financial Advisor, corporate trustees and paying agents to ensure full compliance with the requirements of the Rule and the Continuing Disclosure Undertakings.

Records Retention

The Responsible Party shall maintain records with respect to the filings with the MSRB using EMMA, including, but not limited to, EMMA posting receipts showing the dates and nature or contents of all filings for each issue of Obligations of the Corporation outstanding during each fiscal year.

Effective November 2016.

LIVE Marina, CA *LIVE*

AP Check Register 10-21-16

Bank Account: 024 - Accounts Payable ZBA
Batch Date: 10/21/2016

Agenda Item: 8a
City Council Meeting of
November 1, 2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: 024 - Accounts Payable ZBA					
Check	10/21/2016	80166 Accounts Payable	A-1 Sweeping Service		490.00
	Invoice	Date	Description		Amount
	SEPT2016	09/30/2016	Airport_Contract Sweeping Service		490.00
Check	10/21/2016	80167 Accounts Payable	Ace Hardware		50.47
	Invoice	Date	Description		Amount
	060428	10/05/2016	Battery for Lidar 10/5/16		34.72
	060194	09/19/2016	Clorox-Booking Room 9/19/16		10.23
	060266	09/23/2016	Tape & Fasteners Investigations 9/23/16		5.52
Check	10/21/2016	80168 Accounts Payable	Ace Hardware		97.98
	Invoice	Date	Description		Amount
	060514	10/11/2016	Bldg Maint & Repair		5.69
	060498	10/10/2016	Battery		32.57
	060357	09/30/2016	Building Supplies, B526		29.08
	060360	09/30/2016	Building Supplies, B526		13.00
	060405	10/04/2016	Building Supplies, B526		15.48
	060310	09/27/2016	Building Supplies, B526		2.16
Check	10/21/2016	80169 Accounts Payable	AT & T		179.77
	Invoice	Date	Description		Amount
	09-27-16	09/27/2016	AT&T U-Verse 8/28 thru 9/27/16		179.77
Check	10/21/2016	80170 Accounts Payable	AT & T		37.77
	Invoice	Date	Description		Amount
	000008655200	09/28/2016	Phone Service for Fire Alarm Systems, B524 & B533		37.77
Check	10/21/2016	80171 Accounts Payable	Avaya, Inc.		350.83
	Invoice	Date	Description		Amount
	2733761306	10/04/2016	CW - Phone System		350.83
Check	10/21/2016	80172 Accounts Payable	BMI General Licensing		336.00
	Invoice	Date	Description		Amount
	28691585	10/02/2016	Citywide Music License		336.00
Check	10/21/2016	80173 Accounts Payable	Branch's Janitorial		1,550.00

LIVE Marina, CA *LIVE*

AP Check Register 10-21-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/21/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	225845		09/25/2016	Training Facility Cleanup & paint removal 9/25/16	1,550.00
Check	10/21/2016	80174 Accounts Payable	Brian Thomas Congleton		4,364.00
	Invoice		Date	Description	Amount
	840		09/30/2016	Architect Services for Airport, B504	4,364.00
Check	10/21/2016	80175 Accounts Payable	California Department of Justice		192.00
	Invoice		Date	Description	Amount
	190375		10/05/2016	Live Scan Billing September 2016	192.00
Check	10/21/2016	80176 Accounts Payable	California Diesel Compliance		495.00
	Invoice		Date	Description	Amount
	15739		10/13/2016	PSIP - Smoke Test - CW Vehicles	495.00
Check	10/21/2016	80177 Accounts Payable	Carmel Fire Protection Associates		900.00
	Invoice		Date	Description	Amount
	116288		07/03/2016	Plan check for Marina Heights Master Plan 1 - Bldg Permit	350.00
	116289		07/03/2016	Plan check for Marina Heights Master Plan 2 - Bldg Permit	350.00
	116416		10/11/2016	Marina Heights - Villosa at Sea Haven - Plan Review Only	200.00
Check	10/21/2016	80178 Accounts Payable	Cintas Corporation		60.53
	Invoice		Date	Description	Amount
	630100773		10/03/2016	Mat Service Police/Fire 10/3/16	60.53
Check	10/21/2016	80179 Accounts Payable	City Of Marina Petty Cash		3,383.44
	Invoice		Date	Description	Amount
	10-06-16		10/06/2016	Replenish Petty Cash	3,383.44
Check	10/21/2016	80180 Accounts Payable	City Of Salinas		9,300.00
	Invoice		Date	Description	Amount
	2017-00000005		10/03/2016	Animal Sheltering October thru December 2016	9,300.00
Check	10/21/2016	80181 Accounts Payable	Comcast		68.52
	Invoice		Date	Description	Amount
	09-26-16		09/26/2016	Cable Service Police/Fire 10/4-11/3/16	68.52
Check	10/21/2016	80182 Accounts Payable	Commercial Environment Landscape		2,500.00

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AP Check Register 10-21-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/21/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	2796-1016		10/01/2016	Airport Landscape Services	2,500.00
Check	10/21/2016	80183 Accounts Payable	CSUMB		5,000.00
	Invoice		Date	Description	Amount
	604889		09/29/2016	2016/2017 Monterey Pen Regional Emergency Center/Fees	5,000.00
Check	10/21/2016	80184 Accounts Payable	Epic Aviation		43,548.41
	Invoice		Date	Description	Amount
	6901174		09/12/2016	Airport - AVGAS Fuel Purchase	27,264.41
	6907901		10/01/2016	Airport_Jet A Fuel Purchase	16,284.00
Check	10/21/2016	80185 Accounts Payable	Farmer Brothers Co.		52.32
	Invoice		Date	Description	Amount
	64715771 SO		10/06/2016	Coffee Supplies for City Hall	52.32
Check	10/21/2016	80186 Accounts Payable	FedEx		42.61
	Invoice		Date	Description	Amount
	5-569-90211		10/07/2016	Shipping Fees - for Ord Market Settlement to Hurley	42.61
Check	10/21/2016	80187 Accounts Payable	Roberto Filice		266.00
	Invoice		Date	Description	Amount
	08-09-16Reissue		08/09/2016	Per Diem	266.00
Check	10/21/2016	80188 Accounts Payable	First Alarm		224.94
	Invoice		Date	Description	Amount
	962418		10/14/2016	327 Reindollar Ave - Alarm Monitoring - Nov2016-Jan2017	115.68
	962673		10/14/2016	211 Hillcrest Ave - Alarm Monitoring - Nov2016-Jan2017	109.26
Check	10/21/2016	80189 Accounts Payable	Fort Ord Reuse Authority		2,570.78
	Invoice		Date	Description	Amount
	Sep 2016		09/09/2016	Las Animas 50% Shared Rent	2,570.78
Check	10/21/2016	80190 Accounts Payable	George T. Powell		950.00
	Invoice		Date	Description	Amount
	10012016		10/01/2016	Parking Rental Fee Police/Fire October 2016	950.00
Check	10/21/2016	80191 Accounts Payable	Goldfarb & Lipman		3,250.00

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/21/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	121045		10/12/2016	The Dunes - September 2016	2,678.00
	121044		10/12/2016	Marina Heights - September 2016	572.00
Check	10/21/2016	80192 Accounts Payable	Home Depot Credit Service		43.42
	Invoice		Date	Description	Amount
	10-07-16		10/07/2016	Clamp Meter - Bldg # 526	43.42
Check	10/21/2016	80193 Accounts Payable	Lew Edwards Group		19,428.34
	Invoice		Date	Description	Amount
	5051		09/30/2016	Tax Measure U Informational Mailer # 1	7,354.08
	0004		09/28/2016	Consulting Services - Tax Measure U - September 2016	5,000.00
	5052		10/12/2016	Informational Mailer # 2 - Tax Measure U	7,074.26
Check	10/21/2016	80194 Accounts Payable	Lexis Nexis Risk Solutions		50.00
	Invoice		Date	Description	Amount
	20160930		09/30/2016	Data Retrieval September 2016	50.00
Check	10/21/2016	80195 Accounts Payable	Mandell Municipal Counseling		2,704.00
	Invoice		Date	Description	Amount
	10-04-16		10/04/2016	Counseling Services - September 2016	2,704.00
Check	10/21/2016	80196 Accounts Payable	Marina Coast Water District		1,208.57
	Invoice		Date	Description	Amount
	000056036 093016		09/30/2016	000056 036 - Center Median 2nd Ave (09/01/16 - 09/30/16)	124.20
	000056037 093016		09/30/2016	000056 037 - 2nd Avenue Irrigation (09/01/16 - 09/30/16)	124.20
	000057000 093016		09/30/2016	000057 000 - 3220 Imjin Road (09/01/16 - 09/30/16)	114.36
	000056041 093016		09/30/2016	000056 041 - 3260 Imjin Rd, Fire Station 2 (09/01/16 - 09/30/16)	191.09
	000056043 093016		09/30/2016	000056 043 761 Imjin Rd, Hangar 524 (09/01/16 - 09/30/16)	117.33
	000056044 093016		09/30/2016	000056 044 - 781 Neeson Rd, Admin Office (09/01/16 - 09/30/16)	114.36
	000056049 093016		09/30/2016	000056 049 - Imjin Road University (09/01/16 - 09/30/16)	157.08
	000056051 093016		09/30/2016	000056 051 - 721 Neeson Rd Skydive (09/01/16 - 09/30/16)	142.68
	000056083 093016		09/30/2016	000056 083 - 3240 Imjin Rd Hangar 510 (09/01/16 - 09/30/16)	123.27
Check	10/21/2016	80197 Accounts Payable	Maynard Group Inc.		453.99
	Invoice		Date	Description	Amount

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/21/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		QTP27027c/o	10/11/2016	Add paging horn & cable at Teen Center 10/11/16	453.99
Check	10/21/2016	80198 Accounts Payable	MCCLEOA		150.00
		Invoice	Date	Description	Amount
		1013	07/29/2016	MCCLEOA Dues-Rodriguez 7/29/16	150.00
Check	10/21/2016	80199 Accounts Payable	Monterey Bay Systems		872.24
		Invoice	Date	Description	Amount
		286134	10/04/2016	Konica C452 Contract Overage	529.62
		286133	10/04/2016	Kionica C452 Maintenance Contract - Oct 2016-Jan 2017	342.62
Check	10/21/2016	80200 Accounts Payable	Monterey County Department of Health		775.00
		Invoice	Date	Description	Amount
		MRN-PD 16-08	09/27/2016	Sexual Assault Exam #16-1667/1731 August 2016	775.00
Check	10/21/2016	80201 Accounts Payable	Monterey County Treasurer		462.50
		Invoice	Date	Description	Amount
		10-05-16	10/05/2016	Parking Collection/September 2016	462.50
Check	10/21/2016	80202 Accounts Payable	Monterey Regional Waste Management District		1,378.12
		Invoice	Date	Description	Amount
		09-30-16	09/30/2016	Citywide -Dump Fees	1,378.12
Check	10/21/2016	80203 Accounts Payable	Monterey Tire Service		305.43
		Invoice	Date	Description	Amount
		1 - 74004	10/07/2016	Tires - Unit 893	305.43
Check	10/21/2016	80204 Accounts Payable	MRWPCA		385.70
		Invoice	Date	Description	Amount
		12-000009 093016	09/30/2016	12-000009 - 208 Palm Ave (09/01/16 - 10/31/16)	86.00
		13-000148_090116	09/30/2016	Sewer Service B520	21.50
		13-000149_090116	09/30/2016	Serwer Service, B521	15.80
		13-000153_090116	09/30/2016	Sewer Service, B529	15.80
		13-000166_090116	09/30/2016	Sewer Service, B533	86.00
		13-000158-090116	09/30/2016	Sewer Service, B535	21.50
		13-000159_090116	09/30/2016	Sewer Service, B524	101.80

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/21/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		13-000145_090116	09/30/2016	Sewer Service, B514	21.50
		13-000152_090116	09/30/2016	Sewer Service, B527	15.80
Check	10/21/2016	80205 Accounts Payable	Muniservices		4,280.00
		Invoice	Date	Description	Amount
		43488	09/30/2016	Business License Tax Admin	1,200.00
		42866	08/31/2016	Business License Tax Admin	3,080.00
Check	10/21/2016	80206 Accounts Payable	Office Depot		295.04
		Invoice	Date	Description	Amount
		870092322-001	10/06/2016	Office Supplies	66.16
		864896806001	09/16/2016	Office Supplies	228.88
Check	10/21/2016	80207 Accounts Payable	Office Depot		27.15
		Invoice	Date	Description	Amount
		1990765205	09/29/2016	Office Supplies-Admin 9/29/16	27.15
Check	10/21/2016	80208 Accounts Payable	Pacific Gas & Electric		5,197.83
		Invoice	Date	Description	Amount
		10-10-16	10/10/2016	PG&E-South Field Office 9/9 thru 10/9/16	214.28
		202-3.OCT16	10/11/2016	PG&E - 6594070202-3	86.05
		085-2.OCT16	10/11/2016	PG&E - 5434906085-2	99.27
		290-2.OCT16	10/11/2016	PG&E - 4300583290-2	10.39
		694-1.OCT16	10/11/2016	PG&E - 7269284694-1	723.89
		562-0.OCT16	10/11/2016	PG&E - 4758891562-0	1,095.32
		608-2.OCT16	10/11/2016	PG&E - 7383993608-2	187.19
		720-0.OCT16	10/11/2016	PG&E - 0167505720-0	645.95
		582-7.OCT16	10/10/2016	PG&E - 8161432582-7	143.50
		311-8.OCT16	10/11/2016	PG&E - 6513132311-8	9.52
		288-5.OCT16	10/11/2016	PG&E - 7175660288-5	335.26
		347-0.OCT16	10/10/2016	PG&E - 6258961347-0	208.27
		415-6.OCT16	10/10/2016	PG&E - 5972827415-6	53.98
		098-7.OCT16	10/10/2016	PG&E - 6800558098-7	1,190.08
		943-2.OCT16	10/10/2016	PG&E - 6150212943-2	70.63
		148-6.OCT16	10/12/2016	PG&E - 5593414148-6	124.25
Check	10/21/2016	80209 Accounts Payable	Peninsula Messenger LLC		280.00

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/21/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	121639		09/30/2016	Courier Service Records 9/30/16	280.00
Check	10/21/2016	80210 Accounts Payable	Redshift		7.85
	Invoice		Date	Description	Amount
	1749019-20		10/03/2016	DNS Hosting/Domain Redirecting	7.85
Check	10/21/2016	80211 Accounts Payable	Richard B. Standridge		3,600.00
	Invoice		Date	Description	Amount
	16-21		10/14/2016	Services 10-04/10-13-16	3,600.00
Check	10/21/2016	80212 Accounts Payable	Robert R. Wellington		16,798.00
	Invoice		Date	Description	Amount
	23727		10/04/2016	Misc. Personnel Matters - August 2016	341.00
	23722		10/04/2016	Retainer - October 2016	1,800.00
	23712		10/04/2016	Abrams B	27.00
	23714		10/04/2016	AMCAL Matters - August 2016	100.00
	23720		10/04/2016	Fort Ord Reuse Matters - August 2016	78.00
	23721		10/04/2016	Garbage Franchise - August 2016	81.00
	23725		10/04/2016	Mobile Home Rent Control - August 2016	27.00
	23728		10/04/2016	Police Personnel Matters - August 2016	495.00
	23729		10/04/2016	Public Records Act Requests - August 2016	144.00
	23730		10/04/2016	Recreation Matters - August 2016	27.00
	23732		10/04/2016	The Dunes - August 2016	263.00
	23731		10/04/2016	Tax & Finance Matters - August 2016	601.00
	23724		10/04/2016	Misc. Litigation Matters - August 2016	1,042.00
	23723		10/04/2016	Land Use & Operations - August 2016	4,656.00
	23718		10/04/2016	Cypress Knolls Development - August 2016	947.00
	23719		10/04/2016	Code Enforcement Matters - August 2016	54.00
	23717		10/04/2016	City Charter Committee Matters - August 2016	490.00
	23716		10/04/2016	Choates Lawsuit - August 2016	2,254.00
	23715		10/04/2016	CEMEX - August 2016	3,361.00
	23681		09/14/2016	Incubator Matters - July 2016	10.00
Check	10/21/2016	80213 Accounts Payable	Ryan Ranch Printers		564.18
	Invoice		Date	Description	Amount

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AP Check Register 10-21-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/21/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	.				
	18299		09/30/2016	Business Cards - Records 9/30/16	195.53
	18305		09/30/2016	Business Cards B.Arbor 9/30/16	48.88
	18340		10/10/2016	Window Envelopes - Records 10/10/16	319.77
Check	10/21/2016	80214 Accounts Payable	Sierra Springs & Alhambra		86.28
	Invoice		Date	Description	Amount
	7266038 100716		10/07/2016	Water Cooler Rental and Replacement Water	86.28
Check	10/21/2016	80215 Accounts Payable	Snow Signs		589.28
	Invoice		Date	Description	Amount
	16105		08/24/2016	Out of Service Signs for 5411, 5412 & 5421	589.28
Check	10/21/2016	80216 Accounts Payable	SpeakWrite		486.10
	Invoice		Date	Description	Amount
	466bd70e		10/01/2016	Transcription Service 9/2016	486.10
Check	10/21/2016	80217 Accounts Payable	SWCA Environmental Consultants		4,085.97
	Invoice		Date	Description	Amount
	56546		09/21/2016	Airport Botanical Surveys	4,085.97
Check	10/21/2016	80218 Accounts Payable	Tartaglia Engineering		52,236.00
	Invoice		Date	Description	Amount
	01AIS		09/13/2016	Initial Study for Airport Master Plan Adoption	52,236.00
Check	10/21/2016	80219 Accounts Payable	Taygeta Scientific, Inc.		248.75
	Invoice		Date	Description	Amount
	000240		10/03/2016	Quarterly NAS Maintenance 10/3/16	248.75
Check	10/21/2016	80220 Accounts Payable	Techno Lock Keys Trading LLC		2,491.50
	Invoice		Date	Description	Amount
	4829		10/13/2016	East field office rekeying	517.50
	4809		09/30/2016	Replacement and repair East Field Office Doors	1,974.00
Check	10/21/2016	80221 Accounts Payable	Toshiba Financial Services		910.19
	Invoice		Date	Description	Amount
	314455676		09/29/2016	Copier/Maintenance - Patrol 9/29/16	455.50
	314188525		09/23/2016	Copier Maintenance Contract 9/23/16	454.69

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/21/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Check	10/21/2016	80222 Accounts Payable	Tyler Technologies, Inc.		1,495.00
	Invoice		Date	Description	Amount
		030-4740	09/20/2016	Tyler Technologies - Training	1,495.00
Check	10/21/2016	80223 Accounts Payable	Universal Staffing		272.25
	Invoice		Date	Description	Amount
		101940	10/11/2016	Carney/10-08-16	272.25
Check	10/21/2016	80224 Accounts Payable	Valley Saw & Garden Equipment		363.89
	Invoice		Date	Description	Amount
		111519	10/07/2016	Veh - Maint & Repair - Unit 173	199.21
		111518	10/07/2016	Veh - Maint & Repair - Unit 160	164.68
Check	10/21/2016	80225 Accounts Payable	Verizon Wireless		1,042.82
	Invoice		Date	Description	Amount
		9773414527	10/10/2016	Monthly Verizon Bill-308174766	1,042.82
Check	10/21/2016	80226 Accounts Payable	Cardmember Service		401.70
	Invoice		Date	Description	Amount
		09-27-16	09/27/2016	Airport Visa Card	401.70
Check	10/21/2016	80227 Accounts Payable	James Whittaker		2,000.00
	Invoice		Date	Description	Amount
		09-27-16Reissue	09/27/2016	FBI Academy Expenses	2,000.00
Check	10/21/2016	80228 Accounts Payable	Zoom Imaging Solutions		299.45
	Invoice		Date	Description	Amount
		1693726	10/03/2016	Toner Maintenance 10/3/16	10.99
		1690348	09/26/2016	Meter Read Records 9/26/16	288.46
024 Accounts Payable ZBA Totals:			Transactions: 63		<u>\$206,537.91</u>
	Checks:	63		\$206,537.91	

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Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/28/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: 024 - Accounts Payable ZBA					
Check	10/28/2016	80229 Accounts Payable	Ace Hardware		129.99
	Invoice	Date	Description		Amount
	060580	10/17/2016	Bldg Maint & Repair		16.28
	060471	10/07/2016	Landscape Maint -Cement Rain - R - Shine, Primer PVC & TEE 90 Pc		14.41
	060596	10/18/2016	8' Fan		21.71
	060621	10/19/2016	Bldg Maint & Repair		27.15
	060657	10/20/2016	Screw OHL CRS 8x3' 1# - Comm Ctr Playground Proj		15.19
	060610	10/19/2016	Hex Key - Comm Ctr Playground Proj		7.04
	060672	10/21/2016	Bldg Maint & Repair		28.21
Check	10/28/2016	80230 Accounts Payable	American Floors		1,662.06
	Invoice	Date	Description		Amount
	15171	09/27/2016	Carpet Installation/Training Center 9/27/16		1,662.06
Check	10/28/2016	80231 Accounts Payable	American Supply Co.		258.09
	Invoice	Date	Description		Amount
	2743761	10/14/2016	Bldg Maint & Repair - Cleaning Supplies		258.09
Check	10/28/2016	80232 Accounts Payable	Andon Laundrymat Service		82.60
	Invoice	Date	Description		Amount
	Invoice 9	10/14/2016	Laundry service, rags & towels for Fire Dept		82.60
Check	10/28/2016	80233 Accounts Payable	Aramark Uniform Service		173.85
	Invoice	Date	Description		Amount
	757635934	10/17/2016	Uniform Service - Public Works Crew		43.44
	757635933	10/17/2016	Uniform Service - Public Works Crew		38.01
	757635932	10/17/2016	Uniform Service - Public Works Crew		48.00
	757635931	10/17/2016	Uniform Service - Public Works Crew		44.40
Check	10/28/2016	80234 Accounts Payable	AT & T		167.33
	Invoice	Date	Description		Amount
	10-01-16	10/01/2016	AT&T - Airport 10/1 thru 10/31/16		18.81
	10-14-16	10/14/2016	AT&T Alarm, EOC & PEBST Equip 10/14 - 11/13/16		148.52
Check	10/28/2016	80235 Accounts Payable	AT & T		789.61

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AP Check Register 10-28-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/28/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	96507		10/13/2016	327 Reindollar Ave - Service Call Broken Wire	95.00
	961360		10/11/2016	Alarm Code Service for Brian McMinn	35.00
	961361		10/11/2016	Alarm Code Services - Brian McMinn	35.00
Check	10/28/2016	80241 Accounts Payable	Chayene Garcia		220.00
	Invoice		Date	Description	Amount
	11-17-16		09/22/2016	Per Diem	220.00
Check	10/28/2016	80242 Accounts Payable	Gavilan Pest Control		250.00
	Invoice		Date	Description	Amount
	0102616		10/17/2016	Pest Control Svc @ Shoemaker & Locke Paddon Pond	75.00
	0102693		10/17/2016	Pest Control Svc - Preston Park Sports Field	175.00
Check	10/28/2016	80243 Accounts Payable	Graniterock/Pavex Construction		194.17
	Invoice		Date	Description	Amount
	989603		10/08/2016	Cold Mix	194.17
Check	10/28/2016	80244 Accounts Payable	Home Depot Credit Service		182.49
	Invoice		Date	Description	Amount
	10-18-16		10/18/2016	Sakrete 80# & 80lb Sakrete Concrete Mix-Comm Ctr Playground Proj	74.95
	10-20-16		10/20/2016	Dewalt 18V RECIP Saw	107.54
Check	10/28/2016	80245 Accounts Payable	Kelly-Moore Paint Co.,Inc		1,082.83
	Invoice		Date	Description	Amount
	802-00000556448		10/17/2016	Street Material & Repair	496.50
	802-00000557045		10/21/2016	Street Material & Repair	586.33
Check	10/28/2016	80246 Accounts Payable	L.N. Curtis & Sons		3,966.32
	Invoice		Date	Description	Amount
	INV54406		09/27/2016	Nozzle Repair	204.79
	INV57979		10/12/2016	Hydration for Spydergear	1,076.32
	INV47757		08/25/2016	(3) Turnout pants	2,685.21
Check	10/28/2016	80247 Accounts Payable	Language Line, LLC		12.09
	Invoice		Date	Description	Amount

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Bank Account: 024 - Accounts Payable ZBA

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Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		3910735		LanguageTranslation 9/30/16	12.09
Check	10/28/2016	80248 Accounts Payable	Marina Coast Water District		5,740.19
		<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
		000056008 100716	10/07/2016	000056 008 - Reservation Rd & Del Monte (mm/dd/yy - mm/dd/yy)	21.07
		000056085 100716	10/07/2016	000056 085 - Center Median 3192 Crescent (09/10/16 - 10/07/16)	23.69
		000056015 100716	10/07/2016	000056 015 - Cypress Cove II (09/10/16 - 10/07/16)	148.38
		000056014 100716	10/07/2016	000056 014 - Vince DiMaggio 3200 Del Monte (09/10/16 - 10/07/16)	1,126.33
		000056086 100716	10/07/2016	000056 086 - Center Median 3208 Crescent (09/10/16 - 10/07/16)	21.07
		000056032 100716	10/07/2016	000056 032 - Cresc & Costa Mont Bay Est (09/10/16 - 10/07/16)	55.55
		000056034 100716	10/07/2016	000056 034 -3240 DeForest, Windy Hill Pk (09/10/16 - 10/07/16)	504.15
		000056087 100716	10/07/2016	000056 087 - Center Median 3218 Crescent (09/10/16 - 10/07/16)	21.07
		000056030 100716	10/07/2016	000056 030 - Ctr Med. Reserv, Ramada Inn (09/10/16 - 10/07/16)	34.00
		000056035 100716	10/07/2016	000056 035 - Cardoza/Res,Tate Park (09/10/16 - 10/07/16)	2,011.50
		000056084 100716	10/07/2016	000056 084 - Ctr Med3172 Cres- Shuler (09/10/16 - 10/07/16)	21.07
		000056011 100716	10/07/2016	000056 011 - Tate Park 3254 Del Monte (09/10/16 - 10/07/16)	433.59
		000056022 101416	10/14/2016	000056 022 - Ctr Median & Row Del Monte (09/17/16 - 10/14/16)	39.24
		000056001 101416	10/14/2016	000056 001 - 209-13 Cypress (09/17/16 - 10/14/16)	93.81
		000056018 101416	10/14/2016	000056 018 - 208 Palm Ave, Fire Station (09/17/16 - 10/14/16)	123.44
		000056016 101416	10/14/2016	000056 016 - Ctr Med Reserv & Seac (09/17/16 - 10/14/16)	34.00
		000056017 101416	10/14/2016	000056 017 - 208 A Palm Ave, Fire Station (09/17/16 - 10/14/16)	58.95
		000056024 101416	10/14/2016	000056 024 - Ctr Median Del Monte/Palm (09/17/16 - 10/14/16)	94.51
		000056019 101416	10/14/2016	000056 019 - 213 Hillcrest Ave, Comm Ctr (09/17/16 - 10/14/16)	746.85
		000056021 101416	10/14/2016	000056 021 - Ctr Med Res Rd by Post Office (09/17/16 - 10/14/16)	34.00
		000056020 101416	10/14/2016	000056 020 304 Hillcrest Ave, Teen Ctr (09/17/16 - 10/14/16)	93.92
Check	10/28/2016	80249 Accounts Payable	Maynard Group Inc.		919.88
		<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
		P230204	10/01/2016	Platinum Service Maintenance Coverage/Citywide 10/1/16	919.88
Check	10/28/2016	80250 Accounts Payable	MBASIA		8,644.73
		<u>Invoice</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
		MBA16-0608	10/05/2016	MBASIA - Claim for Payment	225.50
		MBA16-0506	10/05/2016	MBASIA - Claim for Payment	313.30
		MBA14-0406 (#2)	10/05/2016	MBASIA - Claim for Payment	8,105.93
Check	10/28/2016	80251 Accounts Payable	Microsoft		1,728.50

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AP Check Register 10-28-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/28/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	E07002UZUU		10/11/2016	Citywide Microsoft Office - October 2016	959.00
	E07002V3DD		10/11/2016	Citywide Microsoft Office - October 2016	756.00
	E07002UZRO		10/11/2016	Citywide Microsoft Office - October 2016	13.50
Check	10/28/2016	80252 Accounts Payable		Monterey Auto Supply	206.91
	Invoice		Date	Description	Amount
	449204		10/13/2016	Veh - Maint Parts & Supply - Unit 868	9.82
	449172		10/13/2016	Veh - Maint Parts & Supply - Unit 868	47.32
	450545		10/20/2016	Veh - Maint Parts & Supply - Unit 908	149.77
Check	10/28/2016	80253 Accounts Payable		Monterey County Herald	434.80
	Invoice		Date	Description	Amount
	0005785201		08/01/2016	Legal Notice - Election 2016	434.80
Check	10/28/2016	80254 Accounts Payable		Monterey County Peace Officers Association	675.00
	Invoice		Date	Description	Amount
	2016064R		10/10/2016	Range Fee Use 9/2, 9/20 & 10/2/16 10/10/16	675.00
Check	10/28/2016	80255 Accounts Payable		Monterey County Petroleum	2,150.32
	Invoice		Date	Description	Amount
	299370		10/18/2016	Diesel Fuel (200 gal)	459.67
	299371		10/18/2016	Unleaded Fuel - (800 gal)	1,690.65
Check	10/28/2016	80256 Accounts Payable		Monterey Peninsula Engineering	230,031.10
	Invoice		Date	Description	Amount
	09-24		10/17/2016	Del Monte/Beach Imp Project	230,031.10
Check	10/28/2016	80257 Accounts Payable		Monterey Tire Service	442.35
	Invoice		Date	Description	Amount
	1 - 74134		10/17/2016	City Wide - Tires	31.50
	1 - 74071		10/14/2016	City Wide - Tires - Unit 887	273.11
	1 - 74200		10/20/2016	City Wide - Tires - Unit 889	137.74
Check	10/28/2016	80258 Accounts Payable		My Chevrolet	184.03
	Invoice		Date	Description	Amount

LIVE Marina, CA *LIVE*

AP Check Register 10-28-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/28/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
		62024CVR	10/13/2016	Latch - Unit 887	184.03
Check	10/28/2016	80259 Accounts Payable	New Image Landscape Co.		1,735.00
		Invoice	Date	Description	Amount
		100275	09/30/2016	Landscaping	1,735.00
Check	10/28/2016	80260 Accounts Payable	Office Depot		388.23
		Invoice	Date	Description	Amount
		872983151001	10/19/2016	Office Supplies	388.23
Check	10/28/2016	80261 Accounts Payable	Office Depot		42.73
		Invoice	Date	Description	Amount
		1995176589	10/12/2016	Office Supplies/Admin 10/12/16	42.73
Check	10/28/2016	80262 Accounts Payable	Office Depot		395.82
		Invoice	Date	Description	Amount
		871851037001	10/14/2016	Material & Supplies - Binders	49.50
		871340348001	10/12/2016	Material & Supplies	346.32
Check	10/28/2016	80263 Accounts Payable	Pacific Gas & Electric		14,451.94
		Invoice	Date	Description	Amount
		851-0.OCT16	10/14/2016	PG&E - 3440977851-0	187.36
		535-3.OCT16	10/13/2016	PG&E - 6161832535-3	194.19
		827-8.OCT16	10/13/2016	PG&E - 0423929827-8	97.60
		683-2.OCT16	10/18/2016	PG&E 6217294683-2	697.65
		272-1.OCT16	10/18/2016	PG&E - 2862559272-1	45.35
		483-6.OCT16	10/14/2016	PG&E - 3982644483-6	12,413.63
		533-8.OCT16	10/18/2016	PG&E - 2253666533-8	106.80
		172-2.OCT16	10/19/2016	PG&E - 5618207172-2	599.39
		362-9.OCT16	10/19/2016	PG&E - 5996678362-9	109.97
Check	10/28/2016	80264 Accounts Payable	Pinnacle Healthcare		207.00
		Invoice	Date	Description	Amount
		4944261-30	10/03/2016	Pinnacle Healthcare - Pre Emp Px	207.00
Check	10/28/2016	80265 Accounts Payable	Quill Corporation		710.39
		Invoice	Date	Description	Amount

LIVE Marina, CA *LIVE*

AP Check Register 10-28-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/28/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
	Invoice		Date	Description	Amount
	E079471		10/13/2016	Vacuum Repair Svc	107.18
Check	10/28/2016	80274 Accounts Payable		Valley Saw & Garden Equipment	178.46
	Invoice		Date	Description	Amount
	112134		10/17/2016	Veh - Maint & Repair	178.46
Check	10/28/2016	80275 Accounts Payable		Zee Service Co.	74.26
	Invoice		Date	Description	Amount
	66607035		10/03/2016	Refill first-aid kit in breakroom/finance	74.26
Check	10/28/2016	80276 Accounts Payable		AFLAC - Attn.:Remittance Process	2,626.68
	Invoice		Date	Description	Amount
	10-21-16		10/21/2016	71 - AFLAC Cancer Post-Tax*	2,626.68
Check	10/28/2016	80277 Accounts Payable		Discovery Benefits, Inc.	184.04
	Invoice		Date	Description	Amount
	09-30-16		09/30/2016	Admin Fee (09/2016)	62.50
	10-21-16		10/21/2016	94 - Medical Care FSA	121.54
Check	10/28/2016	80278 Accounts Payable		ICMA Retirement Trust	7,434.89
	Invoice		Date	Description	Amount
	10-21-16		10/21/2016	12 - ICMA 457 %*	7,434.89
Check	10/28/2016	80279 Accounts Payable		Marina Employees Association	145.00
	Invoice		Date	Description	Amount
	10-21-16		10/21/2016	24 - MEA Dues	145.00
Check	10/28/2016	80280 Accounts Payable		Marina Police Association-MPOA	250.00
	Invoice		Date	Description	Amount
	10-21-16		10/21/2016	23 - MPOA Dues	250.00
Check	10/28/2016	80281 Accounts Payable		Marina Professional Fire Fighters Association	220.00
	Invoice		Date	Description	Amount
	10-21-16		10/21/2016	35 - MPFFA Dues	220.00
Check	10/28/2016	80282 Accounts Payable		Marina Public Safety Management	100.00

AP Check Register 10-28-16

Bank Account: 024 - Accounts Payable ZBA

Batch Date: 10/28/2016

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
			Association		
	Invoice		Date	Description	Amount
	10-21-16		10/21/2016	19 - MPSMA Dues	100.00
Check	10/28/2016	80283 Accounts Payable	Nationwide Retirement		1,546.85
	Invoice		Date	Description	Amount
	10-21-16		10/21/2016	10 - Nationwide 457 %*	1,546.85
Check	10/28/2016	80284 Accounts Payable	Police Officers Association - POA		1,350.00
	Invoice		Date	Description	Amount
	10-21-16		10/21/2016	25 - POA Dues	1,350.00
024 Accounts Payable ZBA Totals:			Transactions: 56		<u>\$322,287.79</u>
	Checks:	56	\$322,287.79		



DRAFT

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

AGENDA

Tuesday, October 18, 2016

5:30 P.M. Closed Session

6:30 P.M. Open Session

REGULAR MEETING

**CITY COUNCIL, AIRPORT COMMISSION, MARINA JOINT POWERS FINANCING
AUTHORITY, 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: David W. Brown, Gail Morton, Mayor Pro-Tem/Vice Chair Frank O'Connell, Mayor/Chair Bruce C. Delgado

MEMBERS ABSENT: Nancy Amadeo (Excused)
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
 - i. Initiation of litigation pursuant to paragraph (4) of subdivision d) of Section 54956.9 - Number of potential cases: 1

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

City Attorney reported out closed session: Council met at 5:30 as indicated with regard to the one item listed as Potential Litigation. Council received information from the City Manager and no other action was taken.

4. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
5. SPECIAL PRESENTATIONS:
 - a. Proclamations

- i. Red Ribbon Week
- b. Recreation Announcements
- c. Monterey Peninsula Water Supply Project Update

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.*

- Margaret Davis – November 12, 2016 7th Annual Veterans Day Celebration at the Marina Equestrian Center Park from 10:30am-1:00PM. Open to the entire community.
- Mike Owen – Thanked Mayor Pro-tem O’Connell for inviting him to speak at the Town Hall Meeting on October 25, 2016 at the Marina Library; commented on Measure V statistics throughout California. Asked voters to vote NO on Measure V.
- Paula Pelot – October 25, 2016 Town Hall Meeting, discussion on all Measure V. Requested copy of records (Minutes, Findings, Resolutions, etc) that reflect when the change was made such that a Mayor is elected to that office directly and for a term of two (2) years. Wants to understand is the reasoning and processes that moved the decision forward to the electorate.
- Patti Bradshaw – Talked about the history of how Marina elected its mayors and council members since incorporation.
- Kevin P. Saunders – Spoke about campaigning and Measures U and V. Supports Measures X, Z and Y. Opposes Prop. 46 Recreational Use of Marijuana. Asks for a council member to put on a future agenda lifting the Medicinal Marijuana Ban.
- Austin – Made comments on the Roundabouts at Beach and Del Monte going great, storm-water control is going well and the slant wells contributing to erosion.
- Mayor Pro-Tem O’Connell – Town Hall meeting on October 25th at the Marina Library starting at 6:30 PM to discuss Measures E, X, V, U and Z.
- Mayor Delgado – Marina High School Homecoming game this Friday at MPC; October 22nd is Honor Our Fallen Run 5k Walk and 10k Run; October 23rd Annual National Public Lands Day at Fort Ord National Monument; November 19th from 9:00am-3:00 pm Volunteer Service Day at the Library for outing maintenance and new plants at the Oak Woodland Restoration Project; plug for Measures E.

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 80056-80165, totaling \$240,535.15
Wire transfers from Checking and Payroll for August 2016 totaling:
\$486,146.55

b. MINUTES:

- (1) October 4, 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: None

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. INTRODUCE ORDINANCE (BY TITLE ONLY - WAIVE READING):

- (1) City Council consider approving introduction by title only and approving first reading of Ordinance No. 2016-, adopting and amending Title 15 of the Marina Municipal Code to adopt 2016 Editions of California Building Standards Codes, specifically 2016 California Building Code, 2016 California Mechanical Code, 2016 California Residential Code, 2016 California Green Building Standards Code, 2016 Existing Building Code, 2016 California Plumbing Code, 2016 California Electrical Code and 2016 California Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions; and set Tuesday, November 1, 2016, for public hearing, approving second reading by title only, and final adoption of the Ordinance so as to be in effect as of January 1, 2017.

m. APPROVE APPOINTMENTS: None

Council Member Morton asked about 8j(1) in the packet but not listed on the agenda. How do we process this item/what action?

Mayor Delgado pulled this item from the agenda.

DELGADO/BROWN: TO APPROVE THE CONSENT AGENDA MINUS 8j(1). 4-0-1(Amadeo)-0 Motion Passes

- 9. PUBLIC HEARINGS:
- 10. OTHER ACTION ITEM FOR THE MARINA JOINT POWERS FINANCING AUTHORITY: *Action listed for each Agenda item is that which is requested by staff. The Marina Joint Powers Financing Authority may, at its discretion, take action on any item. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*
 - a. Marina Joint Powers Financing Authority Board consider adopting **Resolution No. 2016-02 (JPFA)**, approving the forms of and authorizing the execution and delivery of a Preliminary Official Statement Supplement and Supplemental Indenture relating to the remarketing of the Marina Joint Powers Financing Authority Multifamily Housing Revenue Bonds (Abrams B Apartments Project), Series 2006 and certain other financing and related documents and the taking of all necessary actions in connection therewith; and authorizing the executive director and the treasurer/auditor, without further action by the Board, to take such actions as necessary to continue the remarketing of the Bonds as set forth in this Resolution.

Marina Joint Powers Financing Authority - Remarketing of the Marina Joint Powers Authority Multifamily Housing Revenue Bonds (Abrams B Apartment Project) Overview

Why? – On November 22, 2006 the Authority issued \$14,360,000 of Multifamily Housing Revenue Bonds. The Bonds were enhanced by a Fannie Mae credit facility and had a 30 year term. **The Bonds have a 10 year mandatory tender and remarketing date of November 15, 2016.** - Objective -- To remarket outstanding Bonds at a lower interest rate to enhance cash flow of the Abrams B Project - Total gross debt service savings is estimated to be \$1,400,000 and the term of the Bonds would not be extended

City’s Engagement Team – *City Staff* – Layne Long, City Manager and Lauren Lai, Finance Director - *Bond Counsel* – Justin Cooper and Patricia Eichar, Orrick = *Financial Advisor* – Jim Fabian and Anna Sarabian, Fieldman, Rolapp & Associates - *Bond Underwriter* – Richard Gerwitz and Bryan Barker, Citi

Background – Original Bonds issued on November 22, 2006 in the amount of \$14,360,000 to fund a Loan to the City of Marina Abrams B Non-Profit Corporation pursuant to a Financing Agreement. - The Loan was secured by the Corporation’s leasehold interest in the Abrams B 192-unit apartment complex (the “Project”). - The proceeds of the Bonds and Loan were ultimately used to acquire FORA's interest in the Project (\$8.5 million), pay for debt issuance costs (\$0.9 million) and fund capital projects (\$5 million). - The rental income from the Project has been used to pay debt service on the Bonds. – The principal outstanding on the Bonds is \$11,275,000 and the Bonds are subject to mandatory tender and remarketing on November 15, 2016

Remarketing Expense – The estimated remarketing expense is \$400,000, which will be paid by Abrams B operating cash balance. The FY16-17 budget will be amended accordingly.

Function	Estimated Costs
Bond Counsel – Orrick	\$85,000
Special Counsel – Goldfarb & Lipman	\$20,000
City Attorney – Robert Wellington	\$4,500
Municipal Advisor – Fieldman, Rolapp & Assc.	\$48,500
Rating Agency – S&P	\$5,000
Trustee – Union Bank	\$2,000
Fannie Mae’s Legal Counsel	\$45,000
Fiscal Consultant – KMA	\$5,000
Contingency	\$57,000
Remarketing Agent – Citi	\$116,000
Title Insurance – Stewart Title	\$12,000
Total	\$400,000

Legal and Financing Documents – All of these documents have been prepared by the City’s Bond Counsel, Orrick or Eichner Norris & Neumann PLLC serving as Underwriter’s Counsel. - Resolution of Issuance – The Resolution approves the issuance of the Bonds and authorizes the distribution of the Preliminary Official Statement Supplement.

Preliminary Official Statement Supplement – The Draft Preliminary Official Statement Supplement (POS) for the issuance of the Bonds has been prepared by Eichner Norris & Neumann PLLC, serving as Underwriter’s Counsel. The POS is the basic source of information to the potential bond buyer and as such it is essential that the information be accurate and complete.

Amended and Restated Remarketing Agreement – It amends and restates and in all respects replaces and supersedes, from the date hereof, the Remarketing Agreement dated November 1, 2006 (the “Prior Remarketing Agreement”) entered into in connection with the issuance of the Bonds between Stifel, Nicolaus & Company, Incorporated, as successor to the initial remarketing agent (the “Prior Remarketing Agent”), and Citigroup Global Markets Inc. (the “New Remarketing Agent”).

Supplemental Indenture – This is an agreement between the Authority and MUFG Union Bank regarding its role as Trustee for the Bonds. The Trustee is responsible for making semi-annual debt service payments to bondholders.

Continuing Disclosure Agreement – This agreement amends and restates and in all respects replaces and supersedes as of its date the Continuing Disclosure Agreement dated November 1, 2006 with respect to the Bonds entered into by the parties contemporaneously with the issuance of the Bonds (the “Original Continuing Disclosure Agreement”).

Next Steps – Post POS Supplement this week - Price Bonds in early-November - Close Bonds on November 15, 2016

Council Action – It is requested that the Authority consider adopting Resolution No. 2016-, authorizing remarketing of the Bonds. - **It is important to note the prior Bonds issued in 2006 are subject to mandatory tender and remarketing on November 15, 2016.** - Total gross debt service savings are estimated to be \$1,400,000. - There is a companion item on tonight’s agenda for the City of Marina Abrams B Non-Profit Corporation to authorize the remarketing of the Bonds.

Council Questions: Length of payoff of Bonds; remarketing numbers are blank in a couple of places will these be filled in later; how many replies did we have to the RFQ; what determined the selection of Citi as the Underwriter; how did we arrive at the \$116,000; was Citi the lowest bidder;

BROWN/DELGADO: TO ADOPT RESOLUTION NO. 2016-02 (JPFA), APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PRELIMINARY OFFICIAL STATEMENT SUPPLEMENT AND SUPPLEMENTAL INDENTURE RELATING TO THE REMARKETING OF THE MARINA JOINT POWERS FINANCING AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS (ABRAMS B APARTMENTS PROJECT), SERIES 2006 AND CERTAIN OTHER FINANCING AND RELATED DOCUMENTS AND THE TAKING OF ALL NECESSARY ACTIONS IN CONNECTION THEREWITH; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND THE TREASURER/AUDITOR, WITHOUT FURTHER ACTION BY THE BOARD, TO TAKE SUCH ACTIONS AS NECESSARY TO CONTINUE THE REMARKETING OF THE BONDS AS SET FORTH IN THIS RESOLUTION. 3-0-1(Amadeo)-1(O’Connell) Motion Passes

Public Comments: None received.

11. OTHER ACTION ITEM FOR THE MARINA ABRAMS-B NON PROFIT CORPORATION: *Action listed for each Agenda item is that which is requested by staff. The Marina Abrams-B Non Profit Corporation may, at its discretion, take action on any item. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*

- a. Marina Abrams-B Non Profit Corporation Board consider adopting **Resolution No. 2016-05 (NPC)** approving the forms of and authorizing the execution and delivery of a Preliminary Official Statement Supplement, an Amended and Restated Remarketing Agreement, and a Continuing Disclosure Agreement relating to the remarketing of the Marina Joint Powers Financing Authority Multifamily Housing Revenue Bonds (Abrams B Apartment Project) Series 2006, and certain other financing and related documents and the taking of all necessary actions in connection therewith; and authorizing the executive director and the treasurer/auditor, without further action by the Board, to take such actions as necessary to continue the remarketing of the Bonds as set forth in this Resolution.

Council Questions: Is the remarketing amount \$116,000 paid twice or is this just a one-time fee?

DELGADO/MORTON: TO APPROVE RESOLUTION NO. 2016-05 (NPC) APPROVING THE FORMS OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PRELIMINARY OFFICIAL STATEMENT SUPPLEMENT, AN AMENDED AND RESTATED REMARKETING AGREEMENT, AND A CONTINUING DISCLOSURE AGREEMENT RELATING TO THE REMARKETING OF THE MARINA JOINT POWERS FINANCING AUTHORITY MULTIFAMILY HOUSING REVENUE BONDS (ABRAMS0B APARTMENT PROJECT) SERIES 2006, AND CERTAIN OTHER FINANCING AND RELATED DOCUMENTS AND THE TAKING OF ALL NECESSARY ACTIONS IN CONNECTION THEREWITH; AND AUTHORIZING THE EXECUTIVE DIRECTOR AND THE TREASURER/AUDITOR, WITHOUT FURTHER ACTION BY THE BOARD, TO TAKE SUCH ACTIONS AS NECESSARY TO CONTINUE THE REMARKETING OF THE BONDS AS SET FORTH IN THIS RESOLUTION. 4-0-1(Amadeo)-0 Motion Passes.

Public Comments: None received.

12. OTHER ACTION ITEMS FOR THE CITY COUNCIL: *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 receive informational presentation of the City’s Storm Water Program for Permit Year 3

**Stormwater Management Program Overview - Permit Year 3 (2015 - 2016) - October 18, 2016
Partners – City of Marina, Save The Whales & Environmental Compliance Specialist, LLC**

Program Overview – Phase II Community - Year 3 Under Permit - Permit Requirements are Cumulative - Additional Permits - Goals – Compliance & Protect Groundwater - Consultant - Save The Whales

Key Accomplishments 15/16

CONSTRUCTION - POST CONSTRUCTION

- Guidance Policies / Documents in Place
- Plan Reviews Complete
- Inspections/Forms/Self Reports
- Outreach Materials



IDDE / MUNICIPAL OPERATIONS

- Enforcement Response Plan
- Updates / Inspections
- Facility Inspections – Maintenance (SDS, Sweeping, etc.)
- Training / Handouts
- Ordinance Chapter 8.46



PUBLIC EDUCATION/PARTICIPATION

- All Sectors (Bus, Det, Hos, Res, School)
- Outreach: Radio, Print Ads, Facebook & Website
- Languages - English, Spanish & Korean
- Key Accomplishments:
 - School Artwork Program
 - Events – Earth Day, etc.
 - Storm Drain / Pet Poo Labeling
 - Etcetera



PUBLIC EDUCATION & OUTREACH



PUBLIC PARTICIPATION EVENTS



SCHOOL ARTWORK PROGRAM



Regulatory Updates 15/16 – Regulations are continually Evolving & More are Emerging- Agencies are expected to adapt and Address, plus - Court Decisions Add to the Complexity Placed on MS4's *Where will it end!*

Work Plan Objectives 16/17 – Annual Reporting - Construction / Post Construction - Commercial / Industrial Sites - IDDE / MS4 Operations / Good Housekeeping - Public Education / Participation

New Regulations - Industrial General Permit - Trash Policy - Program Management Element - Regulatory Updates / Etc. Rely closely with our consultant firm to help us update these in a timely manner with the city in order to meet our requirements.

Permit year 3 was a great success, thankful for all the council's support and input with the Art program and Cinemark video Ad

Council Questions: what was the cost of the Cinemark Video Ad; how often does the video ad run/air

DELGADO/BROWN: TO RECEIVE THE INFORMATIONAL PRESENTATION OF THE CITY'S STORM WATER PROGRAM FOR PERMIT YEAR. 4-0-1(Amadeo)-0 Motion Passes

Public Comments: None received.

- b. City Council consider adopting **Resolution No. 2016-143**, an appeal of a Planning Commission action to not adopt a compliance determination with the Marina Heights Community Design Guidelines for the observation deck options proposed by Wathen Castanos Homes for their Marina Heights housing units (DR 2016-07, AP 2016-01), (Marina Heights Specific Plan Area).

Staff report/presentation by Taven Kinison Brown

Design Review Board Consideration

On July 20, 2016, the DRB considered the architectural styles and deck options for the Wathen and Castanos proposed single family homes.

While several of the DRB members were receptive to the feature, others were concerned that the observation deck feature was inconsistent with the Marina Heights Specific Plan Height Standard: “*No habitable building or structure shall exceed two stories and a height of thirty-five (35) feet.*”

There was also concern for potential inconsistency with the Marina Heights Community Design Guidelines goal that the neighborhoods should include, “*a mixture of one and two story homes with limited second story massing.*”

The item was continued by the DRB.

On September 17, 2016, the Design Review Board again considered the architectural styles and deck options.

Upon review of the applicant’s resubmitted materials and applying conditions of approval, the DRB recommended approval (4-0) of the four architectural styles for the Wathen and Castanos one- and two-story homes.

OBSERVATION DECKS

The Applicant revised their proposals to not include trellises and full-roof options above the second story observation deck areas.

In this revision, the enclosed stairwells to the observation decks still project above the second story and include roofs.

In the formulation of the motion to approve the observation decks, the following condition and findings were formulated and applied to DRB Resolution No. 2016-09:

Condition: No observation decks next to or overlooking one-story models. The observation deck model shall be flipped to the opposite side of a one-story model.

Findings for Consistency with the Marina Heights Community Design Guidelines: The removal of the trellis and full-roof options served to reduce the mass and presence of the structures, although houses may still be 35 feet in the MHR district. These modifications, in combination with the one-story and two story mixes of units, serve to reduce the presence of two story structures and is in keeping with the Marina Heights Community Design Guidelines.

Finding for Consistency with the Marina Heights Specific Plan: The Site and Architectural Design Review Board found that the Observation Deck options without trellises and without roof structures for the 5,000 square foot lots, are consistent with the height limitations of the Marina Heights Specific Plan.

Planning Commission Consideration

On September 8, 2016, the Planning Commission of the City of Marina considered the DRB’s consistency determinations for concurrence and action. For this meeting the applicant had:

- Incorporated additional architectural features into building facades and roof structures, and
- Further revised the observation decks by reducing the floor areas of the decks.

The Planning Commission concurred with the DRB’s recommendation to approve the architectural styles and adopted PC Resolution 2016-08, subject to conditions.

This approval allowed Wathen and Castanos to proceed with building all one- and two-story models, subject to consistency with the enhancements and conditions required by the Design Review Board

In considering the revised observation deck options:

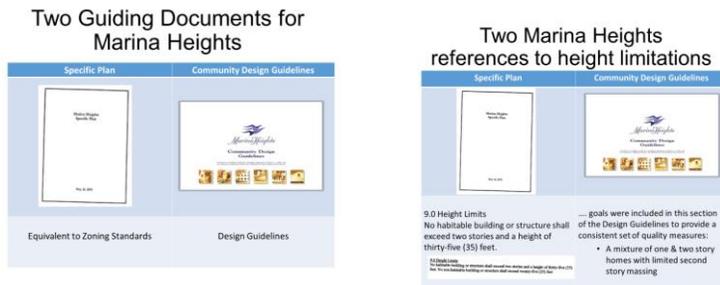
- The Planning Commission’s liaison to the Design Review Board shared the discussion of the proposed observation decks and their determination that the covered stairwell landings are considered a third floor and therefore, not consistent with the Marina Heights Specific Plan as the structures would have portions that exceed a height of two stories.
- Another commissioner disagreed with this assessment and made a motion to approve the observation deck options. This motion failed due to the lack of a second.
- A second motion was made to not adopt the draft resolution for approval and this passed 6-1.

Discussion and Rationale for Action.

- The height standard in the Specific Plan is that, “No habitable building or structure shall exceed two stories and a height of thirty-five (35) feet.”
- The stairwell and the landing areas that serve the observation decks are third story elements. Therefore, the stairwells and landings that serve the observation deck options exceed two stories.
- The Planning Commission has an obligation to follow adopted standards; and two stories are the standard under the Marina Heights Specific Plan.
- The Chairman recounted numerous public meetings where height and development standards were discussed for the project in 2005. The two story height limit was not derived casually.
- There was concern that the observation decks (if approved) would be converted to more traditional “household” uses with walls, furniture and enclosed living space (rendering an even more present third story.)
- Potential infringement on view sheds for others.

The motion was made to not approve the resolution, in that the (observation deck) proposal is “not in compliance with the approved concepts and specifications of Marina Heights” (Specific Plan).

Applicant/Proponents Presentation



Recognized Definitions of “Story”

General Plan Definition: No term defined

Zoning Code Definition: “17.04.640 Story. “Story” means that portion of a building included between the surface of any floor and the surface of the next floor above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. (Zoning ordinance dated 7/94 (part), 1994)

Marina Heights Specific Plan: No term defined.

Marina Heights Community Design Guidelines: No term defined.

Building Code Definition: "STORY. That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above." (2016 California Residential Code).

Webster's:

1a: the space in a building between two adjacent floor levels or between a floor and the roof

1b: a set of rooms in such a space

1c: a unit of measure equal to the height of the story of a building <one story high>

2: a horizontal division of a building's exterior not necessarily corresponding exactly with the [stories](#) within

Wikipedia:

The words "storey" and "floor" also generally exclude levels of the building that have no roof, even if they are used by people—such as the terrace on the top roof of many buildings.



A-2 Design Guidelines – Use and Purpose section,

“These guidelines address the design criteria inherent to the community and cover the most critical features for the successful execution of community building. Issues such as massing, scale, proportion, lot coverage, setbacks, landscaping, vehicular and pedestrian circulation are addressed.”

The following goals were included in this section of the Design Guidelines to provide a consistent set of quality measures: A mixture of one & two story homes with limited second story massing; Varied setback requirements; An eclectic mixture of architectural styles; Mixture of vertical & horizontal building massing; Interplay of color and materials; Landscape strategic clustering.

Proposed Architectural Styles
Streetscape View – 5,000 sf lots



Proposed Architectural Styles
Streetscape View – 6,000 sf lots



Observation Decks - Cottage



Observation Decks - Cottage



Project Request – Site and Architectural Design Review (DR 2016-07) recommending that the Planning Commission make a compliance determination for the proposed architectural designs of Marina Heights/Sea Haven housing units with the approved style concepts and specifications in the Marina Heights Community Design Guidelines; September 9, 2004 PC approval of the MH Community Design Guidelines.; “Prior to applying for a building permit, for each of the Cottage, Craftsman, Monterey, Ranch and Spanish style units, the applicant shall submit to the Design Review Board a site plan, front, side and rear elevations, and a front yard landscaping plan for review and approval and a recommendation to the Planning Commission that the unit is in compliance with the approved style concepts and specifications of the Marina Heights Community Design Guidelines. Following Design Review Board approval, the Community Design Guidelines consistency of the proposed housing units as recommended by the Design Review Board shall be placed on the consent calendar of the next Planning Commission for review and action.

Council Disclosures: Mayor Delgado commented about DRB/Planning Commission Biala’s emails advocating for her perspective and the Planning Commission’s denial of the project observation deck. Did a site visit with the project proponents to get a feel for what is being considered.

City Attorney Rob Wellington commented on the email from Planning Commissioner Biala and noted that email was located at the back of the room.

Mayor Pro-Tem O’Connell indicated that he received the same email and did not respond to it.

Council Member Morton received email but did not have time to open to it

Council Member Brown received same email, did not respond to it and did not have time to open the attachment.

Council Questions: Height Limits/Restriction of two stories or 35 feet; what is considered a “story”? Should the height restrictions in the Specific Plan been written differently to read correctly; is access way to observation deck considered a “story” because it’s enclosed and has a window; “Massing” what does it mean to you of “massing” on a third story or limited “massing” on a second story; is the stairwell considered habitable space; does the observation decks and enclosed stairwell meet/comply with no habitable space; observation desks vs. privacy of other homes; What prevents new homeowners from enclosing observation deck for livable space, who enforces; definition of habitable space; are decks/balcony’s allowed off the second floor in the Specific Plan; definition of “habitable building”; total number of observation decks throughout the project area; is the stairwell landing less than 25% of the floor area; would roof line follow peak of building if upstairs deck was not there; What is the square footage of the stairwell cover;

Planning Commissioner Chair Burnett – is has not been with the observation deck per say, the issue has to do with our charge that was given to us by the city charter that the planning commission would be the representative of the public and would interpret the general plan and the zoning that’s part of that as a constitution of the city and argue and listen to project that would call into play these particular ordinances and statutes. We had a very lengthy discussion when the original specific plan was adopted in 2005, we had another opportunity with the DRB review, we’ve had a meeting with the planning commission with two (2) motions, one to approve without the observation deck; and a motion to approve with the observation deck. We are in favor of the project. The design and colors and choice of landscaping will make this a good project. We as we read our charge to interpret the general plan and specific plan we find that this observation deck feature is inconsistent. We would like to see the proponent to seek a variance or an amendment towards this project, which would allow the public to weigh in.

Planning Commissioner Davis – Planning Commission saw inconsistencies with the specific plan and the zoning and other issues. Project is in a wind-tunnel not really conducive to outdoor living. If it could be enclosed at some point it would be enclosed. Noise on that area “the bowl” bounces. People on their 400 sq. ft. observation deck with their party would be a significant noise question in the neighborhood. Read excerpt from Biala email.

Council questions to Planning Commission Chair: was it the position of the proponents before the planning commission that the somewhat ambiguous height standard only applied if it exceeded two-stories and 35 feet or was it your opinion that the proponents didn’t bring that up, that rather they were arguing this was really two-stories and the real issue was two-stories or not; is it the planning commissions perspective that that area is a third-story; privacy issues of nearby single-story or two-stories

MORTON/O’CONNELL: THAT WE UPHOLD THE DECISION OF THE PLANNING COMMISSION, WHICH IS TO FIND THIS PLAN INCONSISTENT. 4-0-1(Amadeo)-0 Motion passes by unanimous vote per Mayor.

Public Comments:

- Patti Bradshaw – point out that she was on the planning commission when the Marina Height Specific Plan (August 14, 2003) and Community Design Guidelines (March 3, 2004) were approved and adopted. Suggested that possibly an outside stairwell be constructed to gain access to observation deck.
- Paula Pelot – Lot of things to think about here. Disrespectful of the process that we went through. There is a process to amend the plan if that’s what someone wants to do. As the chair of the planning commission said to overturn this process and to come directly to council to do that is a faulty process. Commented on the drawings showing the sideways view and noted that second floor had two landings there. Questionable as to what is “living space”. To say were going to isolate the staircase is faulty. Council should think about all everything and thinks it’s not as straight forward as may have been presented by the proponents.

- c. City Council consider adopting a Resolution of Intent (**Resolution No. 2016-144,**) affirming the City of Marina's intent to participate in governance and financing discussions for the proposed Monterey Bay Community Power Joint Powers Authority (JPA); and direct the City Manager to participate in governance and financing discussions for the proposed JPA and bring back to the City Council in early 2017 a proposed Joint Power Authority Resolution Agreement and a Community Choice Aggregation Ordinance as required by State statute authorizing the City's participation in the Monterey Bay Community Joint Powers Authority.

MORTON/BROWN: TO ADOPT RESOLUTION NO. 2016-144, AFFIRMING THE CITY OF MARINA'S INTENT TO PARTICIPATE IN GOVERNANCE AND FINANCING DISCUSSIONS FOR THE PROPOSED MONTEREY BAY COMMUNITY POWER JOINT POWERS AUTHORITY (JPA); AND DIRECT THE CITY MANAGER TO PARTICIPATE IN GOVERNANCE AND FINANCING DISCUSSIONS FOR THE PROPOSED JPA AND BRING BACK TO THE CITY COUNCIL IN EARLY 2017 A PROPOSED JOINT POWER AUTHORITY RESOLUTION AGREEMENT AND A COMMUNITY CHOICE AGGREGATION ORDINANCE AS REQUIRED BY STATE STATUTE AUTHORIZING THE CITY'S PARTICIPATION IN THE MONTEREY BAY COMMUNITY JOINT POWERS AUTHORITY. 4-0-1(Amadeo)-0 Motion Passes

13. COUNCIL & STAFF INFORMATIONAL REPORTS:

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

Mayor Delgado – Next Mayor’s Association meeting will be held in Marina on November 4, 2016

- 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.

City Attorney Rob Wellington relative to the issue coming on the general election on recreational use of marijuana our thought in the city attorney’s office is that, so we’re not caught unawares should the law pass that we should be taking a look at having some ideas and options to bring to the council should that pass so that we’re not caught in an awkward position where we’re not able to adequately deal with whatever steps organizations or individuals might make to take advantage of that new initiative within the city. We’ll plan to bring something back to you to consider as we move forward.

14. ADJOURNMENT: The meeting adjourned at 10:05 PM

Anita Sharp, Deputy City Clerk

ATTEST:

Bruce C. Delgado, Mayor

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 1, 2016

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2016-,
APPROVING PROPOSED CLASSIFICATION AND SALARY SCHEDULE
CHANGES FOR THE PLANNING SERVICES MANAGER
CLASSIFICATION; AUTHORIZING THE CITY MANAGER TO MAKE
NECESSARY ADJUSTMENTS TO CITY'S CLASSIFICATION AND
COMPENSATION PLANS, AND AUTHORIZING THE FINANCE
DIRECTOR TO MAKE THE NECESSARY AND APPROPRIATE BUDGET
ADJUSTMENTS**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2016-, approving proposed classification and salary range adjustment for the Planning Services Manager classification setting the salary range for the classification at \$8,231 to \$10,005 per month.
2. Authorize the Finance Director to make the necessary accounting and budgetary entries.

BACKGROUND:

Chapter 2.08.070 of the Marina Municipal Code vests the City Manager with the responsibility for the efficient administration of all affairs of the City and effect such administrative reorganization of offices, positions and units under his direction as are in the interest of efficient, effective and economical conduct of the City's business; and recommend to the City Council such measures as he considers necessary.

Pursuant to Personnel Manual definition of reclassification: Reclassification or Reallocation shall mean the reassignment or change in allocation of an individual position by raising it to a higher, reducing it to a lower, or moving it to another class of the same level on the basis of significant changes in the kind or difficulty of duties and responsibilities in such a position.

ANALYSIS:

In the City of Marina's Community Development Department we have two manager positions: a Chief Building Official which oversees all building plan check and building inspections and a Planner Services Manager which oversees current planning operations. These two positions in the department are comparable in job responsibility, educational requirements, skills, and technical abilities etc. They both report directly to the Community Development Director. In many of our comparison cities, these position are generally equivalent in salary range. In the City of Marina's approved salary schedule the Building Official has a higher salary range than the Planning Services Manager. The following chart shows the current monthly salary range.

Current Monthly Salary Range Schedule

Classification	Step A	Step B	Step C	Step D	Step E
Chief Building Official	\$8,231	\$8,642	\$9,074	\$9,528	\$10,005
Planning Services Mgr.	\$7,623	\$8,004	\$8,404	\$8,824	\$9,266

Currently we are recruiting for a new Planning Services Manager and it has become apparent in this recruitment that a salary range comparable to the Chief Building Official will allow us to be more competitive in our job recruitment and attract the skilled people for this position that are needed for the City. The job recruitment search firm (Teri Black & Associates) who is assisting the City in this recruitment has recommended that the City also increase the salary range to allow us to be more competitive in our area and current job market.

Staff proposes that the current Planning Services Manager salary range be adjusted to be equivalent to the Chief Building Official which represents approximately an eight (8%) percent salary range increase.

Proposed Planning Services Manager Salary Schedule

	Monthly				
	Step A	Step B	Step C	Step D	Step E
Planning Services Manager	\$8,231	\$8,642	\$9,074	\$9,528	\$10,005

FISCAL IMPACT:

The proposed change will have no fiscal impact in the currently approved budget for 2016/17.

CONCLUSION:

This request is submitted for City Council consideration and action.

Respectfully submitted,

Layne Long
 City Manager
 City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING CLASSIFICATION AND SALARY RANGE CHANGES FOR THE PLANNING SERVICES MANAGER POSITION: AMENDING THE SALARY SCHEDULE FOR THE PLANNING SERVICES MANAGER AND AUTHORIZING THE CITY'S CITY MANAGER TO MAKE THE NECESSARY ADJUSTMENTS TO THE CITY'S CLASSIFICATION AND SALARY SCHEDULE, AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE THE NECESSARY AND APPROPRIATE BUDGET ADJUSTMENTS

WHEREAS, the Planning Services Manager position is comparable in job responsibility, educational requirements, skills, and technical abilities to the Chief Building Official classification and salary schedule,

WHEREAS, the Planning Services Manager and Chief Building Official oversee divisions within the Community Development Department and both report directly to the Community Development Director.

WHEREAS, the Planning Services Manager salary range needs to be amended to keep the classification salary range competitive within the current job market and within our internal organization structure.

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

1. That the amendments to the Planning Services Manager salary range is hereby approved, and;
2. That the City Manager is hereby authorized and directed to make the necessary adjustments to the City's Classification and Compensation Plans effective November 1, 2016, and;
3. That the Finance Director is hereby authorized and directed to make the necessary and appropriate budget adjustments.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 1st day of November 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

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 1, 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
PROFESSIONAL FIREFIGHTERS ASSOCIATION AUTHORIZING
ADJUSTMENTS TO CITY COMPENSATION PLAN AND SALARY
SCHEDULE INCLUDING ADJUSTMENTS TO SALARY
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 Professional Firefighters Association, and;
2. Authorizing adjustments to City Compensation Plan including adjustments to the salary schedule 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 Professional Firefighters 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 Professional Firefighters Association.

The City of Marina and the Marina Professional Firefighters 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 (9.0%). 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 9.0% 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. Vacation Accrual Cap
 - a. Maximum vacation accrual cap shall be increased from 280 to 432 hours. Concurrently, maximum payout of vacation accrual for compensation at time of separation of employment shall be reduced from a maximum of 280 hours to a maximum of 200 hours.

FISCAL IMPACT:

The estimated fiscal impact for the two year agreement is approximately \$30,000.

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 PROFESSIONAL FIREFIGHTERS ASSOCIATION (MPFFA) 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 Professional Firefighters Association has expired, and;

WHEREAS, the City of Marina and the Marina Professional Firefighters 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 and other terms and conditions of employment, and;

WHEREAS, the City of Marina and the Marina Professional Firefighters 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 \$30,000 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 Professional Firefighters Association, and;
2. Authorize adjustments to City Compensation Plan including adjustments to the salary schedule 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 1st day of November, 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

Side Letter of Agreement
Between the City of Marina and
Marina Professional Firefighters Association
October 28, 2016

This Side Letter of Agreement is entered into by and between the City of Marina and the Marina Professional Firefighters Association (MPFFA) effective October 28, 2016 and shall extend the currently utilized Marina Professional Firefighters Association (MPFFA) MOU through June 30, 2017. The parties agree to the following Terms and Conditions:

1. Term
 - a. Expires June 30, 2017

2. PERS Retirement (Employee PERS contribution)
 - a. Bargaining unit “Classic employees” shall pay the entire employee contribution towards PERS (9.0%). Effective in the pay period in which the “Classic employee” full employee PERS contribution is shifted to the employee, the employee shall receive a 9.0% salary increase.

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

4. Vacation Accrual Cap
 - a. Maximum vacation accrual cap shall be increased from 280 to 432 hours. Concurrently, maximum payout of vacation accrual for compensation at time of separation of employment shall be reduced from a maximum of 280 hours to a maximum of 200 hours.

5. All other terms and conditions of employment contained in the parties MOU, side letters and amendments shall remain in effect.

CITY OF MARINA

MARINA PROFESSIONAL
FIREFIGHTERS ASSOCIATION

By: _____

By: _____

Date: _____

Date: _____

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 1, 2016

**CITY COUNCIL TO CONSIDER RECEIVING INVESTMENT REPORTS
FOR THE CITY OF MARINA AND CITY OF MARINA AS SUCCESSOR
AGENCY TO THE MARINA REDEVELOPMENT AGENCY FOR
MONTHS ENDED JULY 30, AUGUST 31, AND SEPTEMBER 30, 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 Marina Redevelopment Agency for months ended July 31, August 31, and September 30, 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

EXHIBIT A

To: Honorable Mayor and City Council Members

From: Lily Suarez, Accounting Technician

RE: Investment Report
Month Ended July 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	4,887,519.28
Local Agency Investment Fund	State of California	Market	14,222,804.30
Paying Agent	Union Bank/Wells Fargo	Market	1,807,368.86
	Total Investments		<u>20,923,592.44</u>

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

Lily Suarez, Accounting Technician

EXHIBIT A

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

INSTITUTION	Beginning Balance			Change			Ending Balance			Cost	Book Value	Market Value
	Maturity	Rate (%)	Amount	Deposits	Withdrawals	Amount	Maturity	Rate (%)				
Imprest 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 - NoteWorld	73095112	N/A	0.20%	172,016.09	27.34	0.00	172,043.43	N/A	0.20%	172,043.43	172,043.43	172,043.43
Interest Checking Account*	73095032	N/A	0.00%	3,352,366.91	4,647,096.68	-3,864,382.22	4,135,081.37	N/A	0.00%	4,135,081.37	4,135,081.37	4,135,081.37
Money Market/Bond Proceeds	73139564	N/A	0.20%	3,780,056.82	337.66	-3,200,000.00	580,394.48	N/A	0.20%	580,394.48	580,394.48	580,394.48
Public Checking	805278199	N/A		0.00	0.00	0.00	0.00					
Total-Rabobank				7,304,439.82	4,647,461.68	-7,064,382.22	4,887,519.28			4,887,519.28	4,887,519.28	4,887,519.28
Local Agency Investment Fund (LAIF)	98-27-509	N/A	0.58%	14,203,480.77	19,323.53	0.00	14,222,804.30	NA	0.59%	14,222,804.30	14,222,804.30	14,222,804.30
Paying Agent - Union Bank or Wells Fargo												
05 GO Library	6711761600	N/A	variable	0.00	0.00	0.00	0.00	N/A	variable	0.00	0.00	0.00
Marina Abrams B 2006 Fund 72	6711797700-07	N/A	variable	187,457.61	69,267.02	0.00	256,724.63	N/A	variable	256,724.63	256,724.63	256,724.63
Marina Abrams B 2006 Fund 57	6711797711-14	N/A	variable	661,962.39	21.90	0.00	661,984.29	N/A	variable	661,984.29	661,984.29	661,984.29
Marina Greens AD	6711638400	N/A	variable	0.00	0.00	0.00	0.00	N/A	variable	0.00	0.00	0.00
Marina Landing AD	6711669601	N/A	variable	0.00	0.00	0.00	0.00	N/A	variable	0.00	0.00	0.00
98 GO Refunding	6711617300	N/A	variable	4.48	0.00	0.00	4.48	N/A	variable	4.48	4.48	4.48
2015 GO Refunding	6712129601	Sweep	variable	17,520.45	197,671.18	0.00	215,191.63	N/A	variable	215,191.63	215,191.63	215,191.63
2015 GO Refunding-Escrow	6712129602	Sweep	variable	0.00	0.00	0.00	0.00	N/A	variable	0.00	0.00	0.00
2015 GO Refunding-Issuance	6712129603	Sweep	variable	0.00	0.00	0.00	0.00	N/A	variable	0.00	0.00	0.00
2015 GO Refunding-Proceeds	6712129604	Sweep	variable	0.00	0.00	0.00	0.00	N/A	variable	0.00	0.00	0.00
Pension Obligation Bonds	22264700-701	N/A	variable	105.82	673,358.01	0.00	673,463.83	N/A	variable	673,463.83	673,463.83	673,463.83
Total Trustee Accounts				867,050.75	940,318.11	0.00	1,807,368.86			1,807,368.86	1,807,368.86	1,807,368.86
TOTAL				22,380,871.34	5,607,103.32	-7,064,382.22	20,923,592.44			20,923,592.44	20,923,592.44	20,923,592.44

* 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.

EXHIBIT A

To: Marina City Council in its Capacity as Successor Agency to the Marina Redevelopment Agency

From: Lily Suarez, Accounting Technician

RE: Investment Report
Month Ended July 31, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Interest Checking Account*	Rabobank	Market	1,394,983.02
Local Agency Investment Fund	State of California	Market	564,570.56
	Total Investments		<u>1,959,553.58</u>

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the Marina Redevelopment 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 JULY 31, 2016

INSTITUTION	Maturity	Rate (%)	Beginning Balance	Change		Ending Balance			Cost	Book Value	Market Value	
			Amount	Deposits	Withdrawals	Amount	Maturity	Rate (%)				
Rabobank												
Interest Checking Account*	73095032	N/A	0.00%	1,418,559.02	767.04	-24,343.04	1,394,983.02	N/A	0.00%	1,394,983.02	1,394,983.02	1,394,983.02
Local Agency Investment Fund (LAIF)	65-27-003	N/A	0.58%	563,803.52	767.04	0.00	564,570.56	N/A	0.59%	564,570.56	564,570.56	564,570.56
TOTAL				<u>1,982,362.54</u>	<u>1,534.08</u>	<u>-24,343.04</u>	<u>1,959,553.58</u>			<u>1,959,553.58</u>	<u>1,959,553.58</u>	<u>1,959,553.58</u>

* 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.

EXHIBIT A

To: Honorable Mayor and City Council Members

From: Lily Suarez, Accounting Technician

RE: Investment Report
Month Ended August 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	6,477,048.81
Local Agency Investment Fund	State of Californ	Market	14,222,804.30
Paying Agent	Union Bank/Wel	Market	999,425.56
	Aug Total Investments		<u>21,705,178.67</u>

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
Lily Suarez, Accounting Technician

EXHIBIT A

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

INSTITUTION	Beginning Balance			Change			Ending Balance			Cost	Book Value	Market Value
	Maturity	Rate (%)	Amount	Deposits	Withdrawals	Amount	Maturity	Rate (%)				
Imprest 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 - NoteWorld	73095112	N/A	0.20%	172,043.43	31.11	0.00	172,074.54	N/A	0.20%	172,074.54	172,074.54	172,074.54
Interest Checking Account*	73095032	Sweep	0.00%	4,135,081.37	3,773,671.71	-2,184,278.24	5,724,474.84	Sweep	0.00%	5,724,474.84	5,724,474.84	5,724,474.84
Money Market/Bond Proceeds	73139564	N/A	0.20%	580,394.48	104.95	0.00	580,499.43	N/A	0.20%	580,499.43	580,499.43	580,499.43
Public Checking	0805278199			0.00	0.00	0.00	0.00					
Total-Rabobank				4,887,519.28	3,773,807.77	-2,184,278.24	6,477,048.81			6,477,048.81	6,477,048.81	6,477,048.81
Local Agency Investment Fund (LAIF)	98-27-509	N/A	0.59%	14,222,804.30	0.00	0.00	14,222,804.30	NA	0.61%	14,222,804.30	14,222,804.30	14,222,804.30
Paying Agent - Union Bank or Wells Fargo												
05 GO Library	6711761600	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
Marina Abrams B 2006 Fund 72	6711797700-06	Sweep	variable	256,724.63	69,263.88	0.00	325,988.51	Sweep	variable	325,988.51	325,988.51	325,988.51
Marina Abrams B 2006 Fund 57	6711797711-14	Sweep	variable	661,984.29	0.00	-661,984.29	0.00	Sweep	variable	0.00	0.00	0.00
Marina Greens AD	6711638400	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
Marina Landing AD	6711669601	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
98 GO Refunding	6711617300	Sweep	variable	4.48	0.00	0.00	4.48	Sweep	variable	4.48	4.48	4.48
2015 GO Refunding	6712129601	Sweep	variable	215,191.63	0.00	-215,190.63	1.00	Sweep	variable	1.00	1.00	1.00
2015 GO Refunding-Escrow	6712129602	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
2015 GO Refunding-Issuance	6712129603	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
2015 GO Refunding-Proceeds	6712129604	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
Pension Obligation Bonds	22264700-03	Sweep	variable	673,463.83	0.00	-32.26	673,431.57	Sweep	variable	673,431.57	673,431.57	673,431.57
Total Trustee Accounts				1,807,368.86	69,263.88	-877,207.18	999,425.56			999,425.56	999,425.56	999,425.56
TOTAL				20,923,592.44	3,843,071.65	-3,061,485.42	21,705,178.67			21,705,178.67	21,705,178.67	21,705,178.67

* 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.

EXHIBIT A

To: Marina City Council in its Capacity as Successor Agency to the Marina Redevelopment Agency

From: Lily Suarez, Accounting Technician

RE: Investment Report
Month Ended August 31, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Interest Checking Account*	Rabobank	Market	1,389,714.64
Local Agency Investment Fund	State of Califom	Market	564,570.56
	Aug Total Investments		<u>1,954,285.20</u>

I hereby certify that sufficient investment liquidity and anticipated revenues are available to meet the Marina Redevelopment 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 AUGUST 31, 2016

INSTITUTION	Maturity	Rate (%)	Beginning Balance	Change		Ending Balance			Cost	Book Value	Market Value	
			Amount	Deposits	Withdrawals	Amount	Maturity	Rate (%)				
Rabobank												
Interest Checking Account*	73095032	Sweep	0.00%	1,394,983.02	0.00	-5,268.38	1,389,714.64	Sweep	0.00%	1,389,714.64	1,389,714.64	1,389,714.64
Local Agency Investment Fund (LAIF)	65-27-003	N/A	0.59%	564,570.56	0.00	0.00	564,570.56	N/A	0.61%	564,570.56	564,570.56	564,570.56
TOTAL				<u>1,959,553.58</u>	<u>0.00</u>	<u>-5,268.38</u>	<u>1,954,285.20</u>			<u>1,954,285.20</u>	<u>1,954,285.20</u>	<u>1,954,285.20</u>

* 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.

EXHIBIT A

To: Honorable Mayor and City Council Members

From: Lily Suarez, Accounting Technician

RE: Investment Report
Month Ended September 30, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Imprest Cash	City of Marina	Market	5,900.00
Public Interest Checking & Public Money Market Accounts	Rabobank	Market	6,134,802.42
Local Agency Investment Fund	State of California	Market	14,222,804.30
Paying Agent	Union Bank/Wells Fargo	Market	<u>1,068,596.54</u>
	Sept Total Investments		<u>21,432,103.26</u>

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

Lily Suarez, Accounting Technician

EXHIBIT A

CITY OF MARINA
INVESTMENT AND EARNINGS REPORT
MONTH ENDED SEPTEMBER 30, 2016

INSTITUTION	Beginning Balance			Change			Ending Balance			Cost	Book Value	Market Value
	Maturity	Rate (%)	Amount	Deposits	Withdrawals	Amount	Maturity	Rate (%)	Amount			
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	
Rabobank												
Revolving Loan - NoteWorld	73095112	N/A	0.20%	172,074.54	28.28	0.00	172,102.82	N/A	0.20%	172,102.82	172,102.82	172,102.82
Interest Checking Account*	73095032	Sweep	0.00%	5,724,474.84	1,742,973.58	-2,085,343.67	5,382,104.75	Sweep	0.00%	5,382,104.75	5,382,104.75	5,382,104.75
Money Market/Bond Proceeds	73139564	N/A	0.20%	580,499.43	95.42	0.00	580,594.85	N/A	0.20%	580,594.85	580,594.85	580,594.85
Public Checking	0805278199			0.00	0.00	0.00	0.00					
Total-Rabobank				6,477,048.81	1,743,097.28	-2,085,343.67	6,134,802.42			6,134,802.42	6,134,802.42	6,134,802.42
Local Agency Investment Fund (LAIF)	98-27-509	N/A	0.61%	14,222,804.30	0.00	0.00	14,222,804.30	NA	0.63%	14,222,804.30	14,222,804.30	14,222,804.30
Paying Agent - Union Bank or Wells Fargo												
05 GO Library	6711761600	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
Marina Abrams B 2006 Fund 72	6711797700-06	Sweep	variable	325,988.51	69,263.60	0.00	395,252.11	Sweep	variable	395,252.11	395,252.11	395,252.11
Marina Abrams B 2006 Fund 57	6711797711-14	Sweep	variable	0.00	3.11	0.00	3.11	Sweep	variable	3.11	3.11	3.11
Marina Greens AD	6711638400	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
Marina Landing AD	6711689601	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
98 GO Refunding	6711617300	Sweep	variable	4.48	0.00	0.00	4.48	Sweep	variable	4.48	4.48	4.48
2015 GO Refunding	6712129601	Sweep	variable	1.00	0.00	0.00	1.00	Sweep	variable	1.00	1.00	1.00
2015 GO Refunding-Escrow	6712129602	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
2015 GO Refunding-Issuance	6712129603	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
2015 GO Refunding-Proceeds	6712129604	Sweep	variable	0.00	0.00	0.00	0.00	Sweep	variable	0.00	0.00	0.00
Pension Obligation Bonds	22284700-03	Sweep	variable	673,431.57	0.00	-95.73	673,335.84	Sweep	variable	673,335.84	673,335.84	673,335.84
Total Trustee Accounts				999,425.56	69,266.71	-95.73	1,068,596.54			1,068,596.54	1,068,596.54	1,068,596.54
TOTAL				21,705,178.67	1,812,363.99	-2,085,439.40	21,432,103.26			21,432,103.26	21,432,103.26	21,432,103.26

* 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: Marina Redevelopment Agency Chair and Board Members

From: Lily Suarez, Accounting Technician

RE: Investment Report
Month Ended September 30, 2016

INVESTMENT SUMMARY:

	<u>Institution</u>	<u>Valuation</u>	<u>Amount</u>
Interest Checking Account*	Rabobank	Market	1,381,551.61
Local Agency Investment Fund	State of California	Market	564,570.56
	Sept Total Investments		<u>1,946,122.17</u>

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

Lily Suarez

Lily Suarez, Accounting Technician

EXHIBIT A

MARINA REDEVELOPMENT AGENCY
 INVESTMENT AND EARNINGS REPORT
 MONTH ENDED SEPTEMBER 30, 2016

Page 4 of 4

INSTITUTION	Maturity	Rate (%)	Beginning Balance	Change		Ending Balance			Cost	Book Value	Market Value	
			Amount	Deposits	Withdrawals	Amount	Maturity	Rate (%)				
Rabobank												
Interest Checking Account*	73095032	Sweep	0.00%	1,389,714.64	0.00	-8,163.03	1,381,551.61	Sweep	0.00%	1,381,551.61	1,381,551.61	1,381,551.61
Local Agency Investment Fund (LAIF)	65-27-003	N/A	0.61%	564,570.56	0.00	0.00	564,570.56	N/A	0.63%	564,570.56	564,570.56	564,570.56
TOTAL				<u>1,954,285.20</u>	<u>0.00</u>	<u>-8,163.03</u>	<u>1,946,122.17</u>			<u>1,946,122.17</u>	<u>1,946,122.17</u>	<u>1,946,122.17</u>

* 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.

STAFF REPORT TO BE PROVIDED TO COUNCIL ON
TUESDAY, NOVEMBER 1, 2016

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 1, 2016

CITY COUNCIL CONSIDER OPENING A PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC AND CONSIDER READING BY TITLE ONLY, WAIVING FURTHER READING, AND ADOPTING ORDINANCE NO. 2016-, ADOPTING AND AMENDING TITLE 15 OF THE MARINA MUNICIPAL CODE TO ADOPT 2016 EDITIONS OF CALIFORNIA BUILDING STANDARDS CODE, SPECIFICALLY 2016 CALIFORNIA BUILDING CODE, 2016 CALIFORNIA MECHANICAL CODE, 2016 CALIFORNIA RESIDENTIAL CODE, 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2016 CALIFORNIA EXISTING BUILDING CODE, 2016 CALIFORNIA PLUMBING CODE, 2016 CALIFORNIA ELECTRICAL CODE AND 2016 CALIFORNIA FIRE CODE, WITH CERTAIN EXCEPTIONS, MODIFICATIONS AND ADDITIONS REQUIRED BY LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS; APPROVING FINDINGS TO SUPPORT LOCAL MODIFICATIONS; SO AS TO BE IN EFFECT AS OF JANUARY 1, 2017

REQUEST:

It is requested that the City Council consider:

Opening a public hearing, take any testimony from the public and consider reading by title only, waiving further reading, and adopting Ordinance No. 2016-___, adopting and amending Title 15 of the Marina Municipal Code to adopt 2016 editions of California Building Standards Code, specifically 2016 California Building Code, 2016 California Mechanical Code, 2016 California Residential Code, 2016 California Green Building Standards Code, 2016 California Existing Building Code, 2016 California Plumbing Code, 2016 California Electrical Code and 2016 California Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions; approving findings to support local modifications; so as to be in effect as of January 1, 2017

BACKGROUND:

The California Building Standards Commission (CBSC) has published the latest editions of the construction codes for the State of California. They will become effective for every state agency and local municipality as of January 1, 2017, but cities are allowed to modify the codes to reflect local conditions. We have until that date to modify the Codes with local exceptions, modifications and additions, supported by express findings or the codes will go into effect unmodified by local conditions. Typically, every three years the CBSC reviews and revises the California Codes. Marina adopted its current codes, incorporating and modifying the 2013 California Building Standards Code in December 2013.

On October 18th, 2016, the City Council approved the first reading by title of the Ordinance amending Title 15 of the Marina Municipal Code to adopt 2016 Editions of California Building Standards Codes, specifically 2016 California Building Code, 2016 California Mechanical Code, 2016 California Residential Code, 2016 California Green Building Standards Code, 2016 Existing Building Code, 2016 California Plumbing Code, 2016 California Electrical Code and 2016 California Fire Code, with certain exceptions, modifications and additions required by local climatic, geological or topographical conditions; and set Tuesday, November 1st, 2016, for public hearing, second reading by title only, and final adoption of the Ordinance so as to be in effect as of January 1, 2017.

The Ordinance adopting amendments, exceptions, modification and additions must be sent to the CBSC and be in effect as of January 1, 2017.

ANALYSIS:

The attached Ordinance, with Exhibit A, adopting the 2016 CBSC Codes represents a continuation of existing City practice with regard to local modifications. There are, however, considerable changes to the reference numbering in the new California Codes, and the proposed ordinance reflects these new reference numbers in order to ensure that the Municipal Code continues to relate accurately to the CBSC Codes. (Ordinance with attached Exhibit is attached hereto as Exhibit A to this staff report.)

State law requires that the City adopt findings for any local modification to the building standards contained in the CBSC Codes. These findings are included in Exhibit A to the ordinance.

FISCAL IMPACT:

None

CONCLUSION:

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

Respectfully submitted,

Dan Paolini, CBO
Chief Building Official
City of Marina

Doug McCoun
Fire Chief
City of Marina

REVIEWED/CONCUR:

Fred Aegerter
Community Development Director
City of Marina

Layne P. Long
City Manager

ORDINANCE NO 2016-____

AN ORDINANCE OF THE CITY OF MARINA ADOPTING AND AMENDING TITLE 15 OF THE MARINA MUNICIPAL CODE TO ADOPT 2016 EDITIONS OF CALIFORNIA BUILDING STANDARD CODES, SPECIFICALLY 2016 CALIFORNIA BUILDING CODE, 2016 CALIFORNIA MECHANICAL CODE, 2016 CALIFORNIA RESIDENTIAL CODE, 2016 CALIFORNIA GREEN BUILDING STANDARDS CODE, 2016 CALIFORNIA EXISTING BUILDING CODE, 2016 CALIFORNIA PLUMBING CODE, 2016 CALIFORNIA ELECTRIC CODE, AND 2016 CALIFORNIA FIRE CODE, WITH CERTAIN EXCEPTIONS, MODIFICATIONS AND ADDITIONS REQUIRED BY LOCAL CLIMATIC, GEOLOGICAL OR TOPOGRAPHICAL CONDITIONS; AND APPROVING FINDINGS TO SUPPORT LOCAL MODIFICATIONS.

-o0o-

WHEREAS, pursuant to Sections 17922, 17958, 17958.5 and 17958.7 of the California Health and Safety Code, the City may adopt the provisions of the California Building, Mechanical, Residential, Green Building Standards, Existing Building, Plumbing, Electrical and Fire Codes with certain exceptions, modifications and additions to provisions of the California codes which are reasonably necessary to protect the health, welfare and safety of the citizens of Marina because of local climatic, geological and topographical conditions; and

WHEREAS, the City Council has considered whether certain modifications to the building standards contained in Exhibit A, attached hereto are necessary in the City of Marina due to local climatic, geological or topographical conditions; and.

WHEREAS, the factual findings made are valid and relate to the amendments made to the California codes in this adoption; and

WHEREAS, the City Council directed that a public hearing be held and duly noticed and published in accordance with California Government Code §50022.3, and said hearing was held on November 1, 2016, concerning the purpose of this Ordinance to adopt the 2016 California Building Standard Codes with modifications to address unique local conditions; and

WHEREAS, this Ordinance was found to be categorically exempt from environmental review, per the provisions of Section 15061(b) (3) of the Guidelines to the California Environmental Quality Act.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

1. Title 15 Amended: Title 15 entitled “Buildings and Construction” is hereby amended as set forth in the attached thirty six (36) pages, marked Exhibit “A,” and incorporated herein by this reference thereto.

2. Findings Adopted: The City Council hereby adopts the factual findings set forth in respective sections of Title 15 of the Marina Municipal Code, attached hereto as Exhibit A, relating to the amendments made to the California codes.

3. Savings Clause: Repeal of any provision of the Marina Municipal Code or any other city ordinance herein will not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before, this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

4. Severability: If any provision, section, paragraph, sentence or word of this Ordinance, or the application thereof to any person, property or circumstance is rendered or declared invalid by any court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this ordinance, and their application to other persons, property or circumstances, shall not be affected thereby and shall remain in full force and effect and, to that end, the provisions of this Ordinance are severable.

5. Interpretation: The provisions of this ordinance are enacted for the public health, safety and welfare and are to be liberally construed to obtain the beneficial purposes thereof as specified in Chapter 1 of the Building Code. In the event of any conflict between this ordinance and any law, rule or regulation of the State of California, that requirement which established the higher standard of safety shall govern. Failure to comply with such standard of safety shall be a violation of the Municipal Code. Any provision of the Municipal Code or appendices thereto inconsistent with the provisions of this ordinance, to the extent of such inconsistency and no further, is hereby repealed or modified to the extent necessary to effect the provisions of this ordinance.

6. Filing of Findings: The City Clerk is hereby directed to file a copy of this ordinance with the California Building Standards Commission of the State of California.

7. Notice: The City Council hereby determines that the form of the Notice of the public hearing held on November 1, 2016, which was published on October 19th and October 26th, 2016, is sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof.

8. Liability: The provisions of this ordinance shall not be construed as imposing upon the City of Marina any liability or responsibility for damage to persons or property resulting from defective work, nor shall the City of Marina, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this ordinance or of any permits or certificates issued under this ordinance.

9. Effective Date: This ordinance shall take effect on January 1, 2017.

10. Posting of Ordinance. Within fifteen (15) days after the passage of this ordinance, the City Clerk shall cause it to be posted in three (3) public places designated by resolution of the City Council and a summary of the ordinance, prepared by the City Attorney, shall be published in a local newspaper used to publish official notices for the City of Marina prior to the effective date.

The forgoing ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on October 18, 2016 and was passed and adopted at a regular meeting duly held on November 1, 2016, by the following votes:

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

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

EXHIBIT A TO
ORDINANCE NO. 2016-____
AMENDMENTS TO TITLE 15 OF THE MARINA MUNICIPAL CODE
BUILDINGS AND CONSTRUCTION

Editor's Note: **Bold**, [bracketed] numbers and text are for identification purposes only and are not a part of the Title as amended.

- 1- Section 15.04.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:**

15.04.010 Definitions.

"Building code" means the California Building Code or CBC, 2016 Edition, based on the 2015 International Building Code promulgated by the International Code Council, including the appendix thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and this chapter.

"Dangerous building code" is the Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

"Electrical code" means the California Electric Code or CEC, 2016 Edition, based on the 2015 National Electrical Code edition promulgated by the National Fire Protection Association, as amended and set forth in the California Building Standards Code, Title 24 of the California Code of Regulations, and in this title, known as the California Electrical Code (CEC).

"Emergency Work" means work that if not done immediately will affect the life safety of the occupant or cause damage the structure.

"Existing building code" means the California Existing Building Code, 2016 Edition, based on the 2015 International Existing Building Code promulgated by the International Code Council, including the appendix thereto.

"Fire code" is the California Fire Code or CFC, 2016 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions and additions there to as amended in the California Code of Regulations and in the Marina Municipal Code, known as the California Fire Code (CFC).

"Green building standards code" means the California Green Building Standards Code, 2016 Edition thereto, together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

"Housing code" is the Uniform Housing Code 1997, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in the Marina Municipal Code.

"Mechanical code" is the California Mechanical Code or UMC, 2016 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including Appendices A, B, C and D thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as California Mechanical Code (CMC).

"Plumbing code" is the California Plumbing Code or UPC, 2016 Edition, promulgated by the International Association of Plumbing and Mechanical Officials, including the Appendices G and I thereto, together with

those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations and in the Marina Municipal Code, known as the California Plumbing Code (CPC).

“Residential code” means the California Residential Code, 2016 Edition, based on the 2015 International Residential Code promulgated by the International Code Council together with those omissions, amendments, exceptions and additions as amended by the Marina Municipal Code.

“Security code” is the Uniform Building Security Code, 1997 Edition, promulgated by the International Code Council, together with those omissions, amendments, exceptions and additions thereto as amended in the Marina Municipal Code (UBSC).

(Ord. 2016-___ § 1 (Exh. A (1)), 2016)”

2. Section 15.08.010 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.010 Adoption of technical provisions of California Building Code (CBC).

A. Except as otherwise provided for in this chapter, the California Building Code (CBC), 2016 Edition, Volumes I and II, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CBC has been filed for use and examination of the public in the office of the building official of the city of Marina.

(Ord. 2016-___ § 1 (Exh. A (2)), 2016)

3. Section 15.08.020 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.020 Section 105.3.2 e amended.

Section 105.3.2 shall be amended to read as follows:

105.3.2 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing AND pays a fee of \$500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

(Ord. 2016-___ § 1 (Exh. A (3)), 2016)

4. Section 15.08.025 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.025 Section 105.5 amended.

Section 105.5 shall be amended to read as follows:

105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2016 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of \$1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted and permit obtained along with all applicable fees applied for this new project. All existing projects are subject to this section and will be subject to the conditions listed above.

(Ord. 2016-___ § 1 (Exh. A (4)), 2016)

5. Section 15.08.040 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

15.08.040 Section 1505.1.1 amended.

A. Findings. The amendments set forth in this section are reasonably necessary because of the following local geological, topographical and climactic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.

2. The local geographic, topographic and climactic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina and may cause a delayed fire response time, allowing further growth of a fire.

3. The types of roof coverings as set forth in the amendment are a more restrictive standard, which will better prevent fire damage, which can result from local conditions.

B. Section 1505.1.1 shall be amended to read as follows:

“Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire retardant roof or class A roof.

(Ord. 2016-___ § 1 (Exh. A (5)), 2016)

6. Section 15.08.100 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:

“15.08.100 Portions of the California Building Code which are not approved, adopted or incorporated by reference.

The following portions of the California Building Code 2016 Edition or the appendices thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the building code of the city of Marina.

Chapter 9 (All. See Chapter 9 of the California Fire Code, 2016 Edition with amendments.)

Appendices:

2016 CBC Appendix A (Employee Qualifications)
2016 CBC Appendix B (Board of Appeals)
2016 CBC Appendix C (Ag Buildings)
2016 CBC Appendix D (Fire Districts)
2016 CBC Appendix F (Rodent Proofing)
2016 CBC Appendix G (Flood Proofing)
2016 CBC Appendix K (Flooding)
2016 CBC Appendix M (Tsunami Flood Map)

(Ord. 2016-____ § 1 (Exh. A (6)), 2016)

7. Section 15.12.010 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

15.12.010 Adoption of technical provisions of California Mechanical Code (CMC).

A. Except as otherwise provided for in this chapter, the California Mechanical Code, 2016 Edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CMC has been filed for use and examination of the public in the office of the building official of the city of Marina.

(Ord. 2016-____ § 1 (Exh. A (7)), 2016)"

8- Section 15.12.011 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

15.12.011 Portions of California Mechanical Code which are not approved, adopted or incorporated by reference.

The following portions of the California Mechanical Code or CMC, 2016 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the mechanical code of the city of Marina:

Chapter 1, Division II, and all of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CMC Appendices A, B, C and D.

(Ord. 2016-____ § 1 (Exh. A (8)), 2016)

9. Chapter 15.14 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:

Chapter 15.14 RESIDENTIAL CODE

Sections:

- 15.14.010 Adoption of technical provisions of California Residential Code (CRC).
- 15.14.020 Section R105.2 amended.
- 15.14.030 Section R106.5 amended.
- 15.14.040 Section R106.6 amended
- 15.14.050 Section Table R302.6 amended
- 15.14.060 Section R313 deleted
- 15.14.070 Section R403.1.3 amended

15.14.08 Section R902.1.1.amended15.14.100 Portions of California Residential Code which are and are not approved, adopted or incorporated by reference.

15.14.010 Adoption of technical provisions of California Residential Code (CRC)

A. Except as otherwise provided for in this chapter, the California Residential Code, 2016 Edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto are approved and adopted, and hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein

B. One copy of the CRC has been filed for use and examination of the public in the office of the building official of the city of Marina

C. Findings. The amendments set forth in Sections 15.14.020, 15.14.030, 15.14.040, 15.14.050, 15.14.060, 15.14.070, 15.14.080 and 15.14.090 are reasonably necessary because of the following local geological, topographical and climatic conditions:

1. Marina is within a very active seismic area (Seismic Zone 4). Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on the limited and widely dispersed resources of the fire department, resulting in failure to meet the fire and life safety needs of the community.
2. The local geographic, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires in the city of Marina, and may cause a delayed fire response time, allowing further growth of the fire
3. The type of residential construction provisions set forth in the amendments are more restrictive standards, which will better prevent fire and seismic damage, which can result from local conditions.

(Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.020 Section R105.2 “Work exempt from permit” amended.

Section R105.2 is amended to read as follows:

(10) Decks that are not more than 30 inches above grade, at any point.

(Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.030 Section R105.5 amended.

Section R105.5 is hereby amended to read as follows:

R105.5 Expiration of Permits. Every permit issued by the building official under the provisions of the technical codes shall expire and become null and void, if the project authorized by such permit has not achieved an approval for one of the required inspections identified in section 110.3 of the 2016 California Building Code within one year of such permit.

The building official may grant a one-time permit extension of 180 (one-hundred eighty) days provided the applicant submits a request in writing prior to the permit expiration and the project has not changed in scope. Additional extension requests of one hundred and eighty (180) days may be granted by the building official if the request is made in writing, the project has not changed in scope, the project has obtained at least one inspection approval AND the applicant pays a fee of \$1,000 or the amount of the original building permit fee for each one hundred and eighty (180) day extension.

Before work can commence or recommence under an expired permit, a new permit application must be submitted and permit obtained along with all applicable fees applied for this new project.

All existing projects are subject to this section and will be subject to the conditions listed above.

(Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.040 Section R106.6 amended.

Section R106.6 is hereby amended to read as follows:

R106.6 Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of the application shall expire, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written request by the applicant showing that circumstances beyond control of the applicant have prevented action from being taken and the extension has been submitted in writing prior to the expiration date.

If a permit has not been obtained after the first extension, additional extensions of 90 days may be granted provided the applicant submits this request in writing and pays a fee of \$500.00 for each requested 180 - day extension and the project has not changed in scope.

Exception: If a project has been approved by the City pending an outside agency approval prior to expiration, written extensions will not be required.

(Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.050 Table 302.6 amended.

Table R302.6 is amended to read as follows:

“Not less than 5/8” type X” in all columns in the table.

(Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.060 Section R403.1.3 amended.

Section R403.1.3 is hereby amended to read as follows:

R403.1.3 Seismic reinforcing. Concrete footings located in Seismic Design Categories D0, D1 and D2, as established in Table R301.2 (1), shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

In Seismic Design Categories D0, D1 and D2 where a construction joint is created between a concrete footing and a stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook and extend a minimum of 14 inches (357 mm) into the stem wall.

In Seismic Design Categories D0, D1 and D2 where a grouted masonry stem wall is supported on a concrete footing and stem wall, a minimum of one No. 4 bar shall be installed at not more than 4 feet (1219 mm) on center. The vertical bar shall extend to 3 inches (76 mm) clear of the bottom of the footing and have a standard hook. In Seismic Design Categories D0, D1 and D2 masonry stem walls without solid grout and vertical reinforcing are not permitted.

Exception: In detached one- and two-family *dwelling*s which are three stories or less in height and constructed with stud bearing walls, isolated plain concrete footings supporting columns or pedestals are permitted.

(Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.070 Section R902.1.1 amended.

Section R902.1.1 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire retardant roof or Class A roof. (Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.080 Section R902.1.2 amended.

Section R902.1.2 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire retardant roof or Class A roof. (Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.090 Section R902.1.3 amended.

Section R902.1.3 is hereby amended to read as follows:

Roof coverings within ALL fire hazard severity zones. Any new roof on a new or existing structure and any re-roofing of an existing structure of 50% or more of the total roof area within a one-year period shall be of a fire retardant roof or Class A roof. (Ord. 2016-____ § 1 (Exh. A (9)), 2016)

15.14.100

Portions of California Residential Code which are and are not approved, adopted or incorporated by reference.

The following portions of the California Residential Code or CRC, 2016 Edition, or the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the residential code of the city of Marina:

- A. Section R313 (All. See Chapter 9 of the California Fire Code, 2016 Edition with amendments.)
- B. CRC Appendices G and H.

(Ord. 2016-____ § 1 (Exh. A (9)), 2016)”

10. Chapter 15.18 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows:]

“Chapter 15.18 GREEN BUILDING STANDARDS CODE

Sections:

- 15.18.101 Adoption of California Green Building Standards Code (CGBSC).
- 15.18.020 Portions of California Green Building Standards Code which are not approved, adopted or incorporated by reference.

15.18.010 Adoption of California Green Building Standards Code (CGBSC).

A. Except as otherwise provided for in this chapter, the California Green Building Standards Code, 2016 Edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto are approved and adopted, and are hereby incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CGBSC has been filed for use and examination of the public in the office of the building official of the city of Marina. (Ord. 2010-06 § 1 (Exh. A (10)), 2016)

15.18.020 Portions of California Green Building Standards Code which are not approved, adopted or incorporated by reference.

The following portions of the California Green Building Standards Code or CGBSC, 2016 Edition, or of the appendix thereto, are not approved or adopted or incorporated in this chapter by reference, and shall not be deemed to be a part of this chapter nor a part of the green building standards code of the city of Marina:

All of the appendix chapters with the exception of the following appendix chapters or portion thereof:

A. CGBSC Appendices A-4 and A-5.

(Ord. 2016-___ § 1 (Exh. A (10)), 2016)”

11. Chapter 15.22 of the Marina Municipal Code is hereby repealed and replaced in its entirety to read as follows]

“Chapter 15.22 EXIS-ITING BUILDING CODE

Sections

15.22.010 Adoption of California Existing Building Code (CEBC).

15.22.010 Adoption of California Existing Building Code (CEBC).

A. The California Existing Building Code, 2016 edition is approved and adopted, and is hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEBC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.”

(Ord. 2016-___ § 1 (Exh. A (11)), 2016)”

12. Section 15.24.010 of the Marina Municipal Code is repealed in its entirety and replaced to read as follows:]

“15.24.010 Adoption of Technical Provisions of California Plumbing Code (CPC).

A. Except as otherwise provided for in this Chapter, the California Plumbing Code, 2016 edition, including the appendices thereto, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CPC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.

(Ord. 2016-___ § 1 (Exh. A (12)), 2016)”

13. **Section 15.24.030 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:]**

“15.24.030 Portions of California Plumbing Code which are not approved, adopted or incorporated by reference.

The following portions of the California Plumbing Code or CPC, 2016 edition, or of the appendix thereto, are not approved or adopted or incorporated in this Chapter by reference, and shall not be deemed to be a part of this Chapter nor a part of the plumbing code of the City of Marina:

Chapter 1 – Division II and all of the Appendices with the exception of the following Appendix Chapters or portion thereof (which are approved, adopted and incorporated in this Chapter by reference) :

- A. CPC Appendix G
- B. CPC Appendix I.

(Ord. 2013-____ § 1 (Exh. A (13)), 2013)”

14. **Chapter 15.28 of the Marina Municipal Code is hereby repealed in its entirety and replaced to read as follows:**

“Chapter 15.28 ELECTRICAL CODE

Sections

15.28.010 Adoption of the technical provisions of the California Electrical Code

15.28.010 Adoption of Technical Provisions of California Electrical Code (CEC).

A. Except as otherwise provided for in this Chapter, the California Electrical Code, 2016 edition, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations are approved and adopted, and are hereby incorporated in this Chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CEC has been filed for use and examination of the public in the Office of the Building Official of the City of Marina.”

(Ord. 2016-____ § 1 (Exh. A (14)), 2016)”

15. **Chapter 15.32 of the Municipal Code is hereby repealed in its entirety and replaced to read as follows:]**

“Chapter 15.32 ADOPTION OF THE CALIFORNIA FIRE CODE (CFC)

Sections:-

- 15.32.050 Adoption of technical provisions of California Fire Code.
- 15.32.010 Definitions.
- 15.32.020 Bureau of fire prevention established.
- 15.32.030 Findings.
- 15.32.040 Section 101.1 Amended - Title
- 15.32.050 Section 101.2.1 Amended - Appendices .
- 15.32.060 Section 102.1 Amended – Construction & Design Provisions
- 15.32.070 Section 102.3 Amended

15.32.080 Section 103,.0 Added
 15.32.090 Section 103.5 Added
 15.32.10 Section 105.6.1.5 Added
 15.32.110 Section 109.2 Amended.
 15.32.120 Section 109.4 Amended
 15.32.130 .Section 111.4 Amended
 15.32.140 .Section 202 Amended
 15.32.150 Section 307.1.2 Amended
 15.32.160 Section 307.2.1.2 Added
 15.32.170 Section 320 Added
 15.32.180 Section 503.2.7 Amended
 15.32.190 Section 503.2.7.1 Added
 15.32.200 Section 503.7 Added
 15.32.210 Section 506.1 Amended
 15.32.220 Section 507.5.2 Amended
 15.32.230 Section 603.6.6 Added
 15.32.240 Section 901.1.1 Added
 15.32.250 Section 901.2.2 Added
 15.32.260 Section 901.4 Amended
 15.32.270 Section 901.4.6 Added
 15.32.280 Section 901.6.3 Added
 15.32.290 Section 901.6.4 Added
 15.32.300 Section 903.2 Amended
 15.32.310 Section 903.2.8 Amended
 15.32.320 Section 903.3.1.1.1 #8 Added
 15.32.330 Section 903.3.1.1.2 Deleted.
 15.32.340 Section 903.3.1.2 Amended
 15.32.350 Section 903.3.1.3 Amended
 15.32.360 Section 903.4.1 Amended
 15.32.370 Section 903.4.2 Amended
 15.32.380 Section 903.4.2.1 Added
 15.32.390 Section 903.3 Amended
 15.32.400 Section 907.1.6 Added
 15.32.410 Section 907.2 Amended
 15.32.420 Section 907.6.5 Amended
 15.32.430 Section 907.6.6 Amended
 15.32.440 Section 907.6.6.4 Added
 15.32.450 Section 907.7.2 Amended
 15.32.460 Section 5609 Added
 15.32.470 Section 5609.1 Added.
 15.32.480 Section 5609.1.2 Added
 15.32.490 Section 5609.1.3 Added
 15.32.500 Section 5609.1.4 Added
 15.32.510 Section 5609.1.5 Added
 15.32.520 Section D103.2 Amended
 15.32.530 Appendix O Added
 15.32.540 Appendix P Added
 15.32.550 Appendix Q Added.

15.32.005 Adoption of technical provisions of California Fire Code

A. Except as otherwise provided for in this chapter, the California Fire Code or CFC, 2016 Edition, promulgated by the International Fire Code Institute, including the appendix sections, together with those omissions, amendments, exceptions and additions thereto as amended in Title 24 of the California Code of Regulations, are approved and adopted, and are incorporated in this chapter by reference and made a part hereof the same as if fully set forth herein.

B. One copy of the CFC has been filed for use and examination of the public in the office of the fire chief of the City of Marina.

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.010 Definitions.

As used in this chapter or in any other uniform codes or other nationally recognized fire safety standard made a part of this chapter, unless otherwise apparent from the context:

- A. "City" means the city of Marina when it refers to a political entity, and means the incorporated area of the city of Marina when it refers to an area.
- B. "City council" means the city council of Marina.
- C. "Fire Chief" means the chief of the fire department serving the city of Marina.
- D. "Fire code official" means the Fire Chief or his or her designee.
- E. "Mayor" means the mayor of the City of Marina.
- F. "Municipality" means the City of Marina.

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.020 Bureau of fire prevention established.

The California Fire Code shall be enforced by the fire chief or his/her designee. The fire chief is appointed as the fire code official. The bureau of fire prevention is established within the city under the direction of the fire code official. The function of the fire prevention bureau shall be the implementation, administration and enforcement of the provisions of the Fire Code. References within the California Fire Code to the "department of fire prevention" shall mean the bureau of fire prevention

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.030 Findings.

The amendments set forth in Sections 15.32.040 through 15.32.____ are reasonably necessary because of the following local climatic, geological and topographical conditions:

- A. Climate. The city, on average, experiences an approximate annual rainfall of fifteen inches. The heaviest months for rainfall can be expected between January and April. During winter months, the city may experience periods of heavy rain, which can cause local flooding. Due to the proximity of the Pacific Ocean, winter storms are often accompanied by high winds, which have uprooted trees and damaged power lines. The city has also experienced periods of heavy fog, which has delayed the responding fire apparatus and prevented early discovery of structure fires. Light to gusty winds occur during dry periods which, when coupled with highly flammable vegetation, can cause uncontrollable fires. With increased development spreading into brush covered coastal hill areas, wind driven fires could have severe consequences, as have been demonstrated on several occasions throughout the state.
- B. Geologic. The city is susceptible to seismic hazards resulting from movement along any one of several known faults. The most serious direct earthquake hazard threat is from the damage or collapse of buildings and other structures due to ground movement. In addition to damage caused by earthquakes, there is the possibility of earthquake-induced fires starting because of damage to gas lines, power lines or heat-producing appliances and the unavailability to water for fire control due to broken water mains. In the event of a major earthquake many areas of the city may not be accessible to emergency equipment and, if bridges or roads are damaged, the city may be isolated from outside assistance.
- C. Topographical. The city is divided by California State Highway 1. The freeway creates barriers which obstruct traffic patterns and delay response time for fire equipment. The water supply within the city is directly affected by the topographical layout. In the event of a major catastrophe, the city does not have an elevated water storage system to supply pressurized water to the city fire hydrants.

D. Conclusion. Local climatic, geologic and topographical conditions impact fire suppression efforts and the frequency, spread, intensity and size of fire involving structures in this community. Further, they impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be necessary that the California Fire Code be amended by this chapter to mitigate the effects of these conditions.

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.040 Section 101.1 - Amended.

Section 101.1 is amended to read as follows:

101.1 Title. These regulations shall be known as the Fire Code of the City of Marina, hereinafter referred to as “Fire Code”.

(Ord. 2016-___§ 1 (Exh. A (15) (part)), 2016)

15.32.050 Section 101.2.1 – Amended

Section 101.2.1 is amended to read as follows:

101.2.1 Appendices. Provisions in all appendices to this code are hereby adopted in their entirety and shall apply.

(Ord. 2016-___§ 1 (Exh. A (15) (part)), 2016)

15.32.060 Section 102.1 – Amended

Section 102.1 is amended to read as follows:

102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions when identified in specific sections of this code.
4. Existing structures, facilities and conditions, which, in the opinion of the fire code official, constitute a distinct hazard to life and property.
5. Existing structures alterations and repairs.
 5. a. All new work performed in alterations and/or repairs to existing structures shall comply with the current provisions of this Chapter.
 5. b. When alterations and/or repairs result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the external walls of a building, or result in the removal, alteration, modification, replacement and/or repair of fifty percent or more of the existing internal structural and/or non-structural framework, independently or in combinations thereof, within a five-year period, the entire

building shall be made to conform to the current provisions of this Chapter including, but not limited to, the retrofit of an approved automatic fire protection system

5. c. Calculations of linear wall measurements shall be shown on all plans submitted for building permits, on the cover page in the project description of said plans.

5. d. The determination under this section of the requirement for upgrading any existing structure to full conformance with the current provisions of this Chapter shall be at the sole discretion of the fire code official.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.070 Section 102.3 – Amended

Section 102.3 is amended to read as follows:

102.3 Change of use or occupancy. No change shall be made in the use or occupancy of any structure that would place the structure on a different division of the same group or occupancy or in a different group or occupancy, unless such structure is made to comply with the provisions of this Code.

MARINA CITY CODE INTERPRETATION

With regards to construction provisions of this Code being required on building remodels:

1. **If wall coverings (drywall, paneling, etc.) are removed down to bare studs, do these walls get included in the calculations?**
ANSWER: YES
2. **If new wall coverings are installed over existing wall coverings, do these walls get included in the calculations?**
ANSWER: NO
3. **What is the measurement parameter for determining the 50% figure?**
ANSWER: ALL WALLS ARE MEASURED USING LINEAR FOOTAGE OF THE WALLS.

MARINA CITY CODE COMMENTARY

The following formula is used to determine the 50% linear wall length in the City of Marina and is a standard adopted by the Monterey County Fire Prevention Officers Association:

Step 1: Determine the total linear length of all walls of the existing building.

Step 2: Determine the total linear length of all walls of the proposed remodeled building, including additions to the building.

Step 3. Determine the total linear length of all walls that are proposed to be removed during the remodel.

Step 4. Add the results of Steps 1, 2, and 3.

Step 5. Determine whether Step 4 result is over 150% of the Step 1 result. If so, Section 102.1 applies. If not, it does not apply.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.080 Section 103.0 – Added

Section 103.0 is added to Chapter 1 of the Fire Code to read as follows:

103.0 Responsibility for enforcement.

103.0.1 Within established fire protection districts, incorporated cities and community services districts, responsibility for enforcement of this code shall be under the direction of the Fire Chief within each district.

Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.090 Section 103.5 – Added

Section 103.5 is added to Chapter 1 of the Fire Code to read as follows:

103.5 Police powers. The fire code official and his authorized deputies shall have the powers of police offices in performing their duties under this code. When requested to do so by the fire code official, the chief of police of the jurisdiction is authorized to assign such available police officers as necessary to assist the fire code official in enforcing the provisions of this code.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.100 Section 105.6.1.5 – Added

Section 105.6.1.5 is added to Chapter 1 of the Fire Code to read as follows:

105.6.1.5 Agricultural Explosive Devices. An operational permit is required for storage or use of any agricultural explosive device including “bird bombs”.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.110 Section 109.2 – Amended

Section 109.2 is amended to read as follows:

109.2 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner. If the occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the correction or abatement of such hazardous conditions.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.120 Section 109.4 – Amended

Section 109.4 is amended to read as follows:

109.4 Violation penalties. Persons who shall violate any provision of this code or shall fail to comply with any of the requirements thereof or shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of an infraction, punishable by a fine not more than five hundred dollars (\$500.00). Each day that a violation continues after due notice has been served shall be deemed a separate offense.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.130 Section 111.4 – Amended

Section 111.4 is amended to read as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of an infraction as specified in Section 109.4 of this code.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.140 Section 202 – Amended

Section 202 is amended to add the following definitions and to read as follows:

ALL WEATHER SURFACE. A road surface constructed to the minimum standards adopted by the jurisdiction.

BRIDGE. A structure to carry a roadway over a depression or obstacle.

IDLE PALLET. A pallet or similar product storage and/or lifting device not currently in use and empty of product.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.150 Section 307.1.2 – Amended

Section 307.1.2 is amended to read as follows:

The Chief of the Marina Fire Department shall prohibit all outdoor rubbish fires. No waste matter shall be disposed of by burning within the City of Marina.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.160 Section 307.2.1.2 – Amended

Section 307.2.1.2 is amended to read as follows:

Permit Required. No person shall kindle or maintain any open ground fire or authorize any such fire or authorize any such fire to be kindled or maintained for the purpose of preparation of food, such as in the case of a luau or barbecue or recreational fire without a permit from the Marina Fire Department. Other than one and two family residential dwelling units shall also need to secure a permit and/or clearance from the Monterey Bay Unified Air Pollution Control District.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.170 Section 320 – Added

Section 320 is added to Chapter 3 of the Fire Code to read as follows:

320 Storage of idle pallets

320.1 General. The requirements of this section apply to all pallets, whether wood or plastic.

320.2 Storage of idle pallets.

1. Idle pallets shall be stored outside, except as permitted by Section 320.2(2) of this code.
2. Idle pallets shall be permitted to be stored in a building if the building is sprinklered in accordance with NFPA 13.
3. Idle pallets stored outside shall be stored in accordance with Section 320.2 of this code.

320.3 Physical characteristics of outside storage shall be as follows:

1. Idle pallet stacks shall not exceed 20 feet in height.
2. Idle pallet stacks shall not cover an area of greater than 400 square feet, except as approved by the fire code official.
3. Idle pallet stacks shall be arranged to form stable piles.
4. A distance of not less than 25 feet shall separate stacks.
5. Stacks shall be no closer than 25 feet to any property line.
6. Stacks shall be no closer than 25 feet to any other yard storage.
7. Stacks shall be no closer than the distances shown on Table 320.3 to buildings.

Table 320.3 Required clearances between outside idle pallet storage and buildings.

Wall Construction	Under 50 Pallets	51-200 Pallets	Over 200 Pallets
Masonry with no openings	No restrictions	No restrictions	15 feet
Masonry with wired glass in openings, outside sprinklers and 1-hour doors	No restrictions	10 feet	20 feet
Masonry with wired or plain glass, outside sprinklers and ¾ hour doors	10 feet	20 feet	30 feet

Wood or metal with outside sprinklers	10 feet	20 feet	30 feet
Wood, metal or other	20 feet	30 feet	50 feet

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.180 Section 503.2.7 – Amended

Section 503.2.7 is amended to read as follows:

503.2.7 Grade. The grade of fire apparatus access roads shall be no greater than 15% unless specifically approved by the fire code official.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.190 Section 503.2.7.1 – Added

Section 503.2.7.1 is added to Chapter 5 of the Fire Code to read as follows:

503.2.7.1 Paving. All fire apparatus access roads over eight percent (8%) shall be paved with a minimum 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base. All fire apparatus access roads over fifteen percent (15%) where approved shall be paved with perpendicularly grooved concrete.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.200 Section 503.7 – Added

Section 503.7 is added to Chapter 5 of the Fire Code to read as follows:

503.7 Fire apparatus access road names. All fire apparatus access road names shall be issued by the jurisdictional authority.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.210 Section 506.1 – Amended

Section 506.1 is amended to read as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box or other approved emergency access device to be installed in an approved location. The key box or other approved emergency access device shall be of an approved type and shall contain keys or other information to gain necessary access as required by the fire code official. Where a key box is used, it shall be listed in accordance with UL 1037.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.220 Section 507.5.2 – Amended

Section 507.5.2 is amended to read as follows:

507.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards. When required by the fire code official, hydrants shall be painted in accordance with the most current edition of NFPA 291.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.230 Section 603.6.6 – Added

Section 603.6.6 is added to Chapter 6 of the Fire Code to read as follows:

603.6.6 Spark arresters. An approved spark arrester shall be installed on all chimneys, incinerators, smokestacks or similar devices using solid fuel for conveying smoke or hot gases to the outer air.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.240 Section 901.1.1 – Added

Section 901.1.1 is added to Chapter 9 of the Fire Code to read as follows:

901.1.1 Responsibility. The owner of the protected premises shall be responsible for all fire protection systems within the protected premises, whether existing or installed under this code.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.250 Section 901.2.2 – Added

Section 901.2.2 is added to Chapter 9 of the Fire Code to read as follows:

901.2.2 Additional documentation. Additional documentation as required by the fire code official shall be provided to the fire code official in an acceptable format.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.260 Section 901.4 – Amended

Section 901.4 is amended to read as follows:

901.4 Installation. Fire protection systems shall be maintained in accordance with the original installation standards for that system. All systems shall be extended, altered, or augmented as necessary to maintain and continue protection whenever the building is altered, remodeled or added to. Alterations to fire protection systems shall be done in accordance with applicable standards.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.270 Section 901.4.6 – Added

Section 901.4.6 is added to Chapter 9 of the Fire Code to read as follows:

901.4.6 Nonoperational equipment. Any fire protection equipment that is no longer in service shall be removed.

MARINA CITY CODE INTERPRETATION

With regards to construction provisions of the Marina City Fire Code being required on ancillary buildings based on proximity to the main structure, when are detached buildings to be considered “attached” for the purposes of imposing fire protection system requirements of the Marina City Fire Code?

ANSWER: Ancillary buildings within 20 feet of the main structure are considered “attached” for the purpose of imposing fire protection system requirements.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.280 Section 901.6.3 – Added

Section 901.6.3 is added to Chapter 9 of the Fire Code to read as follows:

901.6.3 Qualifications of Inspection, Testing and Maintenance Personnel. All personnel performing any inspection, testing or maintenance of any fire protection system shall be qualified. Where such inspection, testing and maintenance is performed by an outside service company, the company shall be appropriately licensed in accordance with the California Business and Professions Code or by the California State Fire Marshal.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.290 Section 901.6.4 – Added

Section 901.6.3 is added to Chapter 9 of the Fire Code to read as follows:

901.6.4 Additional records. All documentation generated during any scheduled inspection or test of any fire protection system, whether required or voluntarily installed, shall be forwarded to the fire code official within 21 calendar days after the date of the inspection or test.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.300 Section 903.2 – Amended

Section 903.2 is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems shall be provided in all new buildings and structures constructed, moved into or relocated within the jurisdiction.

Exceptions:

(1) Where an insufficient water supply exists to provide for an automatic fire sprinkler system and where the fire code official permits alternate protection.

- 903.2.1.1 Group A-1. Required in all new construction.
- 903.2.1.2 Group A-2. Required in all new construction.
- 903.2.1.3 Group A-3. Required in all new construction.
- 903.2.1.4 Group A-4. Required in all new construction.
- 903.2.1.5 Group A-5. Required in all new construction.
- 903.2.3. Group E. Required in all new construction.
- 903.2.4 Group F-1. Required in all new construction.
- 903.2.5 Group H. Required in all new construction.
- 903.2.6 Group I. Required in all new construction.

903.2.7 Group M. Required in all new construction.
903.2.9 Group S-1. Required in all new construction.
903.2.9.1 Repair Garages. Required in all new construction.
903.2.9.2 Bulk storage of tires. Required in all new construction.
903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all new construction with a Group R fire area, including but not limited to, one- and two-family dwellings, townhomes, and manufactured homes and mobile homes located outside of licensed mobile home parks hereafter constructed, moved into or relocated within the City, including all additions to buildings already equipped with automatic fire sprinkler systems

The following subsections are amended by changing requirements to 500 square feet for fire sprinkler installation, as follows (the complete text of the subsections is not provided):

903.2.18 Group U. Change All new construction to any construction greater than 500 square feet

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.310 Section 903.2.8 – Amended

Section 903.2.8 is amended to read as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided in all buildings with a Group R fire area, including, but not limited to, one- and two-family dwellings, townhomes, and manufactured homes and mobile homes located outside of licensed mobile home parks hereafter constructed, moved into or relocated within the jurisdiction, including all additions to buildings already equipped with automatic fire sprinkler systems.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.320 Section 903.3.1.1.1 #8 – Added

Section 903.3.1.1.1 #8 is added to Chapter 9 of the Fire Code to read as follows:

8. Passenger elevator shafts or associated passenger elevator mechanical rooms, where elevator shafts are constructed with a 2-hour fire resistive method.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.330 Section 903.3.1.1.2 – Deleted

Section 903.3.1.1.2 is deleted in its entirety:

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.340 Section 903.3.1.2 – Amended

Section 903.3.1.2 is amended to read as follows:

903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in Group R occupancies up to and including four stories in height shall be permitted to be installed throughout in accordance with NFPA 13R as amended in Chapter 47.

903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units where the building is of Type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located

such that their deflectors are within 1 inch to 6 inches below the structural members and a maximum distance of 14 inches below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

903.3.1.2.2 Attics. Where NFPA 13R sprinkler systems are installed, all attic areas shall be provided with sprinkler protection in accordance with NFPA 13.

903.3.1.2.3 Sprinkler control valves. Where NFPA 13R sprinkler systems are installed, sprinkler system control valves shall be installed in accordance with NFPA 13.

903.3.1.2.4 Bathrooms. Automatic sprinklers shall be installed in all bathrooms, regardless of square footage, where an electrical receptacle is installed.

903.3.1.2.5 Accessible storage areas. Automatic sprinklers shall be installed in all accessible storage areas.

903.3.1.2.6 Under-stair spaces. Automatic sprinklers shall be installed in all under-stair spaces including all under-stair closets.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.350 Section 903.3.1.3 – Amended

Section 903.3.1.3 is amended to read as follows:

903.3.1.3 NFPA 13D sprinkler systems. Automatic fire sprinkler systems installed in one and two-family dwellings, Group R-3 and R-4 congregate living facilities and townhouses shall be permitted to be installed throughout in accordance with NFPA 13D. The requirements of this section supersede the requirements of the California Residential Code. 903.3.1.3.1 All fire sprinkler systems installed in one- and two-family dwellings shall be tested for leakage by undergoing a hydrostatic test made at 200 psi for a two-hour duration.

903.3.1.3.2 Each water system supplying both domestic and fire protection systems shall have a single indicating-type control valve, arranged to shut off both the domestic and sprinkler systems. A separate shut-off valve for the domestic system only shall be permitted to be installed. The location of the control valve shall be approved by the fire code official.

903.3.1.3.3 Automatic sprinklers shall be installed in all bathrooms, regardless of square footage, where an electrical receptacle is installed.

903.3.1.3.4 Automatic sprinklers shall be installed in all attached garages and other accessory structures and in all garages and other accessory structures located within 20 feet of the main residence.

903.3.1.3.5 Automatic sprinklers shall be installed in all accessible storage areas.

903.3.1.3.5.1 Automatic sprinklers shall be installed in all under-stair spaces including all closets.

903.3.1.3.6 Automatic fire sprinklers shall be installed to protect all furnaces and heating system appliances.

903.3.1.3.7 Local water flow alarms shall be provided on all sprinkler systems. Local water flow alarms shall be powered from the main kitchen refrigerator circuit. The local water flow alarm shall be clearly audible from within the master bedroom at an audibility level of not less than 75 dBA. Where no kitchen exists in the building, the water flow alarm shall be powered from the bathroom lighting circuit.

MARINA CITY FIRE CODE INTERPRETATION

**With regards to requiring fire sprinkler installation in bathrooms,
Do rooms with toilets and/or bidets only and no electrical receptacles require fire sprinklers?
ANSWER: No, unless they exceed the 55 square foot minimum in NFPA 13R and NFPA 13D.
Do rooms with showers only and no electrical receptacles require fire sprinklers?
ANSWER: No, unless they exceed the 55 square foot minimum in NFPA 13R and NFPA 13D**

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.360 Section 903.4.1 – Amended

Section 903.4.1 is amended to read as follows:

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an approved central station, remote supervising station or proprietary supervising station as defined in NFPA 72, or, when approved by the fire code official, shall sound an audible signal at a constantly attended location. The fire alarm system installed to transmit such signals shall be considered a building fire alarm system (exceptions remain unchanged).

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.370 Section 903.4.2 – Amended

Section 903.4.2 is amended to read as follows:

903.4.2 Alarms. One exterior approved audible appliance shall be connected to every automatic sprinkler system in an approved location. Sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a building fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Interior alarm notification appliances shall be installed as required by Section 903.4.2.1.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.380 Section 903.4.2.1 – Added

Section 903.4.2.1 is added to Chapter 9 of the Fire Code to read as follows:

903.4.2.1 Where an automatic fire sprinkler system is installed in a building with more than one tenant or with over 100 sprinkler heads, audible and visible notification appliances shall be installed throughout the building as follows:

- a. Audible notification appliances shall be installed so as to be audible at 15 dBa above average sound pressure level throughout the building.
- b. Visible notification appliances shall be installed in all public and common use areas, restrooms and corridors in accordance with the spacing requirements of NFPA 72.
- c. Visible notification appliances can be eliminated in normally unoccupied portions of buildings where permitted by the fire code official.

EXCEPTION: The requirements of this section do not apply to Group R-3 Occupancies.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.390 Section 903.4.3 – Amended

Section 903.4.3 is amended to read as follows:

903.4.3 Floor control valves. Approved indicating control valves and water flow switches shall be provided at the point of connection to the riser on each floor in all buildings over one story in height, and shall be individually annunciated as approved by the fire code official.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.400 Section 907.1.6 – Added

Section 907.1.6 is added to Chapter 9 of the Fire Code to read as follows:

07.1.6 Multiple Fire Alarm Systems. Multiple fire alarm systems within a single protected premises are not permitted, unless specifically authorized by the fire code official.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.410 Section 907.2 – Amended

Section 907.2 is amended to read as follows:

907.2 Exception 1. The manual fire alarm box is not required for fire alarm control units dedicated to elevator recall control.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.420 Section 907.6.5– Amended

Section 907.6.5 is amended to read as follows:

907.6.5 Access. Access shall be provided to each fire alarm system component for periodic inspection, maintenance and testing.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.430 Section 907.6.6– Amended

Section 907.6.65 is amended to read as follows:

907.6.6 Monitoring. Fire alarm systems, whether required by this chapter or the California Building Code or voluntarily installed, shall be monitored by an approved supervising station in accordance with NFPA 72 and this section.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.440 Section 907.6.6.4 – Added

Section 907.6.6.4 is added to Chapter 9 of the Fire Code to read as follows:

907.6.6.4 Means of communication. The use of either POTS or cable telephone lines with a digital alarm communicator transmitter shall not be permitted.

EXCEPTION. Where no other communications methods are available, the use of telephone lines shall be permitted to be used on a temporary basis not to exceed one year from the date of final acceptance test or until permitted alternate means of communications are available.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016

15.32.450 Section 907.7.2– Amended

Section 907.665 is amended to read as follows:

907.7.2 Completion documents. The following documentation shall be provided at the time of acceptance testing for all fire alarm system installations:

1. A record of completion in accordance with NFPA 72.
2. A contractor’s statement verifying that the system has been installed in accordance with the approved plans and specifications, and has been 100% tested in accordance with NFPA 72.
3. A contractor’s affidavit of personnel qualifications, indicating that all personnel involved with the installation of the fire alarm system meet the qualification requirements of the fire code official.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016

15.32.460 Section 5609 added

Section 5609 is added to Chapter 56 of the California Fire Code to read as follows:

5609.0 Safe and Sane Fireworks Permitted. Notwithstanding the foregoing provision of law, safe and sane fireworks, as defined by the California Health and Safety Code or regulations issued by the Office of the State Fire Marshal, may be sold and discharged within the City during the period from 12:00 o’clock noon on June 28 to and until 11:59 p.m. on July 4 of each year, pursuant to the provisions of this ordinance and not otherwise.

No fireworks shall be sold, or offered for sale, discharged, or possessed within the city of Marina that are classified by the California Health and Safety Code as a dangerous firework.

Any property owner that allows the willful possession, sale or discharge of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both. Any person in possession of illegal or dangerous fireworks shall be held responsible and subject to a citation resulting in a fine, imprisonment or both, all fireworks shall be confiscated.

The safe and sane firework known as a “Piccolo Pete”, “Whistling Phantom”, or similar type of whistling fountain shall not be sold or discharged within the city of Marina.

(Ord. 2016-____§ 1 (Exh. A (15) (part)), 2016)

15.32.470 Section 5609.1 added

Section 5609.1 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1 Sale Permit Required. No person, co-partnership, partnership, organization or group shall sell safe and sane fireworks within the City without first having applied for and received a permit therefor in compliance with the terms of this ordinance. Upon receipt of a written application for a

permit pursuant to this ordinance, the city manager shall direct the Fire Chief to cause an investigation to be made and make a report to the city manager of his findings and his recommendations for or against the issuance of a permit, together with his reasons therefor. After the receipt of such report and recommendations, the City Manager shall have the power, in his discretion, to grant or deny the application. The denial of an application may be appealed to the City council by a written notice of appeal filed with the city clerk within five (5) days after notice of the city manager's action. Any permit granted by the city manager may be subject to such reasonable conditions and restrictions as may be imposed by the city manager, and such conditions and restrictions shall be complied with by the permittee.

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.480 Section 5609.1.2 added.

Section 5609.1.2 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.2 Permittee. The sale of "safe and sane" fireworks within the City is allowed by non-profit agency, certified by the Secretary of the State of California or the Internal Revenue Service, that is based in the City of Marina and having a mailing address within the city of Marina and whose primary purpose is to benefit the youth and adults that live in the city of Marina. No permit for the sale of safe and sane fireworks shall be issued to any person, corporation, partnership, organization or group which has not been in business or in operation within the City for at least one (1) year continuously preceding the filing of the application. Being in business shall require the prior payment of a business license fee to the City. An organization or group shall be deemed to be in operation if it has a principal and permanent meeting place in the City, holds regular business meetings at that location and has a bona fide membership of at least twenty (20) members.

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.490 Section 5609.1.3 added.

Section 5609.1.3 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.3. Application for Permit. Application for a permit to sell safe and sane fireworks shall:

- a) Be made in writing;
- b) Be filed with the Fire Chief on or prior to May 1 of each year;
- c) Set forth the proposed location of all fireworks stands, and the dimensions thereof;
- d) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deliver to the city manager satisfactory evidence of an insurance policy with \$50,000/100,000 public liability and \$10,000 property damage coverages, with a rider attached to the policy designating the City and its agents and employees as additional insured thereunder;
- e) Be accompanied by an assurance that if a permit is issued the applicant, at the time of receipt of such permit, shall deposit \$100.00 cash with the city clerk, which deposit shall be refunded to the permittee after the permit period has ended, if said permittee has complied with all applicable provisions of law for the sale of fireworks, but to be forfeited and retained by the City in the event of noncompliance with such law;
- f) Be accompanied by a nonrefundable application fee as specified in Chapter 3 of the Marina Municipal Code; and
- g) Shall contain the following information: name and address of the applicant; applicant's business or organization status; the date the applicant was organized or first conducted business;

the names and addresses of applicant's officers, if any; the location of applicant's principal and permanent place of business or meeting; the location where applicant will sell and store fireworks; and the applicant's State Board of Equalization Sales Tax Permit Number.

Provided the above requirements are met, permits shall be granted on a first-applied for, first-granted basis. Applicants for permits hereunder shall be notified by the Fire Chief or his or her designee of the granting or denial of their application for a permit on or before the first day of June each year.

(Ord. 2016-____ § 1 (Exh. A (15) (part)), 2016)

15.32.500 Section 5609.1.4 added.

Section 5609.1.4 is added to Chapter 56 of the California Fire Code to read as follows:

5609.1.4 Fireworks Stands, Regulations. All retail sales of safe and sane fireworks shall be permitted only from within a temporary fireworks stand, and the sale from any other building or structure is prohibited. Such stands shall be subject to the following regulations:

- a) No person, corporation, partnership, organization or group other than the designated permittee shall operate the stand for which a permit is issued or share or otherwise participate in the profits from the operation of such stand.
- b) No person other than individuals who are employees of the permittee or members of a permittee organization or group, or the spouses or children, eighteen years or older, of such persons, shall sell or otherwise participate in the sale of fireworks at such stand.
- c) Fireworks stands shall comply with the provisions of the Building Code of the City, and all stands shall be erected under the supervision of the building official, who shall require that stands be constructed in a manner which will reasonably insure the safety of attendants and patrons. An electrical permit and compliance with electrical codes are required.
- d) If, in the judgment of the building official or fire department inspector, the construction of the stands or the conduct of the operators therein does not conform to the provisions of this ordinance, such officer may order the stands immediately closed.
- e) No person shall be allowed in the interior of the stands except those directly employed in the sale of fireworks.
- f) There shall be at least one supervisor, twenty-one (21) years of age or older, on duty at all times. There shall be no sale of fireworks to persons under sixteen (16) years of age.
- g) No stand shall be placed closer than thirty (30) feet to any other building.
- h) NO SMOKING signs shall be prominently displayed both inside and outside the stand. No smoking shall be permitted within the stand, or within five (5) feet of the stand.
- i) All weeds and combustible material shall be cleared from the location of the stand. No rubbish shall be allowed to accumulate in or around any fireworks stand, nor shall a fire nuisance be permitted to exist.
- j) No stand shall be erected before June 15th of any year. The premises on which the stand is erected shall be cleared of all structures and debris not later than noon of the 12th day of July following.
- k) All stands must be equipped with at least one 2 1/2-gallon water pressure type extinguisher for each exit in the stand. Each fire extinguisher shall have a current State Fire Marshal tag affixed and have been serviced within the last year.

- l) Each stand in excess of twenty (20) feet in length must have at least two (2) exits; and each stand in excess of forty (40) feet in length must have at least three (3) exits spaced approximately equidistant apart; provided, however, that in no case shall the distance between exits exceed twenty (20) feet.
- m) No stand shall be constructed with a depth of more than twelve (12) feet.
- n) All unsold safe and sane fireworks shall be returned to the wholesaler not later than the eighth (8) day of July.
- o) Fireworks shall be stored only in a metal type Conex container and be equipped with a lock for overnight storage at the firework stand location. No fireworks shall be stored in the temporary fireworks stands when the stand is not occupied and not in operation.
- p) In addition to the above, the permittee shall also conform to all regulations relating to the storage and sale of fireworks as set forth in the California Health and Safety Code and the Fireworks Rules and Regulations of the State Fire Marshal.
- q) No one shall possess, use, or sell dangerous or illegal fireworks from the stand or near the stand. Violation of this section shall cause for immediately revoking the Fire Department permit and the stand will be shut down.
- r) No fireworks shall be sold or discharged on the Marina Municipal Airport property.

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.510 Section 5609.1.5 added.

Section 5609.1.5 is added to Chapter 56 of the California Fire Code to read as follows:

- a. 5609.1.5 NUMBER OF FIREWORK STAND PERMITS.
 - (a) Firework stand permits shall be limited to one (1) permit being available for firework stands in the City per every three thousand (3,000) in City population.
 - (b) As the population of the City increases, the then current limit on the number of permits for any calendar year shall be increased by one (1) permit per every three thousand (3,000) in additional City population. Population to be determined using the then current State of California Department of Finance, Demographic Research Unit's Population Estimates for California cities.

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.520 Section D103.2 – Amended

Section D103.2 is amended to read as follows:

D103.2 Grade. Fire apparatus access roads shall not exceed 15 percent in grade with a maximum side slope of 5%.

EXCEPTION: Grades steeper than 15 percent, if approved by the fire code official, shall be paved with perpendicularly grooved concrete.

(Ord. 2016-___ § 1 (Exh. A (15) (part)), 2016)

15.32.530 Appendix O adopted and added.

Appendix O is adopted and added to read:

APPENDIX O: Standard Fire Conditions for Single Family Dwellings

SECTION O101 – GENERAL

O101.1 Scope. Applications for the construction or remodel of single family dwellings, including one- and two-family dwellings, townhomes, modular and manufactured homes, and mobile homes outside of established mobile home parks, shall be subject to the fire conditions in this appendix when required by the fire code official.

O101.2 Conflicting Sections. Where provisions in this appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the fire code official.

SECTION O102 – ROADS

O102.1 General. These conditions will be used primarily when conditioning a subdivision or other project that requires roads. Roads are defined as access pathways for more than two parcels.

O102.2 Road access. (FIRE 001). Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name.

O102.3 Roadway engineering. (FIRE 002). The grade for all roads shall not exceed 15 percent with a maximum side slope of 5%. Where road grades exceed 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

O102.3 Dead end roads.

O102.3.1 Parcels less than one (1) acre. (FIRE 003) For parcels less than 1 acre, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 800 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

O102.3.2 Parcels greater than 1 acre and not exceeding 5 acres (FIRE 004) For parcels greater than 1 acre and not exceeding 5 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 1320 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have a turnaround constructed at its terminus. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

O102.3.3 Parcels greater than 5 acres and not exceeding 20 acres. (FIRE 005)

For parcels greater than 5 acres and not exceeding 20 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 2640 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1320-foot intervals. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

O102.3.4 Parcels greater than 20 acres. (FIRE 006) For parcels greater than 20 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 5280 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1320-foot intervals. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

SECTION O103 DRIVEWAYS, GATES, AND BRIDGES

O103.1 Driveways (FIRE 007) Driveways shall be defined as access pathways for one or two parcels. Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent with a maximum side slope of 5%. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. If permitted by the fire code official, grades over 15% shall be paved with perpendicularly grooved concrete. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be 30 feet long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.

O103.2 Gates (FIRE 008) All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.

O103.3 Bridges (FIRE 009) All new and reconstructed bridges shall be at least the width of the roadbed and berms, but in no case less than 12 feet wide. Bridge width on all roads exceeding tertiary standards shall not be less than the width of the two lanes with berms. All bridges shall be designed for HS15-44 loading and have guardrails. Appropriate signage, including but not limited to, weight ratings or vertical clearance limitations, and one-way road or single-lane road conditions, shall be provided at both entrances to any bridge. One-lane bridges may be permitted if there is unobstructed visibility across the entire bridge, and turnouts are provided at both bridge ends. The fire authority may impose more stringent requirements for bridges.

SECTION O104. SIGNS AND ADDRESSES

O104.1 Road signs (FIRE 010) All newly constructed or approved roads and streets shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. Size of letters, numbers and symbols for street and road signs shall be a minimum 4-inch letter height, ½-inch stroke, and shall be a color that is reflective and clearly contrasts with the background color of the sign. All numerals shall be Arabic. Street and road signs shall be non-combustible and shall be visible and legible from both directions of vehicle travel for a distance of at least 100 feet. Height, visibility, legibility, and orientation of street and road signs shall be meet the provisions of the jurisdiction. This section does not require any entity to rename or renumber existing roads or streets, nor shall a roadway providing access only to a single commercial or industrial occupancy require naming or numbering. Signs required under this section identifying intersecting roads, streets and private lanes shall be placed at the intersection of those roads, streets and/or private lanes. Signs identifying traffic access or flow limitations (i.e., weight or vertical clearance limitations, dead-end road, one-way road or single lane conditions, etc.) shall be placed: (a) at the intersection preceding the traffic access limitation; and (b) not more than 100 feet before such traffic access limitation. Road, street and private lane signs required by this article shall be installed prior to final acceptance of road improvements by the fire code official.

O104.2 Addresses for buildings. (FIRE 011) All buildings shall be issued an address in accordance with jurisdictional requirements. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance.

SECTION O105 - WATER SUPPLY

O105.1 Water systems (FIRE 012) The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available

O105.2 RESERVED (FIRE 013)

O105.3 Single parcel fire protection water supply. (FIRE 014) For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available.

O105.4 Fire hydrants and valves. (FIRE 015) A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least

one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.

SECTION O106 SETBACKS

O106.1 Setbacks (FIRE 016) All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the fire code official to provide the same practical effect.

SECTION O107 - VEGETATION AND DEBRIS DISPOSAL

O107.1 Disposition of vegetation and debris fuels. (FIRE 017) Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit.

SECTION O108 - GREENBELTS

O108.1 Greenbelts. (FIRE 018) Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the fire code official.

SECTION O109 – DEFENSIBLE SPACE

O109.1 Standard defensible space requirements. (FIRE 019) Combustible vegetation shall be removed from within a minimum of 100 feet or to the property line from structures, whichever is closer. Vegetation shall be no taller than four inches (4") high. Tree limbs shall be removed to 6 feet up from the ground and from within 10 feet from chimneys. Additional or alternate fire protection approved by the fire code official may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by the fire code official and other jurisdictional authorities.

O109.2 RESERVED (FIRE 020)

SECTION O110 FIRE PROTECTION SYSTEMS

O110.1 Residential fire sprinkler systems (Standard) (FIRE 021) The building(s) and attached structure(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection.

O110.2 RESERVED (FIRE 022)

O110.3 RESERVED (FIRE CONDITION 023)

O110.4 Residential fire alarm systems. (FIRE 024) The residence shall be fully protected with an approved household fire warning system as defined by NFPA 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the California Residential Code shall meet the requirements of the California Residential Code.

O110.5 RESERVED (FIRE 025)

(Ord. 2016-____ § 1 (Exh. A (15) (part)), 2016)

15.32.540 Appendix P adopted and added.

Appendix P is adopted and added to read:

APPENDIX P - ROOFS

SECTION P101 – General

P101.1 Scope. Applications for the construction or remodel of any buildings shall be subject to the roofing conditions of this appendix when conditioned by the fire code official.

P101.2 Conflicting Sections. Where provisions in this appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the fire code official.

SECTION P102 – NEW BUILDINGS

P102.1 General. (FIRE 026) Roofing requirements for all new buildings shall be a minimum Class “A” roof assembly as defined by the International Building Code.

EXCEPTION: Greenhouses shall be exempt from the requirements of this section.

P102.2 Very High Hazard Severity Zones. (FIRE 027) Roofing requirements for all new buildings in Very High Hazard Severity Zones shall be a minimum Class “A” roof assembly as defined by the International Building Code.

SECTION P103 – EXISTING BUILDINGS

P103.1 General. (FIRE 026) Roofing requirements for existing buildings when fifty percent (50%) or more of the roof area is reroofed within a one-year period after the issuance of a building permit shall be a minimum Class “A” roof assembly as defined by the International Building Code. Where there is no permit issued, this section is applicable to buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is reroofed within a one-year period after commencing construction.

P103.2 Very High Hazard Severity Zone. (FIRE 027) Roofing requirements for existing buildings within a very high hazard severity zone when fifty percent (50%) or more of the roof area is reroofed within a one-year period after the issuance of a building permit shall be a minimum Class “A” roof assembly as defined by the International Building Code. Where there is no permit issued, this section is applicable to such buildings constructed after the effective date of this code and to buildings where fifty percent (50%) or more of the roof area is reroofed within a one-year period after commencing construction.

SECTION P104 – ADDITIONS TO EXISTING BUILDINGS

P104.1 General. The requirements of this Appendix shall apply to all additions to existing buildings, except that only the new portions of the roof shall be required to meet the requirements of this appendix.

(Ord. 2016-____ § 1 (Exh. A (15) (part)), 2016)

15.32.550 Appendix Q adopted and added.

Appendix Q is adopted and added to read:

APPENDIX Q – ALTERNATIVE ENERGY SYSTEMS

Q101.1 Scope. Applications for the installation, additions or remodel of alternative energy system, including but not limited to photovoltaic and wind generation systems, shall be subject to this appendix when conditioned by the fire code official.

Q101.2 Conflicting Sections. Where provisions in this appendix conflict with other sections of this code or other appendices, the provisions of this appendix shall prevail unless otherwise directed by the fire code official.

Q102 **SIGNING AND MARKING**: All photovoltaic systems shall be permanently marked as specified in this section.

Q102.1 Main Service Disconnect

a. Main Panel Exterior Marking. A placard is required to be permanently affixed to the main service disconnect panel. The placard shall be red in color with white capital letters at least 3/4" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather-resistant, durable plastic with engraved letters, or other approved material. b. Circuit Disconnecting Means Marking. A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have contrasting color capital letters at least 3/8" in height and in a non-serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

Q102.2 Direct Current (DC) Conduits, Raceways, Enclosures, Cable Assemblies, and Junction Boxes.

a. Marking is required on all interior and exterior direct current (DC) conduits, raceways, enclosures, cable assemblies, and junction boxes.

b. Marking Locations. Marking shall be placed on all DC conduits, raceways, enclosures, and cable assemblies every ten feet (10'), at turns and above and below penetrations. Marking shall also be placed on all DC combiner and junction boxes.

c. Marking Content and Format. Marking for DC conduits, raceways, enclosures, cable assemblies and junction boxes shall be red with white lettering with minimum 3/8" capital letters in a non-serif font, to read "WARNING: SOLAR CIRCUIT". Marking shall be reflective, weather resistant, and suitable for the environment. Materials used should be in compliance with UL Standard 969.

Q102.3. Secondary Power Sources. Where photovoltaic systems are interconnected to battery systems, generator backup systems, or other secondary power systems, additional signage acceptable to the fire code official shall be required indicating the location of the secondary power source shutoff switch.

Q102.4. Installer Information. Signage acceptable to the fire code official indicating the name and emergency telephone number of the installing contractor shall be required to be installed adjacent to the main disconnect.

Q102.5 Inverters. No markings are required for inverters.

Q102.6 AC Photovoltaic Systems. AC Photovoltaic Systems shall be marked as specified in this section.

a. Main Panel Exterior Marking. A placard is required to be permanently affixed to the car service disconnect panel. The placard shall be red in color with white capital letters at least 3/4" in height and in a non-serif font, to read "SOLAR DISCONNECT INSIDE PANEL." The placard shall be constructed of weather resistant, durable plastic with engraved letters, or other approved material.

b. Circuit Disconnecting Means Marking. A permanent label is to be affixed adjacent to the circuit breaker controlling the inverter or other photovoltaic system electrical controller. The label shall have

contrasting color capital letters at least 3/8" in height and in a non-serif font, to read "SOLAR DISCONNECT." The label shall be constructed of durable adhesive material or other approved material.

Q103 BUILDING MOUNTED PHOTOVOLTAIC SYSTEMS.

Q103.1. All building- or roof—mounted photovoltaic systems shall be installed as specified in this section.

a. Access, Pathways, and Smoke Ventilation. Access and spacing requirements shall be observed to ensure emergency access to the roof, provide pathways for specific areas of the roof, provide for smoke ventilation opportunity areas, and to provide emergency egress from the roof.

b. Exceptions. Exceptions to the requirements in this section shall be permitted to be granted by the fire code official where access, pathway or ventilation requirements are reduced due to any of the following circumstances:

- (1). Proximity and type of adjacent exposures.
- (2). Alternative access opportunities, as from adjoining roofs.
- (3). Ground level access to the roof.
- (4). Adequate ventilation opportunities below solar arrays.
- (5). Adequate ventilation opportunities afforded by module set back from other rooftop equipment.
- (6). Automatic ventilation devices.
- (7). New technologies, methods, or other innovations that ensure adequate fire department access, pathways, and ventilation opportunities.

c. Designation of ridge, hip, and valley does not apply to roofs with 2-in-12 or less pitch.

d. Measurement Conventions. All roof dimensions shall be measured to centerlines.

e. Roof Access Points. Roof access points shall be defined as areas where ladders are not placed over openings (windows or doors) and are located at strong points of building construction and in locations where they will not conflict with overhead obstructions (tree limbs, wires, or signs).

Q103.2 Household Systems (One- and Two-Family Dwellings)

a. Access and Pathways.

(1). Hip Roof Layouts. Modules shall be located in a manner that provides one (1) three foot (3') wide clear access pathway from the eave to the ridge of each roof slope where the modules are located. The access pathway shall be located at a structurally sound location on the building, such as a bearing wall. EXCEPTION: Where adjoining roof planes provide a three foot (3') wide clear access pathway.

(2). Single Ridge Layouts. Modules shall be located in a manner that provides two (2) three-foot (3') wide access pathways from the eave to the ridge on each roof slope where the modules are located.

(3). Hip and Valley Layouts. Modules shall be located no closer than one and one-half feet (1-1/2') to a hip or valley if modules are to be placed on both sides of a hip or valley. Where modules are located on only one side of a hip or valley that is of equal length, the modules shall be permitted to be placed directly adjacent to the hip or valley.

b. Ridge Setback. The modules shall be located no higher than one and one-half feet (1—1/2') below the ridge.

Q103.3. Commercial Systems.

a. Definition. Commercial Systems shall be defined as all photovoltaic systems installed in any occupancy other than a one and two family dwelling.

b. Alternative Requirements. Where the fire code official determines that the roof configuration is similar to residential (i.e., townhouses, condominiums, or single-family attached buildings) the fire code official shall be permitted to make a determination to apply the requirements under Section AE103.2, above.

c. Access. There shall be a minimum six-foot (6') wide clear perimeter around the edges of the roof. EXCEPTION: If either access to the building is 250' or less, there shall be a minimum four foot (4') wide clear perimeter around the edges of the roof.

d. Pathways. Pathways shall be established as follows:

- (1). Pathways shall be over structural members.
- (2). Centerline axis pathways shall be provided in both axes of the roof.
- (3). Centerline axis pathways shall run on structural members or Over the next closest structural member nearest to the center lines of the roof.
- (4). Pathways shall be straight line not less than four feet (4') clear to skylights, ventilation hatches, and/or roof standpipes.

(5). Pathways shall provide not less than four feet (4') clear around roof access hatches with at least one not less than four foot (4') clear pathway to the parapet or roof edge.

e. Smoke Ventilation.

(1). Solar arrays shall be no greater than 150 feet by 150 feet in distance in either axis.

(2). Ventilator options between array sections shall be (a) a pathway eight feet (8') or greater in width; (b) a pathway four feet (4') or greater in width and bordering on existing roof skylights or ventilation hatches; or (c) a pathway four feet (4') or greater in width and bordering four foot by eight foot (4' X 8) "venting cutouts" every twenty feet (20') on alternating sides of the pathway.

Q104. Location of Direct Current (DC) Conductors.

a. Exterior mounted Direct Current conduits, wiring systems and raceways for photovoltaic circuits shall be located as close as possible to the ridge, hip or valley and from the hip or valley as directly as possible to an outside wall to reduce trip hazards and maximize ventilation opportunities.

b. Conduit runs between sub-arrays and to DC combiner boxes shall use design guidelines that minimize the total amount of conduit by taking the shortest path from the array to the DC combiner box.

c. DC combiner boxes shall be located so that conduit runs are minimized in the pathways between arrays.

d. DC wiring shall be run in metallic conduit or raceways when located within enclosed spaces in a building and shall be run as follows:

(1). When run perpendicular or parallel to load bearing members, a minimum ten-inch (10") space below roof decking or sheathing shall be maintained.

(2). Where flexible metal conduit (FMC) or metal clad cable (MC) containing PV power circuit conductors is installed across ceilings or floor joists, the raceway or cable shall be protected by guard strips.

Q105 GROUND MOUNTED PHOTOVOLTAIC SYSTEMS

Q105.1 Marking shall be in accordance with Section Q102, above.

Q105.2 Setbacks. Special setback requirements do not apply to ground-mounted, freestanding photovoltaic arrays. NOTE: The zoning regulations of the jurisdiction regulate setbacks between

buildings, accessory structures (possibly including ground-mounted photovoltaic arrays) and property lines.

Q105.3 Clearances. A clear area of ten feet (10') around ground-mounted photovoltaic installations shall be provided.

Q105.4 Non-Combustible Base. A gravel base or other non-combustible base acceptable to the fire code official shall be installed and maintained under and around the installation.

Q105.5 Protection. Fencing, skirting, or other suitable security barrier shall be installed when required by the fire code official. NOTE: Security barriers are intended to protect individuals and animals from contact with energized conductors or other components.

Q105.6 Fire Sprinkler Protection. Fire sprinkler protection is not required for ground-mounted photovoltaic installations.

(Ord. 2016-____ § 1 (Exh. A (15) (part)), 2016)