AGENDA

Tuesday, May 19, 2026

5:00 P.M. Closed Session
6:30 P.M. Open Session

REGULAR MEETING

CITY COUNCIL, AIRPORT COMMISSION, MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION, SUCCESSOR AGENCY OF THE FORMER MARINA REDEVELOPMENT AGENCY

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Council Chambers
211 Hillcrest Avenue
Marina, California

AND

Zoom Meeting URL: https://zoom.us/j/730251556
Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

PARTICIPATION

You may participate in the City Council meeting in person or in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City's home page at https://cityofmarina.org/. Attendees can make oral comments during the meeting by using the "Raise Your Hand" feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only.

The most effective method of communication with the City Council is by sending an email to marina@cityofmarina.org Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina's website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Marina website www.cityofmarina.org subject to City staff's ability to post the documents before the meeting.

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)**

LAND ACKNOWLEDGEMENT

The City recognizes that it was founded and is built upon the traditional homelands and villages first inhabited by the Indigenous Peoples of this region - the Esselen and their ancestors and allies - and honors these members of the community, both past and present.

1. CALL TO ORDER

2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   Jenny McAdams, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS:

4. CLOSED SESSION:

   a. Real Property Negotiation (Govt. Code Section 54956.8)
      i. Property: Portion of 211 Hillcrest Avenue, Marina, Assessor's Parcel Number 032-303-013-000
      Negotiating Party: T-Mobile West LLC
      Negotiator(s): City Manager
      Terms: Price and Terms

      ii. Property: Portion of 211 Hillcrest Avenue, Marina, Assessor's Parcel Number 032-303-013-000
      Negotiating Party: CCTM1 LLC
      Negotiator(s): City Manager
      Terms: Price and Terms

   b. Conference with Legal Counsel, Existing Litigation (Govt. Code § 54956.9(d)(1)) case(s)
      i. Application of California-American Water Company (U210W), Application 21-11-024, California Public Utilities Commission.

   c. Conference with Legal Counsel, Anticipated Litigation (Govt. Code § 54956.9(d)(4)), 2 potential cases. City Council to consider initiation of litigation pursuant to Government Code § 54956.9(d)(4).

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

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

6. SPECIAL PRESENTATIONS:
   a. Introduction of Martha Cortez, CDD Admin Assistant
   b. Poppy Month Proclamation
   c. Public Works week Proclamation
   d. Asian American and Pacific Islander Heritage Month Presentation
   e. Alexa Johnson, Housing Resource Center (McAdams)
   f. Fire Department Open House Volunteer certificates of recognition
   g. Summer Recreation programs

7. COUNCIL AND STAFF ANNOUNCEMENTS:

8. PUBLIC COMMENT**:** *Any member of the public may comment on any matter within the City Council's jurisdiction that is not on the agenda. This is the appropriate place to comment on items on the Consent Agenda. Action will not be taken on items not on the agenda. Comments are limited to a maximum of three (3) minutes. General public comment may be limited to thirty (30) minutes and/or continued to the end of the agenda. 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. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.*

9. 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 and non-controversial. 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 City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, the Council may remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

10. CONSENT AGENDA: *These items are considered to be routine and non-controversial. All items under the Consent Agenda may be approved by one motion. Prior to such a motion being made, any member of City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, Council may remove the item from the Consent Agenda and it will be placed at the end of Other Action Items.*
    a. ACCOUNTS PAYABLE: *(Not a Project under CEQA per Article 20, Section 15378)*
       (1) Accounts Payable Check Numbers 109169-109312, totaling $1,258,518.89
           Accounts Payable Successor Agency EFT No. 144, totaling $584.80
    b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*
       (1) April 21, 2026, Regular City Council Meeting
       (2) May 5, 2026, Special City Council Meeting

c. CLAIMS AGAINST THE CITY:

(1) Staff recommend that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Michael Jacquime Clark for a claim received on May 11, 2026.

d. AWARD OF BID: None

e. CALL FOR BIDS: None

f. ADOPTION OF RESOLUTIONS: *(Not a Project under CEQA per Article 20, Section 15378)*

(1) Adopting Resolution No. 2026-, establishing appropriations limit for FY 2026-27.

(2) Adopting Resolution No. 2026-, receiving the Fiscal Year 2026-27 Engineer's Report for the Seabreeze Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2026-27 in that district; and calling a public hearing for June 16, 2026.

(3) Adopting Resolution No. 2026-, receiving the Fiscal Year 2026-27 Engineer's Report for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2026-27 in that district; and calling a public hearing for June 16, 2026.

(4) Adopting Resolution No. 2026-, adopting a Vision Zero statement which would support roadway and safety goals and strengthen the City's Safe Streets and Roads for All (SS4A) grant application.

g. APPROVAL OF AGREEMENTS: *(Not a Project under CEQA per Article 20, Section 15378)*

(1) Adopting Resolution No. 2026-, approving an agreement between the City of Marina and the Transportation Agency of Monterey County (TAMC) for the 2023 Regional Surface Transportation Program (RSTP) allocation of funding, and; approving the RSTP competitive funding grant application for EDC2126 The Downtown Vitalization and Implementation Projects.

(2) Adopting Resolution No. 2026-, approving an agreement with ClientFirst Technology Consulting to provide bid assistance services for the Aquatic and Sports Center; approving an agreement with ClientFirst Technology Consulting to provide a city-wide security assessment and plan; and approving an agreement with ClientFirst Technology Consulting to provide assistance with public safety camera placement and supporting infrastructure design at the new Dunes and Sea Haven Parks.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS:

(1) Adopting Resolution No. 2026-, accepting the dedication of Public Improvements as shown on the approved Dunes (Formerly University Village) Improvement Plans and Parcel Map for Phase 2 North (Formerly Opportunity Site 1A).

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE):

(1) Receive Investment Reports for the City of Marina, City of Marina as Successor Agency to the Marina Redevelopment Agency, Preston Park Sustainable Community Non-Profit Corporation (PPSC-NPC), and Abrams B Non-Profit Corporation for the quarter ended March 31, 2026.

(2) Receive the City of Marina Third Quarter Budget Report – Fiscal Year 2025-26, which represents the quarter ended March 31, 2026; and consider receiving the HdL City of Marina Sales Tax Update for the period from October – December 2025.

(3) Receive the Abrams Park and Preston Park Third Quarter Informational Report for Fiscal Year 2025-26, which represents the quarter ended March 31, 2026.

(4) Receive Monterey-Salinas Transit May 11, 2026, Board Meeting Highlights.

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

(1) Read by Title Only and consider adopting Ordinance No. 2026-05, approving the proposed amendments to Section 17.42.170 Short-Term Rentals (STR) of the Marina Municipal Code; and find that adoption of the ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines.

m. APPROVE APPOINTMENTS: None

11. PUBLIC HEARINGS: *In the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to speak. All other persons may be given up to three (3) minutes to speak on the matter.*

a. Conduct a public hearing on the proposed extension of Urgency Ordinance No. 2026-03, as required by Government Code sections 65858(a) and 65090; and adopt an ordinance extending the temporary moratorium on the establishment and operation of new short-term rentals for twenty-six (26) days, from May 22, 2026, through and including June 17, 2026, by a minimum 4/5 vote as required by Government Code section 65858(a).

b. Open a public hearing and consider adopting Resolution 2026- approving a Tree Removal Permit for the removal of 44 trees and approval of a Design Review Permit in support of a new car dealership on the property located at 2101 First Avenue (Opportunity Area 3.2 of the Dunes Development); and find that any environmental impacts from the recommended action have been previously reviewed in the environmental impact report for the University Village Specific Plan EIR (EIR NO. 2004091167).

12. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. Members of the public may be given up to three (3) minutes to speak.*

13. 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. Members of the public may be given up to three (3) minutes to speak.*

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. Adopting Resolution No. 2026-, awarding the Construction Manager-At-Risk contract for the Marina Recreation and Aquatic Center to the highest ranked proposer, Otto Construction, Inc., of Monterey, CA.

b. Adopting Resolution No. 2026-, approving the Fiscal Year 2026-27 mid-cycle budget adjustments as outlined in the staff report, and provide direction for any other Council desired adjustments, and authorizing the Finance Director to make all necessary accounting and budgetary entries.

c. Receive a presentation on past amendments to the Council Rules, (2) further amendments and refinements to such Rules; and (3) providing direction to City Attorney and Staff on other refinements or amendments to such Rules. ***Continued from May 5, 2026 (Could be moved to June 2nd)***

d. Sign Ordinance-Window Covering Update and possible council direction. ***Continued from May 5, 2026 (Could be moved to June 2nd)***

14. COUNCIL & STAFF INFORMATIONAL REPORTS:

a. Monterey County Mayor's Association [Mayor Bruce Delgado]

b. Council reports on meetings and conferences attended (Gov't Code Section 53232).

15. 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 7:30 p.m., Friday, May 15, 2026.

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ANITA SHARP, DEPUTY CITY CLERK

City Council, Airport Commission and Redevelopment Agency meetings are recorded on tape and available for public review and listening at the Office of the City Clerk and kept for a period of 90 days after the formal approval of MINUTES.

City Council meetings may be viewed live on the meeting night and at 12:30 p.m. and 3:00 p.m. on Cable Channel 25 on the Sunday following the Regular City Council meeting date. In addition, Council meetings can be viewed at 6:30 p.m. every Monday, Tuesday and Wednesday. For more information about viewing the Council Meetings on Channel 25, you may contact Access Monterey Peninsula directly at 831-333-1267.

Agenda items and staff reports are public record and are available for public review on the City's website (www.ciytofmarina.org), 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.

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@cityofmarina.org. Requests must be made at least **48 hours** in advance of the meeting.

Upcoming 2026 Meetings of the City Council, Airport Commission, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Community Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency and Marina Groundwater Sustainability Agency
Regular Meetings: 5:00 p.m. Closed Session;
6:30 p.m. Regular Open Sessions

Tuesday, June 2, 2026
Tuesday, June 16, 2026

Tuesday, July 7, 2026
Tuesday, July 21, 2026 (Cancelled)

****Wednesday, August 5, 2026**
Tuesday, August 18, 2026 (Cancelled)

Tuesday, September 1, 2026
Tuesday, September 15, 2026

Tuesday, October 6, 2026
Tuesday, October 20, 2026

*****Wednesday, November 4, 2026**
Tuesday, November 17, 2026

Tuesday, December 1, 2026
Tuesday, December 15, 2026

*** Regular Meeting rescheduled due to Monday Holiday**

**** Regular Meeting rescheduled due to National Night Out**

***** Regular Meeting rescheduled due to City Election Day**

C I T Y H A L L 2 0 2 6 H O L I D A Y S
(City Hall Closed)

Memorial Day ---------- Monday, May 25, 2026
Juneteenth Day---------- Friday, June 19, 2026
Independence Day (City Offices Closed) ----------Friday, July 3, 2026
Labor Day ---------- Monday, September 7, 2026
Veterans Day (City Offices Closed)---------- Wednesday, November 11, 2026
Thanksgiving Day----------Thursday, November 26, 2026
Thanksgiving Break---------- Friday, November 27, 2026
Winter Break----------Thursday, December 24, 2026- Thursday, December 31, 2026

2026 COMMISSION DATES

U p c o m i n g 2 0 2 6 M e e t i n g s o f P l a n n i n g C o m m i s s i o n
2nd and 4th Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

May 28, 2206
June 10, 2026
June 24, 2026
July 8, 2026
July 22, 2026
August 12, 2026
August 26, 2026
September 9, 2026
September 26, 2026
October 14, 2026
October 23, 2026
November 11, 2026
November 25, 2026 (Cancelled)
December 9, 2026
December 23, 2026
November 11, 2026

U p c o m i n g 2 0 2 6 M e e t i n g s o f P u b l i c W o r k s C o m m i s s i o n
1st Thursday of every month. Meetings are held at the Council Chambers at 6:30 P.M.

June 4, 2026
July 2, 2026
August 6, 2026
September 3, 2026
October 1, 2026
November 5, 2026
December 3, 2026

U p c o m i n g 2 0 2 6 M e e t i n g s o f R e c r e a t i o n & C u l t u r a l S e r v i c e s C o m m i s s i o n
4th Wednesday of every second month. Meetings are held at the Council Chambers at 6:30 P.M.

July 22, 2026
September 23, 2026
December 2, 2026

U p c o m i n g 2 0 2 6 M e e t i n g s o f M a r i n a T r e e C o m m i t t e e
2nd Wednesday of every quarter month as needed. Meetings are held at the Council Chambers at 6:30 P.M.

July 8, 2026
October 14, 2026

Proclamation

May 22, 2026
National Poppy Day in Marina

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WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

WHEREAS, Millions who have answered the call to arms have died on the field of battle; and

WHEREAS, A nation at peace must be reminded of the price of war and the debt owed to those who have died in war; and

WHEREAS, the red poppy has been designated as a symbol of sacrifice of lives in all wars; and

WHEREAS, The American Legion Auxiliary has pledged to remind America annually of this debt through the distribution of the memorial flower and

WHEREAS, The American Legion Family has the support of Congress to designate the Friday before Memorial Day as National Poppy Day:

THEREFORE, I, Bruce Delgado, Mayor, of the City of Marina, County of Monterey, California do hereby proclaim the month of May, 2026, as POPPY MONTH and May 22, 2026 as Poppy Day and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on this day.

Dated this 19th day of May 2026

CITY OF MARINA INCORPORATED NOVEMBER 13, 1975 CALIFORNIA

Bruce C. Delgado, Mayor

Proclamation

National Public Works Week Proclamation
May 17–23, 2026
"Rooted in Service, Powered by Community"

WHEREAS, public works professionals focus on infrastructure, facilities, and services that are of vital importance to sustainable and resilient communities and to public health, high quality of life, and well-being of the people of **City of Marina;** and

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in **City of Marina** to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and

WHEREAS, the year 2026 marks the 66th annual National Public Works Week sponsored by the American Public Works Association, be it now,

NOW, THEREFORE IT BE PROCLAIMED, that I, **Bruce C. Delgado, Mayor of the City of Marina** do hereby designate the week of May 17–23, 2026, as National Public Works Week. I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees, and to recognize the substantial contributions they make to protecting our national health, safety, and advancing quality of life for all.

Dated this 19th day of May 2026

CITY OF MARINA INCORPORATED NOVEMBER 15, 1975 CALIFORNIA

Bruce C. Delgado, Mayor

Proclamation

In Recognition of Asian American and Pacific Islander Heritage Month

WHEREAS, the City of Marina celebrates the rich cultural diversity that strengthens our community, and recognizes the vital contributions of Asian American and Pacific Islander (AAPI) communities throughout our nation's history; and

WHEREAS, Asian Americans and Pacific Islanders represent a wide array of distinct cultures, languages, and histories, and have contributed significantly to the fields of science, arts, education, public service, business, and the military; and

WHEREAS, despite a legacy of resilience and achievement, AAPI communities have also faced discrimination, exclusion, and hardship, and it is our responsibility as a city to stand in solidarity against hate and bias of any kind; and

WHEREAS, the City of Marina is home to a growing and vibrant AAPI population that enriches the fabric of our city through entrepreneurship, cultural traditions, civic engagement, and community leadership; and

WHEREAS, Asian American and Pacific Islander Heritage Month offers all residents of Marina and the Monterey County the opportunity to reflect on the history, celebrate the diversity, and honor the many contributions of these communities to our shared society.

NOW, THEREFORE, I, Bruce Delgado, Mayor of the City of Marina, County of Monterey, CA do hereby proclaim the month of May 2025, as **Asian American and Pacific Islander Heritage Month** and urge all residents to recognize, appreciate, and celebrate the important role that AAPI communities play in shaping our city and nation

Dated this 19th day of May 2026

CITY OF MARINA INCORPORATED NOVEMBER 13, 1975 CALIFORNIA

Kathy Y. Biala, Councilmember

Bruce C. Delgado, Mayor

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **110 - City Council**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6500.700 - Training & Travel Training & Travel**										
10140 - City Of Marina Petty Cash	04.29.26	Replenish Petty Cash	Paid by Check # 109198		04/29/2026	04/29/2026	04/29/2026		05/08/2026	25.00
Account **6500.700 - Training & Travel Training & Travel** Totals							Invoice Transactions	1		$25.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$25.00
Division **000 - Non-Div** Totals							Invoice Transactions	1		$25.00
Department **110 - City Council** Totals							Invoice Transactions	1		$25.00
Department **120 - City Mgr/HR/Risk**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.010 - Prof Svc Admin - Muni Code**										
10149 - Code Publishing Inc. - General Code	GCI0019813	MMC Cumulative Supplement	Paid by Check # 109175		04/30/2026	04/27/2026	04/27/2026		05/08/2026	196.00
Account **6300.010 - Prof Svc Admin - Muni Code** Totals							Invoice Transactions	1		$196.00
Account **6300.465 - Prof Svc Legal - Special Counsel**										
11505 - Shartsis Friese LLP	5524483	Professional Services - MPWSP - March 2026	Paid by Check # 109190		04/30/2026	05/01/2026	05/01/2026		05/08/2026	478,626.21
12348 - RICHARDS, WATSON & GERSHON A PROFESSIONAL CORPORAT	258315	Professional Services - MPWSP - March 2026	Paid by Check # 109187		04/30/2026	05/05/2026	05/05/2026		05/08/2026	1,433.33
Account **6300.465 - Prof Svc Legal - Special Counsel** Totals							Invoice Transactions	2		$480,059.54
Account **6400.565 - Material & Suppl Office Supplies**										
10732 - Office Depot-General Account	465654983001	Office Supplies for ACM Office	Paid by Check # 109183		04/28/2026	04/27/2026	04/27/2026		05/08/2026	33.18
10732 - Office Depot-General Account	467536997001	Refund	Paid by Check # 109183		04/28/2026	04/27/2026	04/27/2026		05/08/2026	(9.82)
Account **6400.565 - Material & Suppl Office Supplies** Totals							Invoice Transactions	2		$23.36
Account **6500.700 - Training & Travel Training & Travel**										
10140 - City Of Marina Petty Cash	04.29.26	Replenish Petty Cash	Paid by Check # 109198		04/29/2026	04/29/2026	04/29/2026		05/08/2026	25.00
Account **6500.700 - Training & Travel Training & Travel** Totals							Invoice Transactions	1		$25.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	6		$480,303.90
Division **000 - Non-Div** Totals							Invoice Transactions	6		$480,303.90
Department **120 - City Mgr/HR/Risk** Totals							Invoice Transactions	6		$480,303.90
Department **125 - I. T.**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.330 - Prof Svc IT - Information Tech Svc**										
10897 - TechRx Technology Services Corporation	13724	IT Support - April 2026	Paid by EFT # 7658		04/29/2026	05/05/2026	05/05/2026		05/08/2026	9,120.00
Account **6300.330 - Prof Svc IT - Information Tech Svc** Totals							Invoice Transactions	1		$9,120.00

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **125 - I. T.**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.331 - Prof Svc IT - Website Svc**										
10143 - CivicPlus, LLC	363306	Quarterly Website Hosting and Support	Paid by EFT # 7649		04/01/2026	05/04/2026	05/04/2026		05/08/2026	5,263.21
10897 - TechRx Technology Services Corporation	13685	Zoom - April 2026	Paid by EFT # 7658		04/01/2026	05/05/2026	05/05/2026		05/08/2026	582.83
Account **6300.331 - Prof Svc IT - Website Svc** Totals								Invoice Transactions	2	$5,846.04
Account **6360.076 - Maint & Repairs Copier**										
10592 - U.S. Bank Equipment Finance-USbancorp	581045572	CDD Copier Lease Payment - May 2026	Paid by Check # 109195		04/29/2026	05/04/2026	05/04/2026		05/08/2026	225.06
Account **6360.076 - Maint & Repairs Copier** Totals								Invoice Transactions	1	$225.06
Account **6360.342 - Maint & Repairs IT - System Annual Maint**										
10905 - Taygeta Scientific, Inc.	001366	SentinelOne Endpoint Detection and Response - Feb-Apr 2026	Paid by Check # 109194		05/01/2026	05/01/2026	05/01/2026		05/08/2026	4,953.00
10905 - Taygeta Scientific, Inc.	000423-R-0089	Computer Network Defense - May 2026	Paid by Check # 109194		05/01/2026	05/01/2026	05/01/2026		05/08/2026	2,833.33
10905 - Taygeta Scientific, Inc.	000708-R-0062	Barracuda Spam Firewall - May 2026	Paid by Check # 109194		05/01/2026	05/01/2026	05/01/2026		05/08/2026	585.60
10897 - TechRx Technology Services Corporation	13629	Veeam Subscription - May 2026	Paid by EFT # 7658		05/01/2026	05/05/2026	05/05/2026		05/08/2026	544.00
10897 - TechRx Technology Services Corporation	13696	Amazon Glacier - Subscription - May 2026	Paid by EFT # 7658		05/01/2026	05/05/2026	05/05/2026		05/08/2026	475.00
10897 - TechRx Technology Services Corporation	13698	Veeam O365 Backup & Glacier Storage - May 2026	Paid by EFT # 7658		05/01/2026	05/05/2026	05/05/2026		05/08/2026	400.00
10897 - TechRx Technology Services Corporation	13701	Ninite Subscription May 2026	Paid by EFT # 7658		05/01/2026	05/05/2026	05/05/2026		05/08/2026	216.00
Account **6360.342 - Maint & Repairs IT - System Annual Maint** Totals								Invoice Transactions	7	$10,006.93
Account **6360.345 - Maint & Repairs Citywide Microsoft Ofc Upgrade**										
10897 - TechRx Technology Services Corporation	13697	Citywide MS Office 365 - May 2026	Paid by EFT # 7658		05/01/2026	05/05/2026	05/05/2026		05/08/2026	3,041.60
Account **6360.345 - Maint & Repairs Citywide Microsoft Ofc Upgrade** Totals								Invoice Transactions	1	$3,041.60
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	12	$28,239.63
Division **000 - Non-Div** Totals								Invoice Transactions	12	$28,239.63
Department **125 - I. T.** Totals								Invoice Transactions	12	$28,239.63

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **150 - City Attorney**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.450 - Prof Svc Legal - City Attorney Other Svc**										
11964 - Shute Mihaly & Weinberger LLP	296435	Finance - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	449.80
11964 - Shute Mihaly & Weinberger LLP	296436	Police Department - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	2,050.64
11964 - Shute Mihaly & Weinberger LLP	296437	Public Works - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	4,824.80
11964 - Shute Mihaly & Weinberger LLP	296438	Parks - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	2,208.04
11964 - Shute Mihaly & Weinberger LLP	296439	Planning Commission/Development - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	23,416.28
11964 - Shute Mihaly & Weinberger LLP	296440	Code Enforcement - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	8,587.50
11964 - Shute Mihaly & Weinberger LLP	296441	Defend City in Handcar Lawsuit - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	2,545.21
11964 - Shute Mihaly & Weinberger LLP	296442	City Manager - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	1,955.76
11964 - Shute Mihaly & Weinberger LLP	296443	Human Resources and Risk - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	899.60
11964 - Shute Mihaly & Weinberger LLP	296445	City Attorney Services - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	31,972.72
				Account **6300.450 - Prof Svc Legal - City Attorney Other Svc** Totals			Invoice Transactions	10		$78,910.35
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	10		$78,910.35
				Division **000 - Non-Div** Totals			Invoice Transactions	10		$78,910.35
				Department **150 - City Attorney** Totals			Invoice Transactions	10		$78,910.35
Department **190 - Citywide Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.240 - Prof Svc Grant Writer**										
12302 - California Consulting, Inc.	7911	Grant Writing Services - California Arts Council	Paid by Check # 109171		04/16/2026	04/28/2026	04/28/2026		05/08/2026	750.00
				Account **6300.240 - Prof Svc Grant Writer** Totals			Invoice Transactions	1		$750.00
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Apr 2026 56-017	208 Palm Ave, Unit A	Paid by Check # 109178		04/13/2026	05/02/2026	05/02/2026		05/08/2026	93.74
10349 - Marina Coast Water District	Apr 2026 56-020	304 Hillcrest Ave	Paid by Check # 109178		04/13/2026	05/02/2026	05/02/2026		05/08/2026	128.29
10349 - Marina Coast Water District	Apr 2026 56-025	327 Reindollar Avenue Sewer	Paid by Check # 109178		04/13/2026	05/02/2026	05/02/2026		05/08/2026	47.83

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **190 - Citywide Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Apr 2026 56-018	208 Palm Avenue	Paid by Check # 109178		04/13/2026	05/04/2026	05/04/2026		05/08/2026	344.38
Account **6380.500 - Utilities Water & Sewer** Totals							Invoice Transactions	4		$614.24
Account **6400.565 - Material & Suppl Office Supplies**										
10406 - Monterey Bay Systems	512235	City Hall Copier Replacement Staples	Paid by EFT # 7654		04/23/2026	04/27/2026	04/27/2026		05/08/2026	397.39
10732 - Office Depot-General Account	468060025001	General Office Supplies - Packing Tape	Paid by Check # 109183		04/30/2026	04/27/2026	04/27/2026		05/08/2026	24.35
10732 - Office Depot-General Account	468060024001	Office Supplies	Paid by Check # 109183		04/30/2026	05/04/2026	05/04/2026		05/08/2026	65.19
10140 - City Of Marina Petty Cash	04.29.26	Replenish Petty Cash	Paid by Check # 109198		04/29/2026	04/29/2026	04/29/2026		05/08/2026	18.98
Account **6400.565 - Material & Suppl Office Supplies** Totals							Invoice Transactions	4		$505.91
Account **6400.733 - Material & Suppl Signs**										
10101 - California Department of Transportation	SL260526	Signals & lighting billing Oct-Dec 2025	Paid by Check # 109172		01/21/2026	04/24/2026	04/24/2026		05/08/2026	650.56
Account **6400.733 - Material & Suppl Signs** Totals							Invoice Transactions	1		$650.56
Account **6600.010 - Other Charges Alarm**										
10239 - First Alarm	950875	Remote Alarm Code Entry - Rec Director Crisante	Paid by EFT # 7651		04/21/2026	05/04/2026	05/04/2026		05/08/2026	35.00
10239 - First Alarm	950876	Remote Alarm Code Entry - Rec Dir. and Rec Staff	Paid by EFT # 7651		04/21/2026	05/04/2026	05/04/2026		05/08/2026	35.00
Account **6600.010 - Other Charges Alarm** Totals							Invoice Transactions	2		$70.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	12		$2,590.71
Division **000 - Non-Div** Totals							Invoice Transactions	12		$2,590.71
Department **190 - Citywide Non-Dept** Totals							Invoice Transactions	12		$2,590.71
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10456 - Shred-it USA - Stericycle, Inc.	8014013491	SHREDDING ONSITE	Paid by Check # 109191		04/18/2026	05/18/2026	04/20/2026		05/08/2026	183.93
Account **6300.570 - Prof Svc Other** Totals							Invoice Transactions	1		$183.93

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.050 - Maint & Repairs Building**										
10239 - First Alarm	950851	Service Call & Labor - Ticket # 252030	Paid by EFT # 7651		04/21/2026	04/21/2026	04/21/2026		05/08/2026	1,568.97
Account **6360.050 - Maint & Repairs Building** Totals								Invoice Transactions	1	$1,568.97
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10623 - Xerox Financial Services	41933504	ACCT # 4130499 SVC CONTRACT PMT 4/10/26 - 5/9/26	Paid by Check # 109197		04/19/2026	05/10/2026	04/20/2026		05/08/2026	527.17
Account **6360.570 - Maint & Repairs Other Svc Agr** Totals								Invoice Transactions	1	$527.17
Account **6380.150 - Utilities Comm Phone System**										
10758 - AT & T CALNET3	000025111330	ACCT # 9391023478	Paid by Check # 109170		04/15/2026	05/22/2026	04/20/2026		05/08/2026	62.26
Account **6380.150 - Utilities Comm Phone System** Totals								Invoice Transactions	1	$62.26
Account **6400.720 - Material & Suppl Safety Equip**										
11468 - San Diego Police Equipment Co, Inc.	668148	FED-P9HST2-CF 9MM 147 GR HST JHP/1M/CS	Paid by Check # 109189		04/01/2026	05/01/2026	04/20/2026		05/08/2026	2,873.93
Account **6400.720 - Material & Suppl Safety Equip** Totals								Invoice Transactions	1	$2,873.93
Account **6400.800 - Material & Suppl Uniform**										
10309 - Salinas Valley Pro Squad	022941	UNIFORM J. KOBAYASHI	Paid by Check # 109188		04/21/2026	06/20/2026	04/20/2026		05/08/2026	2,444.83
Account **6400.800 - Material & Suppl Uniform** Totals								Invoice Transactions	1	$2,444.83
Account **6500.620 - Training & Travel POST**										
10646 - Richard Cox - Employee	05-03-26	Monterey County Chief's Workshop	Paid by EFT # 7655		04/29/2026	04/29/2026	04/29/2026		05/08/2026	230.00
10692 - Steven Russo - Employee	05-03-26	Monterey County Chief's Workshop	Paid by EFT # 7657		04/29/2026	04/29/2026	04/29/2026		05/08/2026	230.00
Account **6500.620 - Training & Travel POST** Totals								Invoice Transactions	2	$460.00
Account **6600.485 - Other Charges Medical Svc - Investigations**										
10776 - Central Valley Toxicology, Inc.	345788	Abuse Screen (CVT-26-2043)	Paid by Check # 109174		03/05/2026	04/20/2026	04/20/2026		05/08/2026	95.00
10776 - Central Valley Toxicology, Inc.	345789	Abuse Screen (CVT-26-2044)	Paid by Check # 109174		03/05/2026	04/20/2026	04/20/2026		05/08/2026	178.00
10776 - Central Valley Toxicology, Inc.	345790	Abuse Screen (CVT-26-2045)	Paid by Check # 109174		03/05/2026	04/20/2026	04/20/2026		05/08/2026	95.00
Account **6600.485 - Other Charges Medical Svc - Investigations** Totals								Invoice Transactions	3	$368.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	11	$8,489.09
Division **000 - Non-Div** Totals								Invoice Transactions	11	$8,489.09
Department **210 - Police** Totals								Invoice Transactions	11	$8,489.09

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10841 - Art Black / Carmel Fire Protection	126177	Commercial Fire Alarm System Modifications 3190 Imjin Road	Paid by EFT # 7648		04/27/2026	04/30/2026	04/30/2026		05/08/2026	215.00
10841 - Art Black / Carmel Fire Protection	126175	Residential Fire Sprinkler Inspection for 599 Santa Ynez Way	Paid by EFT # 7648		04/24/2026	04/30/2026	04/30/2026		05/08/2026	230.00
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	2	$445.00
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10029 - MONTEREY SANITARY SUPPLY,INC./ALTIUS MEDICAL	22747	Tri-Annual Medical Waste Service Bio Hazard Waste Disposal	Paid by Check # 109180		02/02/2026	05/04/2026	05/04/2026		05/08/2026	106.00
				Account **6360.570 - Maint & Repairs Other Svc Agr** Totals				Invoice Transactions	1	$106.00
Account **6380.300 - Utilities Gas & Electric**										
10603 - Verizon Wireless	6141988194	371782403-00002 FD Mobile Mar 26 - Apr 25	Paid by EFT # 7659		04/25/2026	05/04/2026	05/04/2026		05/08/2026	584.39
				Account **6380.300 - Utilities Gas & Electric** Totals				Invoice Transactions	1	$584.39
Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires**										
10323 - L.N. Curtis & Sons	INV1064356	Training Fire Shelter - Equipment	Paid by EFT # 7653		04/30/2026	05/01/2026	05/01/2026		05/08/2026	1,363.44
				Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires** Totals				Invoice Transactions	1	$1,363.44
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	5	$2,498.83
				Division **000 - Non-Div** Totals				Invoice Transactions	5	$2,498.83
				Department **250 - Fire** Totals				Invoice Transactions	5	$2,498.83
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.065 - Maint & Repairs Bdg NonFlagship**										
10728 - Ace Hardware-Public Works	094011	Facilities	Paid by Check # 109169		04/17/2026	04/29/2026	04/29/2026		05/08/2026	43.65
10728 - Ace Hardware-Public Works	094023	Facilities	Paid by Check # 109169		04/20/2026	04/29/2026	04/29/2026		05/08/2026	108.04
10159 - Consolidated Electrical Distributors, Inc	4914-1075142	Facilities	Paid by Check # 109176		04/20/2026	04/29/2026	04/29/2026		05/08/2026	86.66
12406 - MOST DEPENDABLE FOUNTAINS INC.	INV87674	Vince DiMaggio	Paid by Check # 109181		03/04/2026	04/03/2026	04/03/2026		05/08/2026	7,981.55
12014 - Pueblo Construction, Inc.	260309-1	3200 Del Monte Blvd. Marina, CA	Paid by Check # 109186		04/14/2026	04/27/2026	04/27/2026		05/08/2026	3,085.41
10582 - Uline Shipping Supply	198980696	PORTABLE SAFETY BARRIER	Paid by Check # 109196		10/08/2025	04/27/2026	04/27/2026		05/08/2026	3,458.66
				Account **6360.065 - Maint & Repairs Bdg NonFlagship** Totals				Invoice Transactions	6	$14,763.97

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.075 - Maint & Repairs Bdg Teen Center**										
10728 - Ace Hardware-Public Works	093989	Facilities	Paid by Check # 109169		04/15/2026	04/27/2026	04/27/2026		05/08/2026	96.98
Account **6360.075 - Maint & Repairs Bdg Teen Center** Totals							Invoice Transactions	1		$96.98
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Apr 2026 56-006	Water Acct# 56-006 - 188 Seaside Circle	Paid by Check # 109178		04/20/2026	04/30/2026	04/30/2026		05/08/2026	363.26
10349 - Marina Coast Water District	Apr 2026 56-001	209-13 Cypress Ave	Paid by Check # 109178		04/13/2026	05/01/2026	05/01/2026		05/08/2026	263.19
10349 - Marina Coast Water District	Apr 2026 56-011	3254 Abdy Way (Tate Park - Irrigation)	Paid by Check # 109178		04/06/2026	05/02/2026	05/02/2026		05/08/2026	1,877.13
10349 - Marina Coast Water District	Apr 2026 56-014	3200 Del Monte Blvd	Paid by Check # 109178		04/06/2026	05/02/2026	05/02/2026		05/08/2026	2,449.18
10349 - Marina Coast Water District	Apr 2026 56-034	3240 De Forest Rd	Paid by Check # 109178		04/06/2026	05/02/2026	05/02/2026		05/08/2026	876.08
10349 - Marina Coast Water District	Apr 2026 56-098	3254 Abdy Way (Tate Park - Building)	Paid by Check # 109178		04/06/2026	05/02/2026	05/02/2026		05/08/2026	86.77
10349 - Marina Coast Water District	Apr 2026 56-106	306 Reservation Rd	Paid by Check # 109178		04/06/2026	05/02/2026	05/02/2026		05/08/2026	82.73
10349 - Marina Coast Water District	Apr 2026 56-094	2660 5th Ave	Paid by Check # 109178		04/20/2026	05/02/2026	05/02/2026		05/08/2026	407.23
10349 - Marina Coast Water District	Apr 2026 56-046	3100 Preston Drive	Paid by Check # 109178		04/20/2026	05/02/2026	05/02/2026		05/08/2026	253.98
10349 - Marina Coast Water District	Apr 2026 56-045	3100 Preston Drive	Paid by Check # 109178		04/20/2026	05/02/2026	05/02/2026		05/08/2026	3,577.90
10349 - Marina Coast Water District	Apr 2026 56-042	3040 Lake Drive	Paid by Check # 109178		04/20/2026	05/04/2026	05/04/2026		05/08/2026	373.23
10349 - Marina Coast Water District	Apr 2026 56-061	Reservation/Locke Paddon Park	Paid by Check # 109178		04/20/2026	05/04/2026	05/04/2026		05/08/2026	185.40
10349 - Marina Coast Water District	Apr 2026 56-090	Locke Paddon Park	Paid by Check # 109178		04/20/2026	05/04/2026	05/04/2026		05/08/2026	146.41
10349 - Marina Coast Water District	Apr 2026 56-019	211 Hillcrest Avenue	Paid by Check # 109178		04/13/2026	05/04/2026	05/04/2026		05/08/2026	934.69
Account **6380.500 - Utilities Water & Sewer** Totals							Invoice Transactions	14		$11,877.18
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	21		$26,738.13
Division **311 - Buildings & Grounds** Totals							Invoice Transactions	21		$26,738.13

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **310 - Public Works**										
Division **313 - Vehicle Maint**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.850 - Maint & Repairs Vehicle**										
10304 - Johnson Associates	552443	4-wat flat trailer end 48"	Paid by EFT # 7652		03/27/2026	04/28/2026	04/28/2026		05/08/2026	10.87
12181 - Sound Billing, LLC / MyFleetCenter	7017745	2022 F150 #557	Paid by Check # 109192		04/20/2026	04/29/2026	04/29/2026		05/08/2026	116.27
				Account **6360.850 - Maint & Repairs Vehicle** Totals				Invoice Transactions 2		$127.14
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions 2		$127.14
				Division **313 - Vehicle Maint** Totals				Invoice Transactions 2		$127.14
				Department **310 - Public Works** Totals				Invoice Transactions 23		$26,865.27
Department **420 - Engineering**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.175 - Prof Svc Eng Svc- Rev Funded Plan Check**										
10171 - CSG Consultants	65647	Sea Haven Inspection-Phase 3B	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	513.00
10171 - CSG Consultants	65648	Sea Haven Inspection-Phase 4	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	8,721.00
				Account **6300.175 - Prof Svc Eng Svc- Rev Funded Plan Check** Totals				Invoice Transactions 2		$9,234.00
Account **6300.180 - Prof Svc Eng Svc- Rev Funded Inspection**										
10171 - CSG Consultants	65208	Permits/Development	Paid by EFT # 7650		03/13/2026	04/30/2026	04/30/2026		05/08/2026	35,938.00
10171 - CSG Consultants	65631	Permits/Development	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	31,330.50
				Account **6300.180 - Prof Svc Eng Svc- Rev Funded Inspection** Totals				Invoice Transactions 2		$67,268.50
Account **6300.185 - Prof Svc Engineering Svs-Staff Augment**										
10171 - CSG Consultants	65632	Staff Augmentation	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	10,894.50
				Account **6300.185 - Prof Svc Engineering Svs-Staff Augment** Totals				Invoice Transactions 1		$10,894.50
Account **6330.200 - Fee Agr Costs - Engineering**										
10171 - CSG Consultants	65227	Marina Inspections-Phase 1 & 2	Paid by EFT # 7650		03/13/2026	04/30/2026	04/30/2026		05/08/2026	12,583.00
10171 - CSG Consultants	65228	MST Surf Inspections	Paid by EFT # 7650		03/13/2026	04/30/2026	04/30/2026		05/08/2026	17,198.00
10171 - CSG Consultants	65644	Marina Station Inspections- Phase 1 & 2	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	16,088.50
10171 - CSG Consultants	65646	MST Surf Inspection	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	21,314.50
10171 - CSG Consultants	65641	Inspections- Dunes Phase 3 North Improvements	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	5,472.00

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Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **420 - Engineering**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6330.200 - Fee Agr Costs - Engineering**										
10171 - CSG Consultants	65642	Inspections- Gas Station 3001 2nd Ave	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	4,275.00
10171 - CSG Consultants	65643	Marina Station	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	2,122.00
10171 - CSG Consultants	65650	Via Del Mar Subdivision (3220 Abdy Way)	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	171.00
			Account **6330.200 - Fee Agr Costs - Engineering** Totals					Invoice Transactions	8	$79,224.00
			Sub-Division **00 - Non-Subdiv** Totals					Invoice Transactions	13	$166,621.00
			Division **000 - Non-Div** Totals					Invoice Transactions	13	$166,621.00
			Department **420 - Engineering** Totals					Invoice Transactions	13	$166,621.00
Department **430 - Building Inspection**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.070 - Prof Svc Building Plan Check & Inspection**										
10171 - CSG Consultants	65649	Sea Haven phase 4 Map/Plan Review	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	1,539.00
			Account **6300.070 - Prof Svc Building Plan Check & Inspection** Totals					Invoice Transactions	1	$1,539.00
			Sub-Division **00 - Non-Subdiv** Totals					Invoice Transactions	1	$1,539.00
			Division **000 - Non-Div** Totals					Invoice Transactions	1	$1,539.00
			Department **430 - Building Inspection** Totals					Invoice Transactions	1	$1,539.00
Department **510 - Recreation & Culture**										
Division **512 - Teen**										
Sub-Division **00 - Non-Subdiv**										
Account **6400.652 - Material & Suppl Recr Special Progr / Events**										
10140 - City Of Marina Petty Cash	04.29.26	Replenish Petty Cash	Paid by Check # 109198		04/29/2026	04/29/2026	04/29/2026		05/08/2026	87.24
			Account **6400.652 - Material & Suppl Recr Special Progr / Events** Totals					Invoice Transactions	1	$87.24
			Sub-Division **00 - Non-Subdiv** Totals					Invoice Transactions	1	$87.24
			Division **512 - Teen** Totals					Invoice Transactions	1	$87.24
			Department **510 - Recreation & Culture** Totals					Invoice Transactions	1	$87.24
			Fund **100 - General Fund** Totals					Invoice Transactions	95	$796,170.02

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **220 - Gas Tax**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	April 2026 533-8	Lake Dr @ Reservation Rd 2253666533-8	Paid by Check # 109185		04/17/2026	04/22/2026	04/22/2026		05/08/2026	190.45
Account **6380.300 - Utilities Gas & Electric** Totals							Invoice Transactions	1		$190.45
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$190.45
Division **000 - Non-Div** Totals							Invoice Transactions	1		$190.45
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$190.45
Fund **220 - Gas Tax** Totals							Invoice Transactions	1		$190.45

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **223 - FORA Dissolution**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11884 - National Construction Rentals, Inc.	8157955	6ft Temporary Panels	Paid by Check # 109182		03/25/2026	04/27/2026	04/27/2026		05/08/2026	363.12
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	1		$363.12
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	1		$363.12
				Division **000 - Non-Div** Totals			Invoice Transactions	1		$363.12
				Department **000 - Non-Dept** Totals			Invoice Transactions	1		$363.12
				Fund **223 - FORA Dissolution** Totals			Invoice Transactions	1		$363.12

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **251 - CFD - Locke Paddon**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Apr 2026 16-000	199 A Paddon Place	Paid by Check # 109178		04/20/2026	05/02/2026	05/02/2026		05/08/2026	172.55
Account **6380.500 - Utilities Water & Sewer** Totals							Invoice Transactions 1			$172.55
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			$172.55
Division **000 - Non-Div** Totals							Invoice Transactions 1			$172.55
Department **000 - Non-Dept** Totals							Invoice Transactions 1			$172.55
Fund **251 - CFD - Locke Paddon** Totals							Invoice Transactions 1			$172.55

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **255 - Housing Assistance Fund**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6600.400 - Other Charges - Fees**										
12067 - Sterling Management / Sterling Property Management	05-01-26	306 Reservation Road - HOA Fee - May 2026	Paid by Check # 109193		05/01/2026	05/04/2026	05/04/2026		05/08/2026	555.98
Account **6600.400 - Other Charges - Fees** Totals							Invoice Transactions	1		$555.98
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$555.98
Division **000 - Non-Div** Totals							Invoice Transactions	1		$555.98
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$555.98
Fund **255 - Housing Assistance Fund** Totals							Invoice Transactions	1		$555.98

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **462 - City Capital Projects**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10171 - CSG Consultants	65232	Glorya Jean Tate Park Project & Construction Management	Paid by EFT # 7650		03/13/2026	04/30/2026	04/30/2026		05/08/2026	19,690.00
10171 - CSG Consultants	65653	Glorya Jean Tate Park Project & Construction Management	Paid by EFT # 7650		04/10/2026	04/30/2026	04/30/2026		05/08/2026	16,760.00
12298 - The Public Restroom Company	INV53875	Windy Hill Restrooms	Paid by Check # 109199		04/30/2026	05/05/2026	05/05/2026		05/08/2026	55,241.40
12396 - Oona Johnsen Landscape Architecture LLC/OJLA	26.01-01	26.01 Marina Trees/Earth Day	Paid by Check # 109184		02/27/2026	04/29/2026	04/29/2026		05/08/2026	5,760.00
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	4		$97,451.40
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	4		$97,451.40
				Division **000 - Non-Div** Totals			Invoice Transactions	4		$97,451.40
				Department **000 - Non-Dept** Totals			Invoice Transactions	4		$97,451.40
				Fund **462 - City Capital Projects** Totals			Invoice Transactions	4		$97,451.40

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **555 - Marina Airport**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.450 - Prof Svc Legal - City Attorney Other Svc**										
11964 - Shute Mihaly & Weinberger LLP	296444	Airport - March 2026	Paid by EFT # 7656		04/27/2026	04/27/2026	04/27/2026		05/08/2026	6,297.20
Account **6300.450 - Prof Svc Legal - City Attorney Other Svc** Totals							Invoice Transactions	1		$6,297.20
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$6,297.20
Division **000 - Non-Div** Totals							Invoice Transactions	1		$6,297.20
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$6,297.20
Fund **555 - Marina Airport** Totals							Invoice Transactions	1		$6,297.20
Grand Totals							Invoice Transactions	104		$901,200.72

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **120 - City Mgr/HR/Risk**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel**										
12430 - STURDY OIL COMPANY	294519	City Fuel	Paid by Check # 109304		02/02/2026	05/06/2026	05/06/2026		05/15/2026	28.09
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel** Totals								Invoice Transactions 1		$28.09
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$28.09
Division **000 - Non-Div** Totals								Invoice Transactions 1		$28.09
Department **120 - City Mgr/HR/Risk** Totals								Invoice Transactions 1		$28.09
Department **125 - I. T.**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.331 - Prof Svc IT - Website Svc**										
10143 - CivicPlus, LLC	372197	Ultimate Department Headers Annual Fee - Public Works	Paid by EFT # 7680		05/08/2026	05/08/2026	05/08/2026		05/15/2026	5,683.95
Account **6300.331 - Prof Svc IT - Website Svc** Totals								Invoice Transactions 1		$5,683.95
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$5,683.95
Division **000 - Non-Div** Totals								Invoice Transactions 1		$5,683.95
Department **125 - I. T.** Totals								Invoice Transactions 1		$5,683.95
Department **130 - Finance**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6600.625 - Other Charges Printing Svc**										
12392 - Quality Print + Copy, Inc.	24627	#10 Window White Envelope - Finance (AP checks)	Paid by EFT # 7693		04/28/2026	05/08/2026	05/08/2026		05/15/2026	1,447.02
Account **6600.625 - Other Charges Printing Svc** Totals								Invoice Transactions 1		$1,447.02
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$1,447.02
Division **000 - Non-Div** Totals								Invoice Transactions 1		$1,447.02
Department **130 - Finance** Totals								Invoice Transactions 1		$1,447.02
Department **190 - Citywide Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11835 - Environmental Innovations, Inc.	3562	SB 1383 Compliance & Outreach	Paid by Check # 109240		12/30/2025	05/06/2026	05/06/2026		05/15/2026	1,100.00
11835 - Environmental Innovations, Inc.	3435	SB 1383 Compliance & Outreach	Paid by Check # 109240		01/30/2026	05/06/2026	05/06/2026		05/15/2026	164.09

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **190 - Citywide Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11835 - Environmental Innovations, Inc.	3479	SB 1383 Compliance & Outreach	Paid by Check # 109240		02/27/2026	05/06/2026	05/06/2026		05/15/2026	220.00
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	3	$1,484.09
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10129 - Cintas Corporation	4268642351	Mat Service City Hall	Paid by Check # 109232		05/08/2026	05/08/2026	05/08/2026		05/15/2026	73.18
				Account **6360.570 - Maint & Repairs Other Svc Agr** Totals				Invoice Transactions	1	$73.18
Account **6380.150 - Utilities Comm Phone System**										
10758 - AT & T CALNET3	000025155449	CALNET3-9391023468 (384-9148)	Paid by Check # 109226		04/28/2026	05/08/2026	05/08/2026		05/15/2026	31.91
10758 - AT & T CALNET3	000025155419	CALNET3-9391023440 (384-0860)	Paid by Check # 109226		04/28/2026	05/08/2026	05/08/2026		05/15/2026	32.07
10758 - AT & T CALNET3	000025155416	CALNET3-9391023437 (384-0425)	Paid by Check # 109226		04/28/2026	05/08/2026	05/08/2026		05/15/2026	62.26
10758 - AT & T CALNET3	000025155447	CALNET3-9391023466 (384-8477)	Paid by Check # 109226		04/28/2026	05/08/2026	05/08/2026		05/15/2026	62.26
10758 - AT & T CALNET3	000025155444	CALNET3-9391023463 (384-7854)	Paid by Check # 109226		04/28/2026	05/08/2026	05/08/2026		05/15/2026	31.91
10758 - AT & T CALNET3	000025155420	CALNET3-9391023441 (384-0888)	Paid by Check # 109226		04/28/2026	05/08/2026	05/08/2026		05/15/2026	31.91
10758 - AT & T CALNET3	000025152488	CALNET3-9391023471 (582-0100)	Paid by Check # 109226		04/27/2026	05/08/2026	05/08/2026		05/15/2026	66.31
10758 - AT & T CALNET3	000025152494	CALNET3-9391023477 (582-9803)	Paid by Check # 109226		04/27/2026	05/08/2026	05/08/2026		05/15/2026	31.91
				Account **6380.150 - Utilities Comm Phone System** Totals				Invoice Transactions	8	$350.54
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	April 2026 313-6	PG&E 6793435313-6	Paid by Check # 109296		04/27/2026	05/12/2026	05/12/2026		05/15/2026	8,188.59
				Account **6380.300 - Utilities Gas & Electric** Totals				Invoice Transactions	1	$8,188.59
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Apr 2026 56-041	Acct #000056041 3260 Imjin Road	Paid by Check # 109286		04/27/2026	05/12/2026	05/12/2026		05/15/2026	358.37
				Account **6380.500 - Utilities Water & Sewer** Totals				Invoice Transactions	1	$358.37
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	14	$10,454.77
				Division **000 - Non-Div** Totals				Invoice Transactions	14	$10,454.77
				Department **190 - Citywide Non-Dept** Totals				Invoice Transactions	14	$10,454.77

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10107 - California Towing & Transport	215088	TOWING SERVICE: CALL # 275340237	Paid by Check # 109228		05/05/2026	06/05/2026	05/05/2026		05/15/2026	150.00
11198 - Core Psychological Corporation	9061	JUAN LOPEZ GARCIA PSYCH SCREENING	Paid by Check # 109236		04/30/2026	05/30/2026	04/29/2026		05/15/2026	500.00
12065 - Hasco Stations, LLC	HCL-059647-26	CAR WASH ACCT # 23680	Paid by Check # 109245		04/30/2026	04/29/2026	04/29/2026		05/15/2026	85.00
10334 - Lexis Nexis Risk Solutions	1100301033	APRIL 2026 MINIMUM COMMITMENT	Paid by Check # 109284		04/30/2026	05/30/2026	05/05/2026		05/15/2026	150.00
10029 - MONTEREY SANITARY SUPPLY,INC./ALTIUS MEDICAL	23025	MEDICAL WASTE SERVICE	Paid by Check # 109293		04/28/2026	05/28/2026	04/29/2026		05/15/2026	140.09
11899 - Robert Half International, Inc	66175412	Temp Position Admin Asst. - JoAnn Wilson	Paid by Check # 109299		05/04/2026	05/05/2026	05/05/2026		05/15/2026	1,155.84
11899 - Robert Half International, Inc	66200454	Temp Position Admin Asst. - JoAnn Wilson	Paid by Check # 109299		05/11/2026	05/12/2026	05/12/2026		05/15/2026	1,926.40
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	7		$4,107.33
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10493 - Pure H2O	1053	Water Cooler Maintenance	Paid by Check # 109297		05/01/2026	05/12/2026	05/12/2026		05/15/2026	88.55
				Account **6360.570 - Maint & Repairs Other Svc Agr** Totals			Invoice Transactions	1		$88.55
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6141359374	PD DEPT. CELL PHONES #272493672-00001	Paid by EFT # 7697		04/18/2026	05/10/2026	04/29/2026		05/15/2026	3,443.74
				Account **6380.120 - Utilities Comm Mobile & Pager** Totals			Invoice Transactions	1		$3,443.74
Account **6380.150 - Utilities Comm Phone System**										
10374 - Maynard Group Inc.	IN2065950	UTILITIES PHONES ACCT # AC3746	Paid by EFT # 7691		05/01/2026	05/31/2026	04/29/2026		05/15/2026	681.25
				Account **6380.150 - Utilities Comm Phone System** Totals			Invoice Transactions	1		$681.25
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel**										
12430 - STURDY OIL COMPANY	294519	City Fuel	Paid by Check # 109304		02/02/2026	05/06/2026	05/06/2026		05/15/2026	1,095.45
				Account **6400.230 - Material & Suppl Fuel - Gas and Diesel** Totals			Invoice Transactions	1		$1,095.45
Account **6400.565 - Material & Suppl Office Supplies**										
10498 - Quill Corporation	48550599	ACCT # 7474999 OFFICE SUPPLIES	Paid by Check # 109298		04/14/2026	05/14/2026	04/29/2026		05/15/2026	185.71
10498 - Quill Corporation	48662571	ACCT # 7474999 OFFICE SUPPLIES	Paid by Check # 109298		04/23/2026	05/23/2026	05/05/2026		05/15/2026	57.31
10498 - Quill Corporation	48674540	ACCT # 7474999 OFFICE SUPPLIES	Paid by Check # 109298		04/23/2026	05/23/2026	05/05/2026		05/15/2026	389.17
				Account **6400.565 - Material & Suppl Office Supplies** Totals			Invoice Transactions	3		$632.19

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6400.635 - Material & Suppl Postage Shipping**										
10235 - FedEx	9-279-06376	ACCT # 3995-9218-6	Paid by Check # 109241		05/01/2026	05/16/2026	05/05/2026		05/15/2026	160.09
Account **6400.635 - Material & Suppl Postage Shipping** Totals							Invoice Transactions	1		$160.09
Account **6400.720 - Material & Suppl Safety Equip**										
10547 - Applied Concepts / Stalker Radar	476646	STALKER II RADAR & LIDAR ASSY X200 GUNS	Paid by Check # 109225		04/23/2026	05/23/2026	04/29/2026		05/15/2026	4,103.43
10330 - LC ACTION POLICE SUPPLY LTD/LC ACTION POLICE SUPPL	487648	AIMPOINT T2 SUREFIRE SIGHT	Paid by Check # 109283		05/04/2026	06/04/2026	04/29/2026		05/15/2026	3,968.22
Account **6400.720 - Material & Suppl Safety Equip** Totals							Invoice Transactions	2		$8,071.65
Account **6400.800 - Material & Suppl Uniform**										
10309 - Salinas Valley Pro Squad	022904	UNIFORM J. LOPEZ	Paid by Check # 109300		04/06/2026	05/06/2026	05/05/2026		05/15/2026	1,193.97
10309 - Salinas Valley Pro Squad	022944	UNIFORM R. COX	Paid by Check # 109300		04/21/2026	05/21/2026	05/05/2026		05/15/2026	766.89
10309 - Salinas Valley Pro Squad	022926	UNIFORM J. FLORES	Paid by Check # 109300		04/13/2026	05/13/2026	05/05/2026		05/15/2026	217.37
Account **6400.800 - Material & Suppl Uniform** Totals							Invoice Transactions	3		$2,178.23
Account **6500.620 - Training & Travel POST**										
11752 - Francisco Tapia - Employee	05-20-26	Per diem - FTO Update Course	Paid by EFT # 7683		05/20/2026	05/20/2026	05/11/2026		05/15/2026	30.00
11823 - Kathryn Hirahara - Employee	05-17-26	Per diem - CAPE Seminar 2026	Paid by EFT # 7685		05/17/2026	05/17/2026	05/11/2026		05/15/2026	268.00
11135 - Maria Esparza - Employee	05-17-26	Per diem - CAPE Seminar 2026	Paid by EFT # 7688		05/17/2026	05/17/2026	05/11/2026		05/15/2026	268.00
11840 - Nicholas Beavers - Employee	05-20-26	Per diem - FTO Update Course	Paid by Check # 109309		05/20/2026	05/20/2026	05/11/2026		05/15/2026	30.00
11760 - Rachel Shimabukuro - Employee	05-16-26	Per diem - San Jose Career Fair	Paid by Check # 109311		05/16/2026	05/16/2026	05/11/2026		05/15/2026	10.00
11760 - Rachel Shimabukuro - Employee	05-21-26	Per diem - Leadership Development Session 2	Paid by Check # 109311		05/21/2026	05/21/2026	05/11/2026		05/15/2026	70.00
10677 - Richard Moreno - Employee	05-20-26	Per diem - FTO Update	Paid by Check # 109312		05/20/2026	05/20/2026	05/11/2026		05/15/2026	54.00
Account **6500.620 - Training & Travel POST** Totals							Invoice Transactions	7		$730.00
Account **6600.780 - Other Charges Transcription Svc**										
10544 - SpeakWrite	a400503d	TRANSCRIPTION SERVICES ONLINE REPORTING	Paid by Check # 109303		05/01/2026	04/29/2026	04/29/2026		05/15/2026	593.51
Account **6600.780 - Other Charges Transcription Svc** Totals							Invoice Transactions	1		$593.51

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **210 - Police**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6600.850 - Other Charges K9 / Animal Supplies & Vet Svc**										
10899 - Monterey County Animal Services	b26-005290	Rabies Testing Head Removal (large)	Paid by Check # 109290		04/22/2026	04/29/2026	04/29/2026		05/15/2026	358.00
Account **6600.850 - Other Charges K9 / Animal Supplies & Vet Svc** Totals								Invoice Transactions	1	$358.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	29	$22,139.99
Division **000 - Non-Div** Totals								Invoice Transactions	29	$22,139.99
Department **210 - Police** Totals								Invoice Transactions	29	$22,139.99
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10841 - Art Black / Carmel Fire Protection	126179	Residential Fire Sprinkler Inspection for 246 Santa Lucia Lane	Paid by EFT # 7677		04/29/2026	05/06/2026	05/06/2026		05/15/2026	230.00
10841 - Art Black / Carmel Fire Protection	126180	Residential Fire Sprinkler Inspection for 248 Sant Lucia Lane	Paid by EFT # 7677		04/29/2026	05/06/2026	05/06/2026		05/15/2026	230.00
10841 - Art Black / Carmel Fire Protection	126181	Residential Fire Sprinkler Inspection for 612 Santa Lucia Way	Paid by EFT # 7677		04/29/2026	05/06/2026	05/06/2026		05/15/2026	230.00
10841 - Art Black / Carmel Fire Protection	126200	Residential Fire Sprinkler Inspection for 252 Santa Lucia Lane	Paid by EFT # 7677		05/11/2026	05/12/2026	05/12/2026		05/15/2026	230.00
10841 - Art Black / Carmel Fire Protection	126199	Residential Fire Sprinkler Inspection for 250 Santa Lucia Lane	Paid by EFT # 7677		05/11/2026	05/12/2026	05/12/2026		05/15/2026	230.00
10841 - Art Black / Carmel Fire Protection	126187	Residential Fire Sprinkler Inspection for 266 Reservation Road	Paid by EFT # 7677		05/07/2026	05/13/2026	05/13/2026		05/15/2026	230.00
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	6	$1,380.00
Account **6360.070 - Maint & Repairs Bdg Public Safety**										
10728 - Ace Hardware-Public Works	093565	PD Facilities	Paid by Check # 109223		02/19/2026	05/06/2026	05/06/2026		05/15/2026	42.55
Account **6360.070 - Maint & Repairs Bdg Public Safety** Totals								Invoice Transactions	1	$42.55
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades**										
10897 - TechRx Technology Services Corporation	13728	Laptop for Fire Chief	Paid by EFT # 7694		05/02/2026	05/07/2026	05/07/2026		05/15/2026	1,115.29
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades** Totals								Invoice Transactions	1	$1,115.29

Accounts Payable by G/L Distribution Report

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10129 - Cintas Corporation	4268642348	Shop Towel - Microfiber Towel	Paid by Check # 109232		05/08/2026	05/11/2026	05/11/2026		05/15/2026	163.07
10493 - Pure H2O	1053	Water Cooler Maintenance	Paid by Check # 109297		05/01/2026	05/12/2026	05/12/2026		05/15/2026	113.53
				Account **6360.570 - Maint & Repairs Other Svc Agr** Totals				Invoice Transactions	2	$276.60
Account **6360.850 - Maint & Repairs Vehicle**										
10927 - Ace Hardware - Fire Dept.	094184	Cust #204 Supplies for Fire Engine	Paid by Check # 109201		05/07/2026	05/07/2026	05/07/2026		05/15/2026	66.58
				Account **6360.850 - Maint & Repairs Vehicle** Totals				Invoice Transactions	1	$66.58
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel**										
12430 - STURDY OIL COMPANY	294519	City Fuel	Paid by Check # 109304		02/02/2026	05/06/2026	05/06/2026		05/15/2026	1,715.64
				Account **6400.230 - Material & Suppl Fuel - Gas and Diesel** Totals				Invoice Transactions	1	$1,715.64
Account **6400.740 - Material & Suppl Special Dept Suppl**										
11393 - Carmel Roasters, Inc./Carmel Valley Coffee Roastin	74932	FD Coffee - 3 Boxes	Paid by Check # 109230		05/06/2026	05/06/2026	05/06/2026		05/15/2026	306.77
				Account **6400.740 - Material & Suppl Special Dept Suppl** Totals				Invoice Transactions	1	$306.77
Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires**										
10323 - L.N. Curtis & Sons	INV1067450	Tactical Pants - Siegel	Paid by EFT # 7686		05/11/2026	05/12/2026	05/12/2026		05/15/2026	536.01
10323 - L.N. Curtis & Sons	INV1067785	Tactical Pants - Aiken	Paid by EFT # 7686		05/11/2026	05/12/2026	05/12/2026		05/15/2026	536.01
				Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires** Totals				Invoice Transactions	2	$1,072.02
Account **6400.800 - Material & Suppl Uniform**										
10323 - L.N. Curtis & Sons	INV1066863	Chief Shirt and Embroidery for Bredeson	Paid by EFT # 7686		05/07/2026	05/11/2026	05/11/2026		05/15/2026	194.00
				Account **6400.800 - Material & Suppl Uniform** Totals				Invoice Transactions	1	$194.00
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	16	$6,169.45
				Division **000 - Non-Div** Totals				Invoice Transactions	16	$6,169.45
				Department **250 - Fire** Totals				Invoice Transactions	16	$6,169.45
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10147 - Coast Counties Glass, Inc	M14883	Equestrian Center	Paid by Check # 109233		02/28/2026	05/06/2026	05/06/2026		05/15/2026	1,358.00

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
11619 - JT Plumbing, Inc.	i24604	Facilities	Paid by Check # 109248		04/27/2026	05/06/2026	05/06/2026		05/15/2026	1,487.50
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	2	$2,845.50
Account **6360.065 - Maint & Repairs Bdg NonFlagship**										
10728 - Ace Hardware-Public Works	093463	Facilities	Paid by Check # 109223		02/03/2026	05/06/2026	05/06/2026		05/15/2026	153.98
10728 - Ace Hardware-Public Works	093470	Old Corp Yard	Paid by Check # 109223		02/04/2026	05/06/2026	05/06/2026		05/15/2026	190.32
10728 - Ace Hardware-Public Works	093541	Facilities	Paid by Check # 109223		02/18/2026	05/06/2026	05/06/2026		05/15/2026	52.17
10728 - Ace Hardware-Public Works	093554	Facilties	Paid by Check # 109223		02/19/2026	05/06/2026	05/06/2026		05/15/2026	30.20
10728 - Ace Hardware-Public Works	093584	Facilities	Paid by Check # 109223		02/23/2026	05/06/2026	05/06/2026		05/15/2026	34.93
10728 - Ace Hardware-Public Works	093587	City Hall	Paid by Check # 109223		02/24/2026	05/06/2026	05/06/2026		05/15/2026	108.05
10728 - Ace Hardware-Public Works	093646	Facilties	Paid by Check # 109223		03/03/2026	05/06/2026	05/06/2026		05/15/2026	28.37
10728 - Ace Hardware-Public Works	093636	Facilities	Paid by Check # 109223		03/02/2026	05/06/2026	05/06/2026		05/15/2026	21.19
10728 - Ace Hardware-Public Works	093714	Facilties	Paid by Check # 109223		03/11/2026	05/06/2026	05/06/2026		05/15/2026	51.39
10728 - Ace Hardware-Public Works	093799	Facilities	Paid by Check # 109223		03/19/2026	05/06/2026	05/06/2026		05/15/2026	6.54
12345 - BFS Group LLC / San Lorenzo Home Centers	58-0496624	Lumber	Paid by EFT # 7678		04/03/2026	05/06/2026	05/06/2026		05/15/2026	64.64
				Account **6360.065 - Maint & Repairs Bdg NonFlagship** Totals				Invoice Transactions	11	$741.78
Account **6360.070 - Maint & Repairs Bdg Public Safety**										
10728 - Ace Hardware-Public Works	094060	Facilities	Paid by Check # 109223		04/23/2026	05/04/2026	05/04/2026		05/15/2026	9.81
10728 - Ace Hardware-Public Works	093666	PD Facilities	Paid by Check # 109223		03/04/2026	05/06/2026	05/06/2026		05/15/2026	94.41
10728 - Ace Hardware-Public Works	093792	PD Facility	Paid by Check # 109223		03/19/2026	05/06/2026	05/06/2026		05/15/2026	36.01
12292 - ONPOINT GENERATORS, INC.	4238	Service Call - 208 Palm Ave	Paid by Check # 109294		04/18/2026	05/04/2026	05/04/2026		05/15/2026	333.94
				Account **6360.070 - Maint & Repairs Bdg Public Safety** Totals				Invoice Transactions	4	$474.17

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.075 - Maint & Repairs Bdg Teen Center**										
10728 - Ace Hardware-Public Works	094171	Facilities	Paid by Check # 109223		05/06/2026	05/06/2026	05/06/2026		05/15/2026	105.35
Account **6360.075 - Maint & Repairs Bdg Teen Center** Totals								Invoice Transactions	1	$105.35
Account **6400.737 - Material & Suppl Tools & Equip**										
10728 - Ace Hardware-Public Works	093784	Grounds	Paid by Check # 109223		03/18/2026	05/06/2026	05/06/2026		05/15/2026	30.57
Account **6400.737 - Material & Suppl Tools & Equip** Totals								Invoice Transactions	1	$30.57
Account **6400.740 - Material & Suppl Special Dept Suppl**										
12269 - ALK Services, Inc. / American Lock and Key	1-22037	DND Keys	Paid by Check # 109224		04/30/2026	05/06/2026	05/06/2026		05/15/2026	18.58
Account **6400.740 - Material & Suppl Special Dept Suppl** Totals								Invoice Transactions	1	$18.58
Account **6400.742 - Material & Suppl Sprinklers/Plants/Fertilizer**										
10728 - Ace Hardware-Public Works	093803	Grounds	Paid by Check # 109223		03/19/2026	05/06/2026	05/06/2026		05/15/2026	3.27
Account **6400.742 - Material & Suppl Sprinklers/Plants/Fertilizer** Totals								Invoice Transactions	1	$3.27
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	21	$4,219.22
Division **311 - Buildings & Grounds** Totals								Invoice Transactions	21	$4,219.22
Division **313 - Vehicle Maint**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10825 - East Bay Tire Co.	2235489	JOHN DEERE #592	Paid by Check # 109239		04/28/2026	05/06/2026	05/06/2026		05/15/2026	38.29
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	1	$38.29
Account **6360.850 - Maint & Repairs Vehicle**										
10825 - East Bay Tire Co.	2235489	JOHN DEERE #592	Paid by Check # 109239		04/28/2026	05/06/2026	05/06/2026		05/15/2026	601.71
Account **6360.850 - Maint & Repairs Vehicle** Totals								Invoice Transactions	1	$601.71
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	2	$640.00
Division **313 - Vehicle Maint** Totals								Invoice Transactions	2	$640.00
Department **310 - Public Works** Totals								Invoice Transactions	23	$4,859.22

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **410 - Planning**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.610 - Prof Svc Planning - Consultant**										
10316 - Kimley-Horn & Associates, Inc.	097789145-0326	MARINA DOWNTOWN OUTREACH	Paid by Check # 109281		03/31/2026	03/31/2026	04/28/2026		05/15/2026	5,515.67
Account **6300.610 - Prof Svc Planning - Consultant** Totals								Invoice Transactions	1	$5,515.67
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6138919948	PW- 972476364-00001	Paid by EFT # 7697		03/18/2026	04/10/2026	04/10/2026		05/15/2026	38.37
Account **6380.120 - Utilities Comm Mobile & Pager** Totals								Invoice Transactions	1	$38.37
Account **6400.565 - Material & Suppl Office Supplies**										
10897 - TechRx Technology Services Corporation	13692	Computer for Martha	Paid by EFT # 7694		05/01/2026	05/11/2026	05/11/2026		05/15/2026	1,650.63
Account **6400.565 - Material & Suppl Office Supplies** Totals								Invoice Transactions	1	$1,650.63
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	3	$7,204.67
Division **000 - Non-Div** Totals								Invoice Transactions	3	$7,204.67
Department **410 - Planning** Totals								Invoice Transactions	3	$7,204.67
Department **420 - Engineering**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.175 - Prof Svc Eng Svc- Rev Funded Plan Check**										
10171 - CSG Consultants	65637	Dunes Phase 2- North Inspections	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	782.00
10171 - CSG Consultants	65229	Sea Haven Inspection-Phase 3B	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	342.00
10171 - CSG Consultants	65230	Sea Haven Inspection-Phase 4	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	6,840.00
Account **6300.175 - Prof Svc Eng Svc- Rev Funded Plan Check** Totals								Invoice Transactions	3	$7,964.00
Account **6300.180 - Prof Svc Eng Svc- Rev Funded Inspection**										
10171 - CSG Consultants	65634	PWD Services	Paid by EFT # 7682		04/10/2026	04/30/2026	04/30/2026		05/15/2026	9,146.00
10171 - CSG Consultants	65213	Interim City Engineer Services	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	2,030.00
10171 - CSG Consultants	65214	PWD	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	5,111.00
10171 - CSG Consultants	65215	219-221 Hillcrest	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	1,026.00
Account **6300.180 - Prof Svc Eng Svc- Rev Funded Inspection** Totals								Invoice Transactions	4	$17,313.00
Account **6300.185 - Prof Svc Engineering Svs-Staff Augment**										
10171 - CSG Consultants	65209	Engineering Services-Staff Augmentation	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	6,725.00

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **420 - Engineering**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.185 - Prof Svc Engineering Svs-Staff Augment**										
10171 - CSG Consultants	65204	Local Roadway Safety Plan	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	538.00
Account **6300.185 - Prof Svc Engineering Svs-Staff Augment** Totals								Invoice Transactions	2	$7,263.00
Account **6300.190 - Prof Svc Engineering Svc Interagency**										
10171 - CSG Consultants	65633	TAMC	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	672.50
10171 - CSG Consultants	65210	RWQCB	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	269.00
10171 - CSG Consultants	65211	MCWD	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	269.00
10171 - CSG Consultants	65212	TAMC	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	1,345.00
Account **6300.190 - Prof Svc Engineering Svc Interagency** Totals								Invoice Transactions	4	$2,555.50
Account **6330.200 - Fee Agr Costs - Engineering**										
10171 - CSG Consultants	65635	Dunes Phase 2- East	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	807.00
10171 - CSG Consultants	65636	Dunes Phase 2- West	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	269.00
10171 - CSG Consultants	65639	Dunes Phase 3- South	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	6,355.00
10171 - CSG Consultants	65640	Dunes Promenade (1B)- Inspections	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	513.00
10171 - CSG Consultants	65638	Dunes Phase 2 West- Inspections	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	513.00
10171 - CSG Consultants	65216	Dunes Phase 2- East	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	1,614.00
10171 - CSG Consultants	65217	Duns Phase 2- West	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	807.00
10171 - CSG Consultants	65218	Dunes Phase 2 North- Inspections	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	342.00
10171 - CSG Consultants	65219	Dunes Phase 2 West- Inspections	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	342.00
10171 - CSG Consultants	65220	Dunes Phase 3 South	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	2,690.00
10171 - CSG Consultants	65221	Dunes Promenade (1B)- Inspections	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	342.00
10171 - CSG Consultants	65222	Dunes Phase 3 North Improvements- Inspections	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	1,026.00

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Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **420 - Engineering**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6330.200 - Fee Agr Costs - Engineering**										
10171 - CSG Consultants	65223	Dunes Phase 3 south Improvements-Inspections	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	3,591.00
10171 - CSG Consultants	65224	Inspections- Gas station 3001 2nd Ave	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	3,591.00
10171 - CSG Consultants	65225	Marina Station Phase 1/2 Improvements-Inspections	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	3,762.00
10171 - CSG Consultants	65226	Marina Station	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	3,452.00
			Account **6330.200 - Fee Agr Costs - Engineering** Totals					Invoice Transactions	16	$30,016.00
			Sub-Division **00 - Non-Subdiv** Totals					Invoice Transactions	29	$65,111.50
			Division **000 - Non-Div** Totals					Invoice Transactions	29	$65,111.50
			Department **420 - Engineering** Totals					Invoice Transactions	29	$65,111.50
Department **430 - Building Inspection**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.070 - Prof Svc Building Plan Check & Inspection**										
10171 - CSG Consultants	65231	Sea Haven Phase 4 Map/Plan Review	Paid by EFT # 7681		03/13/2026	04/30/2026	04/30/2026		05/15/2026	1,076.00
10171 - CSG Consultants	B260596	Plan Check Reviews 4/1/26 - 4/30/26	Paid by EFT # 7681		05/01/2026	05/08/2026	05/08/2026		05/15/2026	4,131.78
			Account **6300.070 - Prof Svc Building Plan Check & Inspection** Totals					Invoice Transactions	2	$5,207.78
Account **6300.100 - Prof Svc Code Enforcement**										
10171 - CSG Consultants	65960	Senior Code Enforcement March 28-April 24, 2026	Paid by EFT # 7681		05/08/2026	05/11/2026	05/11/2026		05/15/2026	1,080.00
			Account **6300.100 - Prof Svc Code Enforcement** Totals					Invoice Transactions	1	$1,080.00
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6138919948	PW- 972476364-00001	Paid by EFT # 7697		03/18/2026	04/10/2026	04/10/2026		05/15/2026	108.92
			Account **6380.120 - Utilities Comm Mobile & Pager** Totals					Invoice Transactions	1	$108.92
			Sub-Division **00 - Non-Subdiv** Totals					Invoice Transactions	4	$6,396.70
			Division **000 - Non-Div** Totals					Invoice Transactions	4	$6,396.70
			Department **430 - Building Inspection** Totals					Invoice Transactions	4	$6,396.70

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **510 - Recreation & Culture**										
Division **100 - Admin**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
12045 - Santa Cruz Custom Screen Printing & Impala Promoti	10975319	Teen Center Summer Camp	Paid by Check # 109301		04/20/2026	04/28/2026	04/28/2026		05/15/2026	100.97
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	1	$100.97
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	229078	April 2026 Custodial Services	Paid by EFT # 7679		04/25/2026	04/28/2026	04/28/2026		05/15/2026	906.47
				Account **6360.360 - Maint & Repairs Janitorial** Totals				Invoice Transactions	1	$906.47
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6141317351	542484588-00001	Paid by EFT # 7697		04/17/2026	04/28/2026	04/28/2026		05/15/2026	974.38
				Account **6380.120 - Utilities Comm Mobile & Pager** Totals				Invoice Transactions	1	$974.38
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel**										
12430 - STURDY OIL COMPANY	294519	City Fuel	Paid by Check # 109304		02/02/2026	05/06/2026	05/06/2026		05/15/2026	70.22
				Account **6400.230 - Material & Suppl Fuel - Gas and Diesel** Totals				Invoice Transactions	1	$70.22
Account **6400.565 - Material & Suppl Office Supplies**										
12392 - Quality Print + Copy, Inc.	24655	Business Cards	Paid by EFT # 7693		04/29/2026	05/08/2026	05/08/2026		05/15/2026	344.14
				Account **6400.565 - Material & Suppl Office Supplies** Totals				Invoice Transactions	1	$344.14
Account **6600.700 - Other Charges Refunds of Fees/Charges**										
12438 - Celina Castillo - Rental Refund Only	04-11-26 msp	refund of fees	Paid by Check # 109231		04/11/2026	05/08/2026	05/08/2026		05/15/2026	40.00
12437 - Maria Alejandra Lemus Guardado - Rental Refund Onl	04/25/26 wh	refund of fees	Paid by Check # 109285		04/25/2026	05/08/2026	05/08/2026		05/15/2026	115.00
				Account **6600.700 - Other Charges Refunds of Fees/Charges** Totals				Invoice Transactions	2	$155.00
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	7	$2,551.18
				Division **100 - Admin** Totals				Invoice Transactions	7	$2,551.18
Division **511 - Youth**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	229078	April 2026 Custodial Services	Paid by EFT # 7679		04/25/2026	04/28/2026	04/28/2026		05/15/2026	350.00
				Account **6360.360 - Maint & Repairs Janitorial** Totals				Invoice Transactions	1	$350.00
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6141317351	542484588-00001	Paid by EFT # 7697		04/17/2026	04/28/2026	04/28/2026		05/15/2026	64.01
				Account **6380.120 - Utilities Comm Mobile & Pager** Totals				Invoice Transactions	1	$64.01
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	2	$414.01
				Division **511 - Youth** Totals				Invoice Transactions	2	$414.01

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **100 - General Fund**										
Department **510 - Recreation & Culture**										
Division **512 - Teen**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	229078	April 2026 Custodial Services	Paid by EFT # 7679		04/25/2026	04/28/2026	04/28/2026		05/15/2026	474.00
Account **6360.360 - Maint & Repairs Janitorial** Totals								Invoice Transactions 1		$474.00
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6141317351	542484588-00001	Paid by EFT # 7697		04/17/2026	04/28/2026	04/28/2026		05/15/2026	51.91
Account **6380.120 - Utilities Comm Mobile & Pager** Totals								Invoice Transactions 1		$51.91
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 2		$525.91
Division **512 - Teen** Totals								Invoice Transactions 2		$525.91
Division **513 - Senior**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	229078	April 2026 Custodial Services	Paid by EFT # 7679		04/25/2026	04/28/2026	04/28/2026		05/15/2026	329.00
Account **6360.360 - Maint & Repairs Janitorial** Totals								Invoice Transactions 1		$329.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$329.00
Division **513 - Senior** Totals								Invoice Transactions 1		$329.00
Division **514 - Sports**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6141317351	542484588-00001	Paid by EFT # 7697		04/17/2026	04/28/2026	04/28/2026		05/15/2026	51.91
Account **6380.120 - Utilities Comm Mobile & Pager** Totals								Invoice Transactions 1		$51.91
Account **6400.740 - Material & Suppl Special Dept Suppl**										
10581 - Trucksis Enterprises	14701	Marina Track Club	Paid by EFT # 7695		04/30/2026	05/08/2026	05/08/2026		05/15/2026	76.42
Account **6400.740 - Material & Suppl Special Dept Suppl** Totals								Invoice Transactions 1		$76.42
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 2		$128.33
Division **514 - Sports** Totals								Invoice Transactions 2		$128.33
Department **510 - Recreation & Culture** Totals								Invoice Transactions 14		$3,948.43
Fund **100 - General Fund** Totals								Invoice Transactions 135		$133,443.79

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **220 - Gas Tax**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	April 2026 483-6	PG&E - 3982644483-6	Paid by Check # 109296		04/22/2026	05/12/2026	05/12/2026		05/15/2026	17,584.70
10463 - Pacific Gas & Electric	April 2026 313-6	PG&E 6793435313-6	Paid by Check # 109296		04/27/2026	05/12/2026	05/12/2026		05/15/2026	986.72
				Account **6380.300 - Utilities Gas & Electric** Totals			Invoice Transactions	2		$18,571.42
Account **6600.605 - Other Charges Pavement Mgt Progr**										
10171 - CSG Consultants	65203	Annual Street Resurfacing	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	3,741.00
				Account **6600.605 - Other Charges Pavement Mgt Progr** Totals			Invoice Transactions	1		$3,741.00
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	3		$22,312.42
				Division **000 - Non-Div** Totals			Invoice Transactions	3		$22,312.42
				Department **000 - Non-Dept** Totals			Invoice Transactions	3		$22,312.42
				Fund **220 - Gas Tax** Totals			Invoice Transactions	3		$22,312.42

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **232 - Seabreeze AD**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.180 - Prof Svc Eng Svc- Rev Funded Inspection**										
10171 - CSG Consultants	65626	Seabreeze	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	134.50
Account **6300.180 - Prof Svc Eng Svc- Rev Funded Inspection** Totals							Invoice Transactions	1		$134.50
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$134.50
Division **000 - Non-Div** Totals							Invoice Transactions	1		$134.50
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$134.50
Fund **232 - Seabreeze AD** Totals							Invoice Transactions	1		$134.50

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **233 - Monterey Bay Estates AD**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	April 2026 313-6	PG&E 6793435313-6	Paid by Check # 109296		04/27/2026	05/12/2026	05/12/2026		05/15/2026	(61.49)
Account **6380.300 - Utilities Gas & Electric** Totals							Invoice Transactions	1		($61.49)
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		($61.49)
Division **000 - Non-Div** Totals							Invoice Transactions	1		($61.49)
Department **000 - Non-Dept** Totals							Invoice Transactions	1		($61.49)
Fund **233 - Monterey Bay Estates AD** Totals							Invoice Transactions	1		($61.49)

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **235 - Cypress Cove II AD**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	April 2026 313-6	PG&E 6793435313-6	Paid by Check # 109296		04/27/2026	05/12/2026	05/12/2026		05/15/2026	(62.18)
Account **6380.300 - Utilities Gas & Electric** Totals							Invoice Transactions	1		($62.18)
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		($62.18)
Division **000 - Non-Div** Totals							Invoice Transactions	1		($62.18)
Department **000 - Non-Dept** Totals							Invoice Transactions	1		($62.18)
Fund **235 - Cypress Cove II AD** Totals							Invoice Transactions	1		($62.18)

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **252 - CFD - Dunes No. 2015-1**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.180 - Prof Svc Eng Svc- Rev Funded Inspection**										
10171 - CSG Consultants	65202	Marina Landscape Maint Dist	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	538.00
Account **6300.180 - Prof Svc Eng Svc- Rev Funded Inspection** Totals							Invoice Transactions 1			$538.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			$538.00
Division **000 - Non-Div** Totals							Invoice Transactions 1			$538.00
Department **000 - Non-Dept** Totals							Invoice Transactions 1			$538.00
Fund **252 - CFD - Dunes No. 2015-1** Totals							Invoice Transactions 1			$538.00

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **422 - Capital Projects - Measure X**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10171 - CSG Consultants	65627	Annual Street Resurfacing	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	2,934.00
Account **6300.570 - Prof Svc Other** Totals							Invoice Transactions 1			$2,934.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			$2,934.00
Division **000 - Non-Div** Totals							Invoice Transactions 1			$2,934.00
Department **000 - Non-Dept** Totals							Invoice Transactions 1			$2,934.00
Fund **422 - Capital Projects - Measure X** Totals							Invoice Transactions 1			$2,934.00

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **460 - Airport Capital Projects**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
12428 - JAIME ANGELES OLVERA / ANGELES PREMIUM CONSTRUCTIO	1015	Airport Safety Improvements- Fuel Farm	Paid by Check # 109247		05/02/2026	05/06/2026	05/06/2026		05/15/2026	3,186.08
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions 1			$3,186.08
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions 1			$3,186.08
				Division **000 - Non-Div** Totals			Invoice Transactions 1			$3,186.08
				Department **000 - Non-Dept** Totals			Invoice Transactions 1			$3,186.08
				Fund **460 - Airport Capital Projects** Totals			Invoice Transactions 1			$3,186.08

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **462 - City Capital Projects**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
12418 - Devil Mountain Wholesale Nursery LLC	INV707527	Vince DiMaggio Park Tree Planting	Paid by Check # 109238		05/06/2026	05/07/2026	05/07/2026		05/15/2026	12,893.66
10463 - Pacific Gas & Electric	Mar 2026 5109173	8th St and 2nd Avenue	Paid by Check # 109310		03/19/2026	05/06/2026	05/06/2026		05/15/2026	131,288.93
10171 - CSG Consultants	65628	Imjin Pkway & 3rd Ave Inspection Services	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	269.00
10171 - CSG Consultants	65629	Imjin Widening (#401)	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	7,801.00
10171 - CSG Consultants	65630	Salinas Ave Widening	Paid by EFT # 7681		04/10/2026	04/30/2026	04/30/2026		05/15/2026	269.00
10171 - CSG Consultants	65205	Sea Haven Community Park	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	538.00
10171 - CSG Consultants	65206	Imjin widening	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	5,918.00
10171 - CSG Consultants	65207	Salinas Ave Widening	Paid by EFT # 7681		03/13/2026	04/29/2026	04/29/2026		05/15/2026	269.00
10261 - Graniterock/Pavex Construction	2283597	Vince DiMaggio's Earth Day Project	Paid by EFT # 7684		04/18/2026	04/27/2026	04/27/2026		05/15/2026	2,889.65
10420 - MILESTONE COMMUNICATIONS INC/MONTEREY COUNTY WEEKL	#04/16/26CCM	Earth Day Advertisement	Paid by Check # 109289		04/16/2026	04/27/2026	04/27/2026		05/15/2026	1,952.00
12396 - Oona Johnsen Landscape Architecture LLC/OJLA	26.01-02	Marina Trees/Earth Day	Paid by Check # 109295		04/27/2026	04/29/2026	04/29/2026		05/15/2026	4,976.67
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	11		$169,064.91
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	11		$169,064.91
				Division **000 - Non-Div** Totals			Invoice Transactions	11		$169,064.91
				Department **000 - Non-Dept** Totals			Invoice Transactions	11		$169,064.91
				Fund **462 - City Capital Projects** Totals			Invoice Transactions	11		$169,064.91

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **555 - Marina Airport**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.030 - Prof Svc Airport Specific Plan**										
10150 - Coffman Associates	26GS02-2	Consultant Services	Paid by Check # 109234		05/01/2026	05/06/2026	05/06/2026		05/15/2026	464.00
10316 - Kimley-Horn & Associates, Inc.	35605981	OAR Economic Impact Study	Paid by Check # 109281		04/30/2026	05/06/2026	05/06/2026		05/15/2026	7,176.00
				Account **6300.030 - Prof Svc Airport Specific Plan** Totals				Invoice Transactions	2	$7,640.00
Account **6300.570 - Prof Svc Other**										
10878 - Green Waste Recovery, Inc.	0008631398	Airport 20 & 30 yd roll off for Ice plants	Paid by Check # 109244		01/01/2026	04/24/2026	04/24/2026		05/15/2026	1,696.64
10878 - Green Waste Recovery, Inc.	0008748527	Airport Roll off	Paid by Check # 109244		05/01/2026	05/30/2026	05/04/2026		05/15/2026	738.52
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	2	$2,435.16
Account **6360.050 - Maint & Repairs Building**										
12428 - JAIME ANGELES OLVERA / ANGELES PREMIUM CONSTRUCTIO	1014	Wood plank for Oil Separator	Paid by Check # 109247		05/02/2026	05/06/2026	05/06/2026		05/15/2026	4,539.59
				Account **6360.050 - Maint & Repairs Building** Totals				Invoice Transactions	1	$4,539.59
Account **6360.342 - Maint & Repairs IT - System Annual Maint**										
12203 - 1200.aero, Inc.	1497	Airport Operations Monitoring	Paid by Check # 109200		03/24/2026	04/10/2026	05/04/2026		05/15/2026	1,400.00
				Account **6360.342 - Maint & Repairs IT - System Annual Maint** Totals				Invoice Transactions	1	$1,400.00
Account **6360.450 - Maint & Repairs Maint & Repairs**										
10263 - Green Line	114647	Vac out Interceptor at airport	Paid by Check # 109243		04/30/2026	05/06/2026	05/06/2026		05/15/2026	1,600.00
				Account **6360.450 - Maint & Repairs Maint & Repairs** Totals				Invoice Transactions	1	$1,600.00
Account **6360.566 - Maint & Repairs Other Equipment**										
11285 - MEGUZMAN, INC / JUNK KING MONTEREY	JK3777722	Junk Removal	Paid by Check # 109287		12/05/2025	04/09/2026	04/09/2026		05/15/2026	338.00
				Account **6360.566 - Maint & Repairs Other Equipment** Totals				Invoice Transactions	1	$338.00
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6138919948	PW- 972476364-00001	Paid by EFT # 7697		03/18/2026	04/10/2026	04/10/2026		05/15/2026	30.70
				Account **6380.120 - Utilities Comm Mobile & Pager** Totals				Invoice Transactions	1	$30.70
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Apr 2026 56-044	781 Neeson Rd (56-044)	Paid by Check # 109286		04/27/2026	05/06/2026	05/06/2026		05/15/2026	192.32
10349 - Marina Coast Water District	Apr 2026 56-051	721 Neeson Rd (56-051)	Paid by Check # 109286		04/27/2026	05/06/2026	05/06/2026		05/15/2026	328.77
10349 - Marina Coast Water District	Apr 2026 56-096	3271 Imjin Rd (56-096)	Paid by Check # 109286		04/27/2026	05/06/2026	05/06/2026		05/15/2026	107.84
10349 - Marina Coast Water District	Apr 2026 56-097	3200 Imjin Rd (56-097)	Paid by Check # 109286		04/27/2026	05/06/2026	05/06/2026		05/15/2026	846.11

Accounts Payable by G/L Distribution Report

Payment Date Range 05/15/26 - 05/15/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **555 - Marina Airport**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Apr 2026 56-114	3261 Imjin Rd (56-114)	Paid by Check # 109286		04/27/2026	05/06/2026	05/06/2026		05/15/2026	286.96
				Account **6380.500 - Utilities Water & Sewer** Totals				Invoice Transactions	5	$1,762.00
Account **6400.230 - Material & Suppl Fuel - Gas and Diesel**										
12430 - STURDY OIL COMPANY	294519	City Fuel	Paid by Check # 109304		02/02/2026	05/06/2026	05/06/2026		05/15/2026	42.13
				Account **6400.230 - Material & Suppl Fuel - Gas and Diesel** Totals				Invoice Transactions	1	$42.13
Account **6400.350 - Material & Suppl IT-Computer & Hardware (non-cap)**										
10897 - TechRx Technology Services Corporation	13537	COMPUTER UPGRADES	Paid by EFT # 7694		02/28/2026	04/09/2026	04/09/2026		05/15/2026	5,807.26
				Account **6400.350 - Material & Suppl IT-Computer & Hardware (non-cap)** Totals				Invoice Transactions	1	$5,807.26
Account **6400.800 - Material & Suppl Uniform**										
10043 - VESTIS GROUP, INC./(f/k/a ARAMARK UNIFORM & C	5110889109	Dave's Uniform and First Aid Kit	Paid by Check # 109306		05/01/2026	05/08/2026	05/08/2026		05/15/2026	40.54
10043 - VESTIS GROUP, INC./(f/k/a ARAMARK UNIFORM & C	5110885534	Dave's Uniform & First Aid	Paid by Check # 109306		04/24/2026	05/08/2026	05/08/2026		05/15/2026	40.54
10043 - VESTIS GROUP, INC./(f/k/a ARAMARK UNIFORM & C	5110881905	Daves Uniform & First Aid	Paid by Check # 109306		04/17/2026	05/08/2026	05/08/2026		05/15/2026	40.54
				Account **6400.800 - Material & Suppl Uniform** Totals				Invoice Transactions	3	$121.62
Account **6500.700 - Training & Travel Training & Travel**										
12058 - Melissa Orduno - Employee	LIFT Conf 2026	LIFT Summit Conference Reimbursement	Paid by Check # 109288		05/06/2026	05/06/2026	05/06/2026		05/15/2026	111.68
				Account **6500.700 - Training & Travel Training & Travel** Totals				Invoice Transactions	1	$111.68
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	20	$25,828.14
				Division **000 - Non-Div** Totals				Invoice Transactions	20	$25,828.14
				Department **000 - Non-Dept** Totals				Invoice Transactions	20	$25,828.14
				Fund **555 - Marina Airport** Totals				Invoice Transactions	20	$25,828.14
				Grand Totals				Invoice Transactions	175	$357,318.17

Accounts Payable by G/L Distribution Report

Payment Date Range 05/08/26 - 05/08/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **758 - Successor Agency Oblig Retiremt**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6650.015 - ROPS #15- Website Hosting Services**										
10143 - CivicPlus, LLC	363306-SA	Quarterly Website Hosting and Support	Paid by EFT # 144		04/01/2026	05/04/2026	05/04/2026		05/08/2026	584.80
Account **6650.015 - ROPS #15- Website Hosting Services** Totals							Invoice Transactions 1			$584.80
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			$584.80
Division **000 - Non-Div** Totals							Invoice Transactions 1			$584.80
Department **000 - Non-Dept** Totals							Invoice Transactions 1			$584.80
Fund **758 - Successor Agency Oblig Retiremt** Totals							Invoice Transactions 1			$584.80
Grand Totals							Invoice Transactions 1			$584.80

DRAFT

Agenda Item: **10b(1)**
City Council Meeting of
May 19, 2026

ACTION
MINUTES

Tuesday, April 21, 2026

5:00 P.M. Closed Session
6:30 P.M. Open Session

REGULAR MEETING
CITY COUNCIL, AIRPORT COMMISSION, MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION, SUCCESSOR AGENCY OF THE FORMER MARINA REDEVELOPMENT AGENCY

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Council Chambers
211 Hillcrest Avenue
Marina, California

AND

Zoom Meeting URL: https://zoom.us/j/730251556
Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

1. CALL TO ORDER

2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   MEMBERS PRESENT: Jenny McAdams, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado (Remote SB707)

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS:

4. CLOSED SESSION:

   a. Conference with Legal Counsel, Anticipated Litigation (Govt. Code § 54956.9(d)(4)), 1 potential case. City Council to consider initiation of litigation pursuant to Government Code § 54956.9(d)(4).

   b. Conference with Legal Counsel: Existing Litigation (Govt. Code § 54956.9(d)(1)), 1 case

      i. *Knopf, et al. v. Chaparral Country Corporation, Inc., City of Marina, et al.*, 26CV000910, Monterey County Superior Court

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

City Attorney Ortega reported out Closed Session: Council received information, no reportable action was taken.

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

6. SPECIAL PRESENTATIONS:

   a. Dr. Michael McDermott, CEO Montage
   b. Marina Connect Q1 update
   c. Sidewalk shaving project update and presentation.
   d. Imjin Parkway Median Update Presentation

7. COUNCIL AND STAFF ANNOUNCEMENTS:

- Councilmember McAdams commented on the kidnapping and assault at Locke Paddon Park and asked what actions are being taken to ensure park safety and what are the city's plans to address the overgrown conditions contributing to the illegal camping and crime?
- Councilmember McCarthy commented on the issues at Locke Paddon Park that go unreported. Attended a Public Works commission meeting where a variety of issues were talked about. Announced that AMP is looking for members of the community to participate and figure out the future of AMP. Commented that June is Pride Month and asked if he and councilmember McAdams could organize the Flag raising.
- Councilmember Biala commented on the Loack Paddon Park criminal activity. Emphasized that that park is jointly owned by the city and the Regional Park District with the majority of the parcels owned by MPRPD. Spoke about the April 20th signing ceremony with Izunokuni, Japan and the City that took place in the Marina High School Library.
- Mayor Delgado commented on the Pride celebration, the signing ceremony and the Locke Paddon Park dangers. Announced on April 26th the Marina Grange will hold a Open House from 12:30-2:30pm. Announced on May 5th the Marina High School students will hold mock interviews and need about 50 community members to participate in the interviews.
- Public Works Director Hernandez announced this Saturday at 10:00am, will be our first Earth and Arbor Day planting event at Vince DiMaggio building. We will be planting 33 trees, new trees, and over a thousand shrubs.
- City Manager Long introduced Marina's new Recreation Director, Elizabeth Crisante. The city went through an extensive recruitment process.
- Recreation Director Crisante spoke about her history of living on the peninsula and her experiences as a recreation director for the City of Vacaville. Looking forward to working with the executive leadership team, city council, and the Recreation and Cultural Services team.

8. PUBLIC COMMENT**:** *Any member of the public may comment on any matter within the City Council's jurisdiction that is not on the agenda. This is the appropriate place to comment on items on the Consent Agenda. Action will not be taken on items not on the agenda. Comments are limited to a maximum of three (3) minutes. General public comment may be limited to thirty (30) minutes and/or continued to the end of the agenda. 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. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.*

- Megan Range new government relations rep for PG&E. I have reached out to your staff, and I'll be working on a meeting with the rest of you individually here soon.

- Mathew Sanders, CSUMB student, spoke about several racial incidents that have taken place on campus. Invited council to a protest/demonstration on Thursday, April 23rd, from 12 to 1 at the Otter Student Union.
- Denise Turley spoke about how much time it took to get to tonight's public announcements. Made comments on tonight's presentations. Commented on Montage's phone system and public portal. Commented on the quilt that was made by city staff for Izunokuni, Japan.
- Nancy Fortman suggested that during the public comment process, speakers state their name, share which district they live and who their council representative is.

9. 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 and non-controversial. 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 City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, the Council may remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

10. CONSENT AGENDA: *These items are considered to be routine and non-controversial. All items under the Consent Agenda may be approved by one motion. Prior to such a motion being made, any member of City Council may ask a question or make a comment about an agenda item and staff may provide a response. If discussion or a lengthy explanation is required, Council may remove the item from the Consent Agenda and it will be placed at the end of Other Action Items.*

    a. ACCOUNTS PAYABLE: *(Not a Project under CEQA per Article 20, Section 15378)*

        (1) Accounts Payable Check Numbers 108945-109091, totaling $2,566,882.18
        Accounts Payable Successor Agency EFT No. 142, totaling $3,613.75

    b. MINUTES: *(Not a Project under CEQA per Article 20, Section 15378)*

        (1) April 7, 2026, Regular City Council Meeting

    c. CLAIMS AGAINST THE CITY:

        (1) Staff recommend that the City Council reject the following claim and direct sending appropriate notice of rejection to claimant: Cynthia Marie Barnald for a claim received on April 13, 2026

    d. AWARD OF BID: None

    e. CALL FOR BIDS: None

    f. ADOPTION OF RESOLUTIONS: *(Not a Project under CEQA per Article 20, Section 15378)*

        (1) Adopting **Resolution No. 2026-40**, fixing and levying a special tax for principal and interest payments and administrative costs on the 2015 General Obligation Refunding Library Bonds for fiscal year 2026-2027; and Consider adopting **Resolution No. 2026-41**, certifying compliance with State Law (Proposition 218) with respect to special taxes for the 2015 General Obligation Refunding Library Bonds Levy for Fiscal Year 2026-2027.

(2) ~~Adopting Resolution No. 2026-, approving summary vacation of a portion of Del Monte Boulevard fronting the Marina Station Development Project Subdivision, finding such vacation exempt from referral to planning agency, declaring such vacated land to be "exempt surplus" land, and authorizing the City Manager to execute the quitclaim deed on behalf of the city, subject to Surplus Land Act guidelines.~~ ***Pulled by Councilmember McCarthy, becomes agenda item 13f***

g. APPROVAL OF AGREEMENTS: *(Not a Project under CEQA per Article 20, Section 15378)*

(1) Adopting **Resolution No. 2026-42**, approving an agreement with Peckham & McKenney to provide recruitment services to the City of Marina for the Finance Director recruitment.

(2) Adopting **Resolution No. 2026-43**, approving Ground Lease Agreement between City of Marina and Joby Aero, Inc. for a 14,495 square feet (± 0.33 gross acres) portion of the developed east tarmac, at 3200-C Imjin Road.

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS: None

j. REPORTS: (RECEIVE AND FILE): None

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

(1) Read by Title only and consider adopting **Ordinance No. 2026-04**, approving amendments to the Military Equipment Use Policy (Policy 707) authorizing the acquisition and use of additional military equipment for 2026 and renewing Chapter 9.26 of the Marina Municipal Code; and direct that the approved policy, annual report, and updated equipment list be posted on the City of Marina website as required by Government Code §7071(d).

m. APPROVE APPOINTMENTS: None

Councilmember McCarthy had comments on agenda item 10c(1) and requested to pull agenda item 10f(2).

Councilmember Biala requested to pull agenda item 10g(2) to be voted on separately due to conflict of interest.

VISSCHER/BIALA: TO APPROVE THE CONSENT AGENDA MINUE 10f(2) AND 10g(2) 5-0-0-0 Motion Passes by Roll Call Vote

11. PUBLIC HEARINGS: *In the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to speak. All other persons may be given up to three (3) minutes to speak on the matter.*

a. Open a public hearing, take testimony from the public and consider introducing Ordinance No. 2026-05, adopting the proposed amendments to Section 17.42.170 Short-Term Rentals (STR) of the Marina Municipal Code; and find that adoption of the ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the CEQA Guidelines. ***Continued from April 7, 2026***

Public Comments:

- Sean McDonald spoke about why they operate a STR. Concerned, the new amendments will prevent them from having an STR due to the ADU on their property. ADU was placed on the property prior to 2020. Asked that you allow properties with an ADU permitted prior to 2020 to continue as they have been under the current limits and allow us to continue to rent as an STR throughout the year. Not limiting us to 180 days.
- Brian McCarthy was concerned that information in the presentation was not in the staff report, and slightly problematic. Received an email from city staff indicating that his personal unit would be treated as a single-family home with an ADU and the presentation has his address listed as potentially something different. The definitions conflict with each other. Hopes council will keep the Planning Commission language of duplexes and ADU's in the ordinance language.
- Aman spoke about being a condo owner, having an STR permit and concerned that her condo would not be in compliance due to it might fall under the language of a duplex

Council discussed enforcement difficulties for staff, fines for advertising unpermitted STR's, duplexes and condo definitions, number of pre-2020 ADU's in Marina, 50-foot zone exclusions, 180-day per year STR permit, multi-family and shared walls.

MCADAMS/DELGADO: WE OPEN A PUBLIC HEARING INTRODUCING ORDINANCE NUMBER 2026- AMENDING THE MARINA MUNICIPAL CODE SECTION 17.42.170 SHORT-TERM RENTALS; AND FIND THE ADOPTION OF THE ORDINANCE EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15061B3 OF THE CEQA GUIDELINES; AND ALLOW ADUS BUILT PRIOR TO 2020 TO APPLY FOR A LICENSE; AND THAT STAFF WILL PREPARE AN ADMINISTRATIVE MEMO ARTICULATING THE ZONE OF EXCLUSION; AND THAT STAFF LOOK INTO THOSE 2 PROPERTIES SPECIFICALLY THOSE 2, BUT AS AN EXAMPLE FOR PROPERTIES THAT DON'T DO NOT SHARE WALLS, BUT ARE NOT LISTED AS SINGLE FAMILY RESIDENCES. 4-0-0-0 Motion Passes by Roll Call Vote

b. Open public hearing and consider adopting **Resolution No. 2026-44**, amending the City's Master Fee Schedule to reflect adjustments by the Consumer Price Index (CPI) to reflect inflation, new fees, and certain other charges.

Public Comments:

- Lisa Rike asked for reconsideration of the fee raised for the senior center. fees were not raised at a 2.5%. Seniors also pay a $3 fee when using Civic Rec. Asked if the city could look at prorating the annual fee for those registering during the last few months of the fiscal year versus paying for a full year membership and then having to pay the fee again in July.

Council discussed increased fees for recreational memberships, reasonable accommodation request for the community development department, short-term rental permit fines, airport service fees/hangar fees, false alarm fees, firearms storage, removal of the RV overnight parking permit and shopping cart containment fees.

MCADAMS/BIALA: THAT WE ADOPT RESOLUTION NO. 2026-43, AMENDING THE CITY'S MASTER FEE SCHEDULE TO REFLECT ADJUSTMENTS BY THE CONSUMER PRICE INDEX (CPI) TO REFLECT INFLATION, NEW FEES, AND CERTAIN OTHER CHARGES; AND THAT THE REASONABLE ACCOMMODATIONS BE KEEP THAT AT ZERO FOR THIS YEAR UNTIL NEXT YEAR. 5-0-0-0 Motion Passes by Roll Call Vote

12. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. Members of the public may be given up to three (3) minutes to speak.*

13. 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. Members of the public may be given up to three (3) minutes to speak.*

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. ~~Presentation by Marina Police Department on the 2025 Firework Impacts; and planned Firework activities for July 2026~~. ***Continued to May 5, 2026***

b. Receive an informational update and presentation regarding the Downtown Community Workshop held on March 24, 2026; and Provide direction for city staff.

Public Comments:

- Denise Turley asked if this would conflict with the FORTAG Trail and Sand Gilia.

Council discussed the traffic light and roundabout pedestrian safety along Reservation Road, a walkable, community spaces and cultural experiences and downtown support for quality local businesses. Vertical mixed-uses, and how the downtown vitalization specific plan can actually be enacted.

MCCARTHY/VISSCHER: THAT WE APPROVE STAFF RECOMMENDATIONS: VALIDATE INPUT THROUGH COMMUNITY FEEDBACK FORM, REFINE OPTIONS AND PRIORITIES AND RETURN TO COUNCIL WITH RECOMMENDATIONS. 5-0-0-0 Motion Passes by Roll Call Vote

c. ~~Adopting Resolution 2026-, authorizing staff to issue a request for proposals (RFP) for landscape architectural design services for an Asian American Garden at Locke-Paddon Park and authorize staff to solicit proposals and return to Council with a recommended consultant~~. ***Continued to May 5, 2026***

d. Adopting **Resolution No. 2026-45,** approving an amendment to the Sales Tax Revenue Sharing Agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to assist in covering high site development and construction costs associated with developing a Mercedes-Benz automobile dealership in Marina.

Public Comments: None received

Council discussed if the terms of the original plan had changed within this amendment. Possible requirement of a promissory note once construction begins.

DELGADO/BIALA: TO APPROVE RESOLUTION NO. 2026-45, APPROVING AN AMENDMENT TO THE SALES TAX REVENUE SHARING AGREEMENT BETWEEN THE CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST IN COVERING HIGH SITE DEVELOPMENT AND CONSTRUCTION COSTS ASSOCIATED WITH DEVELOPING A MERCEDES-BENZ AUTOMOBILE DEALERSHIP IN MARINA. 5-0-0-0 Motion Passes by Roll Call Vote

e. ~~Receive an informational update regarding city facilities and potential November ballot measure; and Provide direction for city staff~~. ***Continued to May 5, 2026***

f. Adopting **Resolution No. 2026-46**, approving summary vacation of a portion of Del Monte Boulevard fronting the Marina Station Development Project Subdivision, finding such vacation exempt from referral to planning agency, declaring such vacated land to be "exempt surplus" land, and authorizing the City Manager to execute the quitclaim deed on behalf of the city, subject to Surplus Land Act guidelines. ***Pulled by Councilmember McCarthy, was agenda item 10g(2)***

Council discussed what the roundabout at the entrance to Marina Station would look like and wants to have final decision on the design.

MCCARTHY/DELGADO: ADOPT RESOLUTION NO. 2026-46, APPROVING SUMMARY VACATION OF A PORTION OF DEL MONTE BOULEVARD FRONTING THE MARINA STATION DEVELOPMENT PROJECT SUBDIVISION, FINDING SUCH VACATION EXEMPT FROM REFERRAL TO PLANNING AGENCY, DECLARING SUCH VACATED LAND TO BE "EXEMPT SURPLUS" LAND, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE QUITCLAIM DEED ON BEHALF OF THE CITY, SUBJECT TO SURPLUS LAND ACT GUIDELINES WITH THE CONDITION THAT FINAL DESIGN OF THAT ROUNDABOUT COMES FOR CITY COUNCIL APPROVAL. 5-0-0-0 Motion Passes by Roll Call Vote

14. COUNCIL & STAFF INFORMATIONAL REPORTS:

    a. Monterey County Mayor's Association [Mayor Bruce Delgado]
    b. Council reports on meetings and conferences attended (Gov't Code Section 53232).

15. ADJOURNMENT: The meeting adjourned at 11:10 P.M.

_____

Anita Sharp, Deputy City Clerk

ATTEST:

_____

Bruce C. Delgado, Mayor

DRAFT

Agenda Item: **10b(2)**
City Council Meeting of
May 19, 2026

ACTION
MINUTES

Tuesday, May 5, 2026 **5:00 P.M. Open Session**

SPECIAL MEETING
CITY COUNCIL

THIS MEETING WILL BE HELD IN PERSON AND VIRTUALLY (HYBRID).

Council Chambers
211 Hillcrest Avenue
Marina, California

AND

Zoom Meeting URL: https://zoom.us/j/730251556
Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

1. CALL TO ORDER

2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   MEMBERS PRESENT: Jennifer McAdams, Brian McCarthy, Kathy Biala, Mayor Pro-Tem/Vice Chair Liesbeth Visscher, Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENT ON SPECIAL MEETING ITEMS:

4. OTHER ACTION:

   a. Receive a staff report on recent correspondence between the City and the Monterey Peninsula Regional Park District (MPRPD) regarding Locke-Paddon Wetland Community Park, including the MPRPD May 6, 2026, Board agenda item on two scopes of work; and provide direction to staff regarding the City's response and participation in the proposed planning effort.

Public Comments:

- Olga Chandler spoke about Locke Paddon Park when they first moved here 28-years ago versus what the park looks like today. Concerned that the city wants to spend $250,000 of tax dollars not to help beautify and fix the precious space, but to build a garden in the park. City should spend that money fixing the current issues with the park.
- Douglas Chandler spoke about Locke Paddon wetlands and its connection to the main area of Locke Paddon Park including the proposed Asian Garden. Commented on the various reports conducted stating time is running out to preserve this park. Urged the separation of restoration of the uplands and let the Parks District focus on the wetlands.

- Grace Silva-Santella expressed her concerns about this meeting being called with only 24-hour notice. Lot of information to comment on. Supports separating out the upland projects from the wetland restoration. Believes that wetland restoration work at the lagoon will qualify for CEQA exemption. Expressed her concerns about a sitting councilmember being a member of the local Sierra Club Ventana Chapter and involved in the Asian American Garden project.
- Steve Lee spoke about the city projects on city owned land and stated that the only city projects that should be discussed with the district are the Asian American Botanical Garden and the Food Forest on the southwest of the Oak Woodland. Asked what a new master park plan would include. Commented on the mitigated area for the hotel.
- May Holland Dungo spoke in favor of the Asian American Garden and noted that it has already been approved and funded by the city. Asked that council to take a clear step forward and support the RFP request for proposal.
- David Brown spoke in support of the RFP process. Spoke about naysayers on this project and their motives.
- Juli Hoffman in support of green space and the Asian Garden but believes the wetlands should be the priority due to decades of neglect. Support 2 tracks because of the CEQA requirements and the upland projects looked at as a separate way that could streamline those project.
- Iris ACOM Member asked council to fully support the request for proposals for the Asian American Botanical Garden, Lot 43. The Park District has asked for more detailed plan, we initiated a process that will produce exactly that, a professionally developed specific design. Spoke about the Parks Districts required 10 board meetings for projects.
- Chante Snead spoke about having a lot of volunteers committed to this garden and why there is such a heavy pushback related to this project. Would love for this park to just continue to flourish.
- Alex Stewart stated that at one point we had a really good relationship with the Department of Corrections, and those guys came in every year and cleaned out all the underbrush around the lake, would be nice to get that started again. Commented on the signs that were put in place for the children along the paths.
- Greg Furey spoke of other Asian Garaden in other cities. Expressed concern about politicized methodology. What's the habitat that we want to preserve in this area? Preserve the wetlands, preserve that natural area and find another place for an Asian garden. Commented on the proposed UUT and expending $2 million on this garden the UUT will not pass.

Council Discussed the delays on this project, better maintenance agreement with the Parks District, improve overall safety and appearance of the lands, possible lease that covers safety and maintenance, having a "not to exceed" clause in maintenance lease, costs of maintenance, wetlands CEQA. Participation in 50/50 cost sharing for scopes or works, responding to questions submitted by the Parks District, and whether city wishes to continue pursuing a lease transfer of Lot 43 in parallel with planning work.

DELGADO/BIALA: THAT WE DIRECT STAFF TO:

1. **ENGAGE WITH PARK DISTRICT STAFF TO MOVE FORWARD ON THE WETLANDS PROJECT.**
2. **TO SEEK COST SHARING ON THE WETLANDS, INCLUDING THE LONG-TERM MAINTENANCE AND IMPLEMENTATION WITH A "NOT TO EXCEED".**

3. **WE REQUEST ANSWERS FROM THE PARK DISTRICT ON THE UNANSWERED QUESTIONS FROM OUR MARCH 9TH, OR SORRY, MARCH 4TH LETTER.**
4. **THAT WE PROVIDE ANSWERS TO THE PARK DISTRICTS APRIL 9TH LETTER.**
5. **THAT WE URGE THE PARK DISTRICT TO INCLUDE WETLAND COST AND MAINTENANCE STRATEGIES IN THEIR SCOPE OF WORK. NUMBER ONE, SIMILAR TO THE LANGUAGE THEY USED FOR THEIR SCOPE OF WORK NUMBER 2, THE DRY LAND.**
6. **THAT WE URGE THE PARK DISTRICT TO CHANGE THE SCHEDULE FOR SCOPE 2 TO BE 4 MONTHS FROM NOTICE TO PROCEED INSTEAD OF APPROXIMATELY 5 MONTHS.**
7. **THAT THERE BE IF THERE ARE FOUR WORKSHOPS, THAT THERE BE ONE WORKSHOP FOR EACH OF THE CITY'S PROJECTS.**

3-1(McAdams)-1(McCarthy)-0. Substitute Motion Passes.

5. ADJOURNMENT: The special meeting adjourned back into the May 5, 2026, Regular meeting at 7:20 PM

_____
Anita Sharp, Deputy City Clerk

ATTEST:

_____
Bruce C. Delgado, Mayor

CITY OF MARINA
HUMAN RESOURCES & RISK DEPARTMENT
211 Hillcrest Avenue
Marina, CA 93933
Phone: 831.884.1283
Fax: 831.384.0860

RECEIVED
5/11/26

Agenda Item: **10c(1)**

CLAIM FORM

This form is provided pursuant to Government Code Section 910.4 and shall be used by any person presenting a claim to the City of Marina under Government Code Section 810 et seq., except as provided in Government Code Sections 905 and 905.1. If additional space is needed for any of the required information, please attach additional sheets.

SECTION 1: CLAIMANT INFORMATION

Michael Jacquime Clark
Name of Claimant

([redacted]
Telephone Number (include area code)

[redacted]
Mailing Address City CA Zip Code

SECTION 2: NOTICES

The person presenting this claim desires that notices be sent to the following address:

Daniel Srourian on behalf of Michael Jacquime Clark
Name of Claimant

([redacted]
Telephone Number (include area code)

[redacted]
Mailing Address City CA Zip Code

SECTION 3: CLAIM INFORMATION

Date of the occurrence/transaction which gave rise to the claim: August 20, 2025
Month, Day & Year

Provide the location of the occurrence/transaction which gave rise to the claim. If applicable, include street address, city or county, highway number, mile post number and direction of travel.

City of Marina

Explain the circumstances of the occurrence or transaction which gave rise to the claim. State all facts that support your claim against the City of Marina and why you believe the City of Marina is responsible for the alleged damage or injury.

On August 20, 2025, City became aware of a cybersecurity incident when it discovered an unauthorized person gained access to some of their systems between August 19, 2025 and August 20, 2025 and acquired copies of some files maintained on their servers. Claimants' PII may contain, at a minimum, their name, social secu number, expired driver license or State ID number, and biometric information.

Provide a general description of the indebtedness, obligation, injury, damage, or loss incurred so far as it may be known at the time of presentation of the claim.

Violation of state law, common law, and constitutional law and giving rise to causes of action including negligenc pursuant to Government Code §§ 815.2 & 820; common law invasion of privacy; invasion of privacy pursuant to Cal. Const. Art. 1 § 1; breach of implied contract; and any other legal theories which may apply.

Provide the name(s) of the City of Marina employee(s) causing the injury, damage or lost, if known.

At this time, Claimants do not know the identity of specific individuals who are responsible. However, those individuals were acting in the course and scope of their employment with, and on behalf of and in concert with Ci

Provide the amount claimed if said amount totals less than ten thousand dollars ($10,000.00) as of the date presentation of the claim (including the estimated amount of any prospective injury, damage, or lost , insofar as it may be known at the time of the presentation of the claim), together with the basis of computation of the amount claim.

Amount Claimed: $ $50,000

Basis for computation: Lifetime of dealing with identity theft and fraud, including damage to credit.

If the amount claimed exceeds ten thousand dollars ($10,000.00), do not provide the dollar amount of the claim. However, please indicate below whether the claim would be a limited civil case. A limited civil case is one where the amount claimed does not exceed twenty-five thousand dollars ($25,000.00).

_____ Limited Civil Case _x_ Non-Limited Civil Case

SECTION 4: INSURANCE INFORMATION (OPTIONAL – MAY BE COMPLETE IF CLAIM INVOLVES A MOTOR VEHICLE)

Has a claim for the alleged damage/injury been filled or will it be filed with your insurance carrier?

☐ Yes (If marked, please provide information below. ☐ No

Name of Insurance Carrier ( ) Telephone Number (include area code)

Mailing Address City State Zip Code

Policy Number: _____ Deductible: $_____

Name of registered owner(s) of the vehicle: _____

Vehicle Make: _____ Model: _____ Year: _____

SECTION 5: REPRESENTATIVE INFORMATION (OPTIONAL – MAY BE COMPLETED IF FILED BY ATTORNEY OR REPRESENTATIVE)

Daniel Srourian

Name of Attorney/Representative ([redacted] Telephone Number (include area code)

[redacted]

Mailing Address City State Zip Code

Is the claim filed on behalf of minor? ☐ Yes ☒ No If yes, please indicate:

Relationship to minor: _____ Minor's date of birth: _____ Month, Day & Year

SECTION 6: ADVISORY

Section 72 of the Penal Code provides that "every person who, with intent to defraud, presents for allowance or for payment to any State Board or Officer, or to any county, town, city, district, ward, or village, board or officer, authorized to allow or pay the same if genuine, any false or fraudulent claim, bill, account, voucher, or writing, is guilty of a felony."

SECTION 7: SIGNATURE

/s/ Daniel Srourian — 5/1/2026

Signature of Claimant or Claimant's Attorney /Representative — Date

SECTION 8: SUBMISSION OF CLAIM FORM

Completed claim forms must be submitted by personal delivery or by United States mail, postage paid, to the following address:

City of Marina
Marina City Hall
Attention: Catrina Scharf
Human Resources & Risk Department
211 Hillcrest Avenue
Marina, CA 93933

Office: (831) 884-1283
Fax: (831) 384-0860
HR@cityofmarina.org

Incomplete and un-signed claim forms will not be processed and will be returned to the claimant's address indicated on this form.

Once your completed and signed claim form is received in the City's Risk Management Department it may require placement on the City Council agenda for consideration to deny your claim. This action to deny your claim is required by law for public entities and does not mean the City will not process your claim. Rather, your claim will be researched by the City's Risk Management process, or it will be referred to the City's Risk Management Authority, MBASIA (Monterey Bay Area Self Insurance Authority) for investigation by the Claims Adjuster, Georg Hills.

Parmit Randahawa, will handle your claim through settlement or resolution. You will be notified in writing by MBASIA of any actions pertaining to the status of your claim and if additional information in required. You may also contact our Risk Management Services at (510) 375-1141, if you wish to discuss your claim.

Thank you.

May 19, 2026 Item No. **10f(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2026

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2026-, ESTABLISHING APPROPRIATIONS LIMIT FOR FY2026-27

REQUEST:
It is requested that the City Council:

1. Consider Adopting Resolution No. 2026-, establishing appropriations limit for FY 2026-27

BACKGROUND:
Article 13B of the California Constitution states that a local government's annual appropriations shall not exceed the appropriations limit of the prior year, adjusted for the change in the cost of living and the change in population. Cost of living and population changes for all local governments are determined by the California Department of Finance.

The appropriations limit creates a restriction on the amount of revenue that can be appropriated in any fiscal year. Only revenues that are "proceeds of taxes" are subject to the limitation as defined by the law. Interestingly, this includes State subventions, which are "money received by a local agency from the State, the use of which unrestricted by the statute providing the subvention (Government Code Section 7903)."

Government Code Section 7910 requires a local government to establish its appropriations limit by resolution each year, for the following fiscal year, at a regularly scheduled or noticed special meeting. The meeting of May 19, 2026, has been noticed via regular agenda posting locations and City website.

ANALYSIS:
As part of the establishment of its annual appropriations limit, the City must formally adopt the two (2) variables used in the calculation as determined by the Department of Finance:

1. Cost-of-living change factor, and;
2. Population change factor.

In May 2026, the State of California Department of Finance has determined the change in California's per capita personal income factor as 4.95% ("**EXHIBIT A – Attachment A**"), the change in population for the City of Marina as 1.67% ("**EXHIBIT A – Attachment B**").

These figures combine to produce an appropriations limit calculation factor of 1.0670, which, when applied to the FY 2025-26 appropriations limit of $38,036,442 produces a FY 2026-27 appropriations limit of $40,585,897 ("**EXHIBIT B**").

Based upon the above FY 2026-27 appropriation limit of $40,585,897 and City FY 2026-27 estimated total applicable City local proceed of tax sources, State subventions and/or applicable interest income of approximately $32.4 million, the City is approximately $8.2 million or 22% below the limit. Therefore, the City is well within the limit and is compliant with this California State law.

Any challenge to the appropriations limit must be brought to the City of Marina's attention within forty-five (45) days of the effective date of this resolution.

FISCAL IMPACT:
None

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

Prepared by,

_____
Alma Gonzalez
Accounting Services Manager
City of Marina

Respectfully submitted,

_____
Tori Hannah
Finance Director
City of Marina

REVIEWED/CONCUR:

_____
Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
ESTABLISHING APPROPRIATIONS LIMIT FOR FY 2026-27

WHEREAS, Article XIIIB of the California Constitution requires a governmental entity to establish an appropriations limit, and;

WHEREAS, California Government Code Section 7910 requires a local government to establish its appropriations limits by resolution each year, for the following fiscal year, at a regularly scheduled or noticed special meeting, and;

WHEREAS, in May 2026, the State of California Department of Finance determined the change in California's per capita personal income factor ("EXHIBIT A - Attachment A"), the change in population for the City of Marina and the change in population for the County of Monterey ("EXHIBIT A - Attachment B"), and;

WHEREAS, the City's estimated proceeds from tax revenues for Fiscal Year 2026-27 are not anticipated to exceed the appropriation limit, and;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina establishes appropriations limit for FY 2026-27 at $40,585,897 ("EXHIBIT B").

BE IT FURTHER RESOLVED that any challenge to the appropriations limit must be brought to the City of Marina's attention within forty-five (45) days of the effective date of this resolution.

PASSED AND ADOPTED by the City Council of the City of Marina at regular meeting duly held on the 19th day of May 2026, 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

DEPARTMENT OF FINANCE
OFFICE OF THE DIRECTOR

Gavin Newsom ▪ Governor
1021 O Street, Suite 3110 ▪ Sacramento CA 95814 ▪ www.dof.ca.gov

May 1, 2026

Dear Fiscal Officer:

Price Factor and Population Information

Appropriations Limit

California Revenue and Taxation Code section 2227 requires the Department of Finance to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2026, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2026–27. Attachment A provides the change in California's per capita personal income and an example for utilizing the factors to calculate the 2026–27 appropriations limit. Attachment B provides the city and unincorporated county population percentage change. Attachment C provides the population percentage change for counties and their summed incorporated areas. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. California Revenue and Taxation Code section 2228 provides additional information regarding the appropriations limit. Article XIII B, section 9(C) of the California Constitution exempts certain special districts from the appropriations limit calculation mandate. Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this requirement should be directed to their county, district legal counsel, or the law itself. No state agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. California Revenue and Taxation Code section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2026**. Please note: The prior year's city population estimates may be revised.

The per capita personal income change is based on historical data.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

/s Erika Li

Attachment

Attachment A

A. **Price Factor**: Article XIII B specifies that local jurisdictions select their cost of living factor to compute their appropriation limit by a vote of their governing body. The cost-of-living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the fiscal year 2026-27 appropriation limit is:

Per Capita Personal Income

Fiscal Year (FY)	Percentage change over prior year
2026-27	4.95

B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2026-27 appropriation limit.

2026-27:

Per Capita Cost of Living Change = 4.95 percent
Population Change = 0.14 percent

Per Capita Cost of Living converted to a ratio: $\frac{4.95 + 100}{100} = 1.0495$

Population converted to a ratio: $\frac{-0.14 + 100}{100} = 0.9986$

Calculation of factor for FY 2026-27: 1.0495 x 0.9986 = 1.0480

FISCAL YEAR 2026-27
Attachment B
Annual Percent Change in Population Minus Exclusions*
January 1, 2025 to January 1, 2026, and Total Population January 1, 2026

City	County	Percent Change 25-26	Population Minus Exclusions 1-1-25	Population Minus Exclusions 1-1-26	Total Population 1-1-26
Carmel-By-The-Sea	Monterey	-0.42	3,115	3,102	3,102
Del Rey Oaks	Monterey	-0.45	1,546	1,539	1,539
Gonzales	Monterey	-0.30	8,423	8,398	8,398
Greenfield	Monterey	1.78	20,552	20,918	20,918
King City	Monterey	0.87	14,245	14,369	14,369
Marina	Monterey	1.67	22,938	23,322	23,322
Monterey	Monterey	-0.17	24,127	24,087	27,504
Pacific Grove	Monterey	-0.53	14,974	14,894	14,894
Salinas	Monterey	-0.57	160,784	159,866	159,866
Sand City	Monterey	-0.78	384	381	381
Seaside	Monterey	-0.36	26,438	26,342	31,681
Soledad	Monterey	0.29	20,434	20,494	27,065
Unincorporated	Monterey	-0.46	104,061	103,582	103,716
Incorporated	Monterey	-0.08	317,960	317,712	333,039
County Total	Monterey	-0.17	422,021	421,294	436,755

EXHIBIT B

CITY OF MARINA
APPROPRIATION LIMIT FOR FISCAL YEAR 2026-27

The appropriations limit creates a restriction on the amount of revenue which can be appropriated in any fiscal year. Only revenues that are 'proceeds of taxes,' as defined by the State code, are subject to the limitation. The basis for calculating the limit began in fiscal year 1978-79 and is calculated each year based on population changes and inflation.

FY 2024-25 Adopted Appropriation Limit					**$**	**35,339,301**
Annual Adjustment						
Change in Population %	**1.12%**					
Converted to Ratio			1.0112			
Change in Per Capita Income %	**6.44%**					
Converted to Ratio			1.0644			
Combined Factor	1.0112	x	1.0644	=		1.0763
FY 2025-26 Appropriation Limit					**$**	**38,036,442**

FY 2025-26 Adopted Appropriation Limit					**$**	**38,036,442**
Annual Adjustment						
Change in Population %	**1.67%**					
Converted to Ratio			1.0167			
Change in Per Capita Income %	**4.95%**					
Converted to Ratio			1.0495			
Combined Factor	1.0167	x	1.0495	=		1.0670
FY 2026-27 Appropriation Limit					**$**	**40,585,897**

* **Estimated FY 2026-27**		
Taxes	$	31,948,100
Interest Income		428,477
Total General Fund Revenues Subject to Limit	$	32,376,577
Amount Below Limit ($)	$	8,209,321
As a Percent of Total (%)		22%

May 11, 2026 Item No. **10f(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2026

CITY COUNCIL TO CONSIDER ADOPTING RESOLUTION NO. 2026-, RECEIVING THE FISCAL YEAR 2026-27 ENGINEER'S REPORT FOR THE SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2026-27 IN THAT DISTRICT; AND CALLING A PUBLIC HEARING FOR JUNE 16, 2026

REQUEST:
It is requested that the City Council to consider:

1. Adopting Resolution No. 2026-, receiving the Fiscal Year 2026-27 Engineer's Report for the Seabreeze Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2026-27 in that district; and calling a public hearing for June 16, 2026.

BACKGROUND:
At the regular meeting of June 4, 1996, the City Council adopted Resolution No. 1996-62, ordering the formation of the Seabreeze Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared which includes the costs to maintain the improvements of the Districts and what the proposed assessments will be to provide for that maintenance.

The first step in the annual update process is for the City Council to initiate the process by adopting a resolution ordering the City Engineer to prepare and file an Engineer's Report for the District. After initiation of the update process and preparation of the update report, the City Council will be requested to adopt a resolution of intention declaring its intention to levy an assessment, and to set a Public Hearing. The Public Hearing will be held at a subsequent City Council meeting where the assessment is approved and confirmed, resulting in the adoption of a resolution confirming the levy of assessment pursuant to the provisions of the Landscape and Lighting Act of 1972 of Part 2 of Division 15 of the Streets and Highways Code of the State of California.

At the regular meeting of February 18, 2026, the City Council adopted Resolution No. 2026-14, ordering the City Engineer to prepare and to file a report related to maintenance of the Seabreeze Landscape Maintenance Assessment District for Fiscal Year 2026-27.

ANALYSIS:
Staff has prepared an Engineer's Report for the maintenance district for FY 2026-27 and filed the report with the City Clerk. Staff is proposing assessment amounts as follows:

	Current FY 2025-26	Proposed 2026-27
Seabreeze (37 Parcels)	$182.42	$182.42

Staff is requesting that the City Council to approve setting a public hearing for June 16, 2026 to hear concerns on levying and collection of the proposed assessment on this district. Staff will mail notices to all affected property owners upon City Council approval of the public hearing.

Once the hearing is completed and the levy approved, the City has until August 1, 2026 to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller.

As noted in the Engineer's Report for the Seabreeze Landscape Maintenance Assessment District for FY 2026-27 **(EXHIBIT A)** the annual expenditures and administrative costs exceed the annual revenues. While there is adequate fund balance for FY26/27, the fund balance will continue to reduce based on increased annual expenditures, mostly through inflation, and static revenues. City staff will work with the Landscape Management District residents to establish a recommended approach to reduce expenditures, increase revenues, or otherwise modify the Landscape Management District operational elements to resolve the long-term financial outlook.

CEQA Findings:
The City of Marina has determined that this action is Categorically Exempt per Article 19, Section 15378(b)(5) of the CEQA Guidelines as the action constitutes an organizational or administrative activity that will not result in a physical change in the environment.

FISCAL IMPACT:
Adequate funding for providing notices for the public hearing has been appropriated in the FY 26/27 budget account for the Seabreeze Landscape Maintenance Assessment District. There is no fiscal impact to receive the Engineer's Report and setting a public hearing.

CONCLUSION:
This request is submitted for City Council discussion and possible action.

Respectfully submitted,

_____
Scott Shepard, PE
City Engineer
City of Marina

REVIEWED/CONCUR:

_____
Ismael Hernandez
Public Works Director
City of Marina

_____
Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2026-

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA RECEIVING THE FISCAL YEAR 2026-27 ENGINEER'S REPORT FOR THE SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2026-27 IN THAT DISTRICT; AND CALLING A PUBLIC HEARING FOR JUNE 16, 2026

WHEREAS, at the regular meeting of June 4, 1996, the City Council adopted Resolution No. 1996-62, ordering the formation of the Seabreeze Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals; and

WHEREAS, the City Engineer, on the direction of the City Council, has filed with the City Clerk a report with respect to the Fiscal Year 2026-27 levy of the assessment in connection with the Assessment District (the "Report"); and

WHEREAS, the Report is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, the Report recommends that the assessment rate remain at $182.42 per parcel for FY26/27; and

WHEREAS, the current annual expenditures and administrative costs exceed annual revenues and staff shall work with the landscape management district residents to establish a recommended approach to reduce expenditures, increase revenues, or otherwise modify the Landscape Management District operational elements to resolve the long-term financial outlook; and

WHEREAS, the City Council desires to proceed with the process for levying the Fiscal Year 2026-27 levy of assessments in connection with the Assessment District prior to the August 1, 2026 deadline with the Monterey County Auditor-Controller.

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

1. The Report is hereby received as filed.
2. The Council declares its intention to levy and collect assessments in the Assessment District for Fiscal Year 2026-27 as described in the Report.
3. Reference is made to the Report for a full and detailed description of (i) the improvements to be operated and maintained in connection with the Assessment District; (ii) the boundaries of the Assessment District; and (iii) the proposed assessments upon assessable lots and parcels of land within the Assessment District. The Report describes, among other things, each affected parcel of real property and the amount of the assessments for each such affected parcel for Fiscal Year 2026-27. The Assessment District generally includes all residential parcels in the Seabreeze subdivision. The amount of the assessment and the general nature of the improvements are not proposed to change from the prior year.
4. A public hearing on the levy of assessments in Fiscal Year 2026-27 in connection with the District is scheduled for Tuesday, June 16, 2026, at 6:30 P.M. or as soon thereafter as the matter may be heard.

5. Staff is directed to give notice of the public hearing pursuant to Section 22626(a) of the Streets and Highway Code.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of May 2026, by the following vote:

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

_____
Bruce Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

Exhibit A –
FY26/27 Engineer's Report for the Seabreeze Landscape Management District

CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ENGINEER'S REPORT

FY 2026-2027

Council Members:

B. DELGADO, MAYOR

L. VISSCHER	B. MCCARTHY
K. BIALA	J. MCADAMS

LAYNE LONG	City Manager
ANITA SHEPHERD-SHARP	Deputy City Clerk
RENÉ ORTEGA	City Attorney
ISMAEL HERNANDEZ	Public Works Director

Prepared By
City of Marina
Public Works Department

SEABREEZE
LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2026-2027

INTRODUCTION

This Engineer's Report has been prepared for the Seabreeze Landscape Maintenance Assessment District (LMD) pursuant to the provisions of the California Streets and Highways Code, Landscaping and Lighting Act of 1972. The purpose of this report is to provide an updated description of the District, identify the improvements being maintained, establish the method of assessment apportionment, and present the estimated costs and revenues required for the ongoing operation and maintenance of public improvements within the District.

The report also includes updated financial information for Fiscal Year 2026-2027 and forward projections to assist the City Council in understanding the long-term fiscal condition of the District under current assumptions.

DISTRICT DESCRIPTION

The Seabreeze Landscape Maintenance Assessment District is located the City of Marina, Monterey County, California and consists of residential parcels.

The District was formed to ensure the long-term maintenance of certain common landscape and infrastructure improvements that were constructed as part of the original subdivision development and dedicated for ongoing public benefit..

DISTRICT BOUNDARIES

The District consists of 37 residential parcels as shown on the Boundary and Landscaped Area Map (Exhibit A). Each parcel receives a proportionate benefit from the maintenance of the common landscaped areas.

METHOD OF APPORTIONMENT (EXHIBIT D)

The costs associated with the maintenance of the District improvements are apportioned equally among all thirty-seven parcels. Each parcel receives a generally equal benefit from the ongoing maintenance of the common landscaped areas, and therefore each parcel is assessed an equal share of the total annual costs.

The assessment methodology is consistent with the original formation proceedings and compliant with Proposition 218 requirements

ESTIMATED COST OF IMPROVEMENTS

The annual cost of maintaining the District improvements is based on contracted services, administrative support, and cost allocation charges necessary to sustain operations.

Table 1
Fiscal Year 2026-2027

Category	Amount
Landscape Maintenance Contract	$2,793
Administrative Services (Engineering + Report Preparation)	$3,605
Cost Allocation Plan Charges	$1,740
Legal Advertising	$230
Total Estimated Expenditures	**$8,368**

REVENUE AND FUNDING

The District is funded through an annual assessment levied on the thirty-sevenv (37) parcels within its boundaries. For Fiscal Year 2026-2027, total assessment revenue is estimated at approximately $6,750, based on an equal per-parcel assessment of $182.42. These revenues are intended to fully fund the annual cost of maintaining the District improvements.

FUND BALANCE AND LONG-TERM OUTLOOK

Historical and projected fund balances indicate the following trend:

Table 2

Fiscal Year	Ending Fund Balance
FY 2024-25	$477
FY 2025-26	$157
FY 2026-27 (est.)	$(1,019)
FY 2027-28 (est.)	$(2,373)
FY 2028-29 (est.)	$(3,910)

For the last few fiscal years, annual revenues and ending fund balances have offset annual expenditures, however current fiscal year and projected multi-year costs reflect gradual expenditure and administrative cost increases primarily driven by inflationary adjustments. The district is currently operating with negative cash reserves and requires changes to service levels, administrative costs, or funding adjustments to maintain long-term fiscal sustainability.

ADMINISTRATIVE CONSIDERATIONS

A significant portion of annual District expenditures is associated with administrative services and Citywide cost allocation charges required to manage contracts, oversee maintenance activities, and ensure compliance with applicable requirements.

Given the relatively small scale of the District, administrative costs represent a substantial proportion of total annual expenditures.

SUMMARY

The Seabreeze Landscape Maintenance Assessment District continues to provide maintenance services that support the long-term functionality and appearance of common landscaped areas benefiting all parcels within the District. Under current funding assumptions, annual revenues are not sufficient to support near-term or long-term maintenance obligations.

The District operates within a narrow fiscal margin, with no capacity to absorb cost increases or unforeseen maintenance needs.

ALTERNATIVES FOR CONSIDERATION

The City may consider the following general alternatives regarding long-term District operations:

Alternative 1: Maintain Existing Assessment Structure
Continue operations under the existing assessment rate and service levels. This alternative would require the city to adsorb a significant portion of administrative costs over the long-term operational outlook.

Alternative 2: Evaluate Revenue Adjustment Process
Considering updated assessments to align revenues with projected long-term expenditure and administrative cost increases. City staff changes, subject to applicable procedural

requirements under Proposition 218. City staff will prepare an initial estimated assessment increase value to align expense with revenue outreach with Landscape Maintenance District residents to assess viability of the assessment increase.

Alternative 3: Evaluate Long-Term Service Structure
Considering potential modifications to the district's long-term maintenance and administrative obligations to optimize efficiency and sustainability of service delivery; reducing expenditures and administrative costs to align with revenue.

Alternative 4: Dissolve the Landscape Maintenance District
This would require the city to maintain the landscape in City right-of-way but with a minimal cost increase to existing maintenance budgets.

CONCLUSION

Throughout FY2026/2027 City staff will work with Landscape Maintenance District residents and provide outreach and coordination to address the above alternatives for long-term district operations. Results of this outreach and a recommendation for future Landscape Maintenance District operation will be brought to council in Quarter 1 of 2027 during the FY2027/2028 hearing and budgetary planning for this Landscape Maintenance District.

This report is intended to provide an updated technical and fiscal overview of the District for Fiscal Year 2025–2026 and forward-looking planning purposes. All findings are presented for consideration by the City Council in evaluating the ongoing maintenance and funding structure of the district.

ENGINEER'S REPORT EXHIBITS

This report includes the following exhibits:

EXHIBIT A - An Assessment Diagram and Boundary Map showing all the parcels of the real property within the Assessment District and location of the landscaped areas to be maintained by the Assessment District. The Diagram is keyed to Exhibit C by the separate "Assessment District".

EXHIBIT B - Spreadsheet showing estimated costs for FY 2025-2026, FY 2026-2027, FY 2027-2028 and FY2028-2029.

EXHIBIT C - An assessment roll showing the amount proposed to be assessed against each parcel of real property within this Assessment District. In addition to the Assessors Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to the lot number of each parcel.

EXHIBIT D - A statement of the method by which the undersigned determined the amount to be assessed against each parcel based on the benefits to be derived by each parcel, respectively, from the improvements.

Respectfully submitted,

_____
Scott Shepard, PE
City Engineer

Boundary and Landscaped Area Map

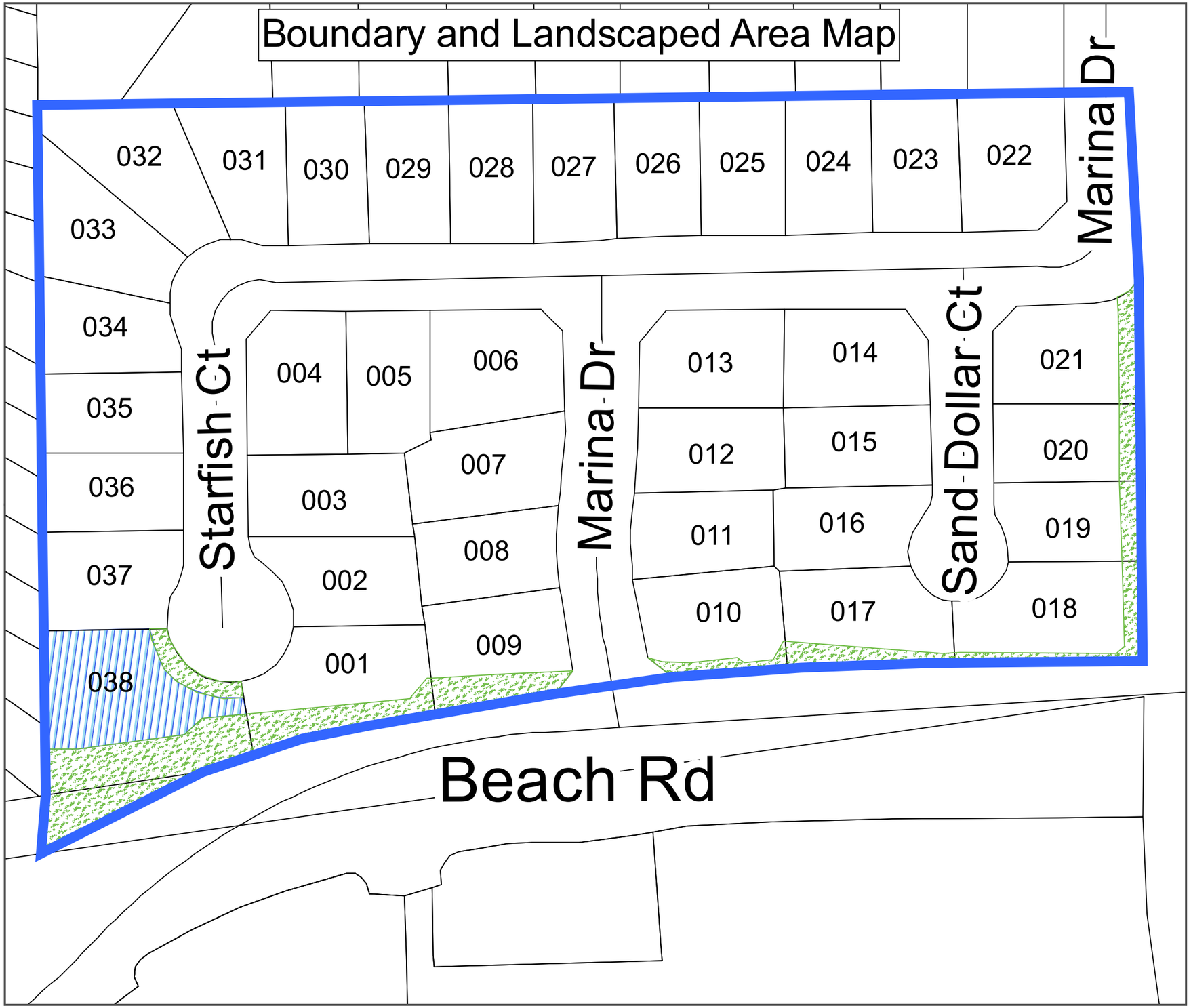
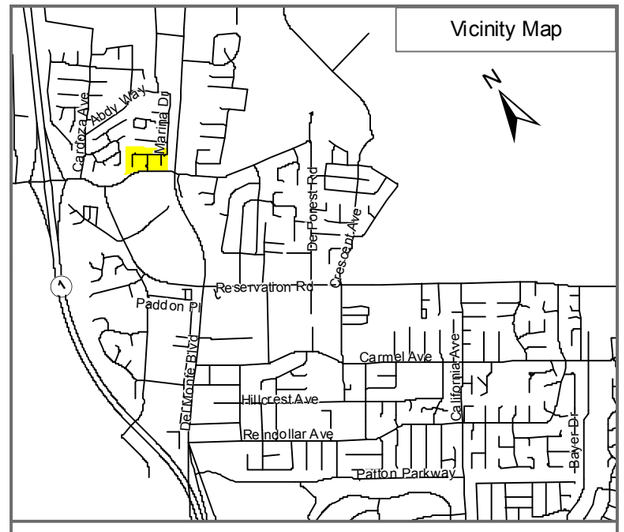


EXHIBIT A

Seabreeze
Landscape Maintenance District



Legend

Seabreeze

- Boundary
- Landscaped Area **20,470 SQ FT**
- Parcels
- Percolation Lot
- Roads

Date: April 15th, 2009

Notes: The City of Marina assume no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates/modifications and may not be complete or appropriate for all purposes. The City of Marina and Monterey County GIS should be queried for the most current information. Parcel data is of mapping grade only and does not represent reliable locations or legal boundaries.

Sources: Monterey County GIS, City of Marina CDD
Map Projection: California State Plane Zone IV, NAD 83 (Feet)

N

0 50 100
Feet

EXHIBIT B
SEABREEZE LANDSCAPE MAINTENANCE DISTRICT

Summary	Actual FY 2025-2026	Estimates FY 2026-2027	Estimates FY 2027-2028	Estimates FY 2028-2029
Beginning Cash Balance, July 1st	**$ 477**	**$ 157**	**$ (1,019)**	**$ (2,373)**
[a] Total Assessment Revenues (37 Parcels)	**$ 6,750**	**$ 6,750**	**$ 6,750**	**$ 6,751**
Expenditures				
Contractor Services				
[b] Landscape Maintenance Contract	$ 2,034	$ 2,793	$ 2,877	$ 2,963
Utilities	$ -	$ -	$ -	$ -
Large Tree Trimming	$ -	$ -	$ -	$ -
Extraordinary Maintenance	$ -	$ -		
Plant Replacement	$ -	$ -	$ -	$ -
Administrative Services				
Administration (Incl. Engineers Report)	$ 3,070	$ 3,162	$ 3,257	$ 3,355
Cost Allocation Plan Charges	$ 1,740	$ 1,740	$ 1,740	$ 1,740
Legal Advertising	$ 226	$ 230	$ 230	$ 230
Total Expenditures	**$ 7,070**	**$ 7,925**	**$ 8,104**	**$ 8,288**
[c] Net Change in Fund Balance	**$ (320)**	**$ (1,175)**	**$ (1,354)**	**$ (1,537)**
[d] Ending Fund Balance, June 30th	**$ 157**	**$ (1,019)**	**$ (2,373)**	**$ (3,910)**

[a] Maximum Assessment per Prop 218 is $182.42 per parcel. The assessment amount for FY26-27 is consistent with FY25-26 at $182.42 per parcel.

[b] Maintenance Costs are shown as increasing per fiscal year by an estimated Consumer Cost Index (CPI) of 3% as allowed by the Contract Specifications.

[c] Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

[d] End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

[e] Financial projections are based on current service levels, known cost estimates, and assumed annual inflation factors. Actual revenues and expenditures may vary from these projections due to changes in contract pricing, maintenance needs, or other unforeseen conditions.

EXHIBIT C

SEABREEZE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ASSESSMENT ROLL FOR

FISCAL YEAR 2026-2027

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
1	033-082-001	$182.42
2	033-082-002	$182.42
3	033-082-003	$182.42
4	033-082-004	$182.42
5	033-082-005	$182.42
6	033-082-006	$182.42
7	033-082-007	$182.42
8	033-082-008	$182.42
9	033-082-009	$182.42
10	033-082-010	$182.42
11	033-082-011	$182.42
12	033-082-012	$182.42
13	033-082-013	$182.42
14	033-082-014	$182.42
15	033-082-015	$182.42
16	033-082-016	$182.42
17	033-082-017	$182.42
18	033-082-018	$182.42
19	033-082-019	$182.42
20	033-082-020	$182.42
21	033-082-021	$182.42
22	033-082-022	$182.42
23	033-082-023	$182.42
24	033-082-024	$182.42
25	033-082-025	$182.42

26	033-082-026	$182.42
27	033-082-027	$182.42
28	033-082-028	$182.42

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
29	033-082-029	$182.42
30	033-082-030	$182.42
31	033-082-031	$182.42
32	033-082-032	$182.42
33	033-082-033	$182.42
34	033-082-034	$182.42
35	033-082-035	$182.42
36	033-082-036	$182.42
37	033-082-037	$182.42

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The costs of maintaining the landscaped improvements within the Seabreeze Landscape Maintenance Assessment District provide a special benefit to all properties within the District. These benefits are considered substantially equal in nature due to the uniform access and reliance on the common landscaped areas and associated improvements by each parcel.

Therefore, the total annual costs of maintenance and administration are apportioned equally among the thirty-seven residential parcels within the District, as shown on the Assessment Diagram (Exhibit A). Each parcel is assigned an equal share of the total annual assessment in accordance with the original formation methodology and consistent with the requirements of the Landscaping and Lighting Act of 1972

2066298.1

May 11, 2025 Item No. **10f(3)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2025

CITY COUNCIL TO CONSIDER ADOPTING RESOLUTION NO. 2026-, RECEIVING THE FISCAL YEAR 2026-27 ENGINEER'S REPORT FOR THE MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2026-27 IN THAT DISTRICT; AND CALLING A PUBLIC HEARING FOR JUNE 16, 2026

REQUEST:
It is requested that the City Council to consider:

1. Adopting Resolution No. 2026-, receiving the Fiscal Year 2026-27 Engineer's Report for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District; declaring its intention to levy an assessment in fiscal year 2026-27 in that district; and calling a public hearing for June 16, 2026.

BACKGROUND:
At the regular meeting of October 3, 1989, the City Council adopted Resolution No. 1989-62, ordering the formation of the Monterey Bay Estates Lighting and Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals.

The Landscaping and Lighting Act of 1972 requires an annual update report to be prepared which includes the costs to maintain the improvements of the Districts and what the proposed assessments will be to provide for that maintenance.

The first step in the annual update process is for the City Council to initiate the process by adopting a resolution ordering the City Engineer to prepare and file an Engineer's Report for the District. After initiation of the update process and preparation of the update report, the City Council will be requested to adopt a resolution of intention declaring its intention to levy an assessment, and to set a Public Hearing. The Public Hearing will be held at a subsequent City Council meeting where the assessment is approved and confirmed, resulting in the adoption of a resolution confirming the levy of assessment pursuant to the provisions of the Landscape and Lighting Act of 1972 of Part 2 of Division 15 of the Streets and Highways Code of the State of California.

At the regular meeting of February 18, 2026, the City Council adopted Resolution No. 2026-15, ordering the City Engineer to prepare and to file a report related to maintenance of the Monterey Bay Estates Lighting and Landscape Maintenance Assessment District Fiscal Year 2026-27.

ANALYSIS:
Staff has prepared an Engineer's Report for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District for FY 2026-27 and filed the report with the City Clerk. Staff is proposing assessment amounts as follows:

	Current FY 2025-26	Proposed FY 2026-27
Monterey Bay Estates (162 parcels)	$77.14	$77.14

Staff is requesting that the City Council approve setting a public hearing for June 16, 2026 to hear concerns on levying and collection of the proposed assessment on this district. Staff will mail notices to all affected property owners upon City Council approval of the public hearing.

Once the hearing is completed and the levy approved, the City has until August 1, 2026 to file a certified copy of the diagram and assessment with the Monterey County Auditor-Controller.

As noted in the Engineer's Report for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District for FY 2026-27 **(EXHIBIT A)** the annual expenditures and administrative costs exceed the annual revenues. While there is a healthy fund balance, the fund balance will continue to reduce based on increased annual expenditures, mostly through inflation, and static revenues. City staff will work with the Landscape Management District residents to establish a recommended approach to reduce expenditures, increase revenues, or otherwise modify the Landscape Management District operational elements to resolve the long-term the financial outlook.

CEQA Findings:
The City of Marina has determined that this action is Categorically Exempt per Article 19, Section 15378(b)(5) of the CEQA Guidelines as the action constitutes an organizational or administrative activity that will not result in a physical change in the environment.

FISCAL IMPACT:
Adequate funding for providing notices for the public hearing has been appropriated in the FY 26/27 budget account for the Monterey Bay Estates Lighting & Landscape Maintenance Assessment District. There is no fiscal impact to receiving the Engineer's Report and setting a public hearing.

CONCLUSION:
This request is submitted for City Council discussion and possible action.

Respectfully submitted,

_____
Scott Shepard, P.E.
City Engineer
City of Marina
REVIEWED/CONCUR:

_____
Ismael Hernandez
Public Works Director
City of Marina

_____
Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2026-

A RESOLUTION OF CITY COUNCIL OF THE CITY OF MARINA RECEIVING THE FISCAL YEAR 2026-27 ENGINEER'S REPORT FOR THE MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT; DECLARING ITS INTENTION TO LEVY AN ASSESSMENT IN FISCAL YEAR 2026-27 IN THAT DISTRICT; AND CALLING A PUBLIC HEARING FOR JUNE 16, 2026

WHEREAS, at the regular meeting of October 3, 1989, the City Council adopted Resolution No. 1989-62, ordering the formation of the Monterey Bay Estates Lighting and Landscape Maintenance Assessment District pursuant to Streets and Highway Code §22594 and the Landscaping and Lighting Act of 1972 to maintain certain improvements required of new development as a condition of the subdivision approvals; and

WHEREAS, the City Engineer, on the direction of the City Council, has filed with the City Clerk a report with respect to the Fiscal Year 2025-26 levy of the assessment in connection with the Assessment District (the "Report"); and

WHEREAS, the Report is on file in the Office of the City Clerk, available for public inspection, and incorporated herein by reference; and

WHEREAS, the Report recommends that the assessment rate remain at $77.14 per parcel for FY26/27; and

WHEREAS, the current annual expenditures and administrative costs exceed annual revenues and staff shall work with the landscape management district residents to establish a recommended approach to reduce expenditures, increase revenues, or otherwise modify the Landscape Management District operational elements to resolve the long-term financial outlook; and

WHEREAS, the City Council desires to proceed with the process for levying the Fiscal Year 2026-27 levy of assessments in connection with the Assessment District prior to the August 1, 2026 deadline with the Monterey County Auditor-Controller.

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

1. The Report is hereby received as filed.
2. The Council declares its intention to levy and collect assessments in the Assessment District for Fiscal Year 2026-27 as described in the Report.
3. Reference is made to the Report for a full and detailed description of (i) the improvements to be operated and maintained in connection with the Assessment District; (ii) the boundaries of the Assessment District; and (iii) the proposed assessments upon assessable lots and parcels of land within the Assessment District. The Report describes, among other things, each affected parcel of real property and the amount of the assessments for each such affected parcel for Fiscal Year 2026-27. The Assessment District generally includes all residential parcels in the Monterey Bay Estates subdivision. The general nature of the improvements is not proposed to change from the prior year.
4. A public hearing on the levy of assessments in Fiscal Year 2026-27 in connection with each of the Districts is scheduled for Tuesday, June 16, 2026, at 6:30 P.M. or as soon thereafter as the matter may be heard.
5. Staff is directed to give notice of the public hearing pursuant to Section 22626(a) of the Act.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of May 2026, by the following vote:

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

_____
Bruce Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

Exhibit A –
FY26/27 Engineer's Report for the Monterey Bay Estates Lighting & Landscape Management District

CITY OF MARINA
MONTEREY COUNTY
CALIFORNIA

MONTEREY BAY ESTATES LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ENGINEER'S REPORT

FY 2026-2027

Council Members:

B. DELGADO, MAYOR

L. VISSCHER
K. BIALA
B. MCCARTHY
J. MCADAMS

LAYNE LONG	City Manager
ANITA SHEPHERD-SHARP	Deputy City Clerk
RENÉ ORTEGA	City Attorney
ISMAEL HERNANDEZ	Public Works Director

Prepared By
City of Marina
Public Works Department

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

FY 2026-2027

INTRODUCTION

This Engineer's Report has been prepared for the Monterey Bay Estates Landscape Maintenance Assessment District (LMD) pursuant to the provisions of the California Streets and Highways Code, Landscaping and Lighting Act of 1972. The purpose of this report is to provide an updated description of the District, identify the improvements being maintained, establish the method of assessment apportionment, and present the estimated costs and revenues required for the ongoing operation and maintenance of public improvements within the District.

The report also includes updated financial information for Fiscal Year 2026-2027 and forward projections to assist the City Council in understanding the long-term fiscal condition of the District under current assumptions.

DISTRICT DESCRIPTION

The Monterey Bay Estates Landscape Maintenance Assessment District is located within the City of Marina, Monterey County, California and consists of residential parcels.

The District was formed to ensure the long-term maintenance of certain common landscape and infrastructure improvements that were constructed as part of the original subdivision development and dedicated for ongoing public benefit.

DISTRICT BOUNDARIES

The District consists of 162 residential parcels as shown on the Boundary and Landscaped Area Map (Exhibit A). Each parcel receives a proportionate benefit from the maintenance of the common landscaped areas.

METHOD OF APPORTIONMENT (EXHIBIT D)

Costs associated with the maintenance of District improvements are apportioned equally among all parcels within the District. Each parcel receives a generally equal benefit from the ongoing maintenance of shared landscaped areas; therefore, each parcel is assessed an equal share of the total annual costs.

The assessment methodology is consistent with the original formation proceedings and compliant with Proposition 218 requirements.

ESTIMATED COST OF IMPROVEMENTS

The annual cost of maintaining the District improvements is based on contracted services, administrative support, and cost allocation charges necessary to sustain operations.

Table 1
Fiscal Year 2026-2027

Category	Amount
Landscape Maintenance Contract	$5,988
Administrative Services (Engineering + Report Preparation)	$3,605
Cost Allocation Plan Charges	$2871
Legal Advertising	$216
Total Estimated Expenditures	**$7,306**

REVENUE AND FUNDING

The District is funded entirely through an annual assessment levied on the 162 parcels within its boundaries. For Fiscal Year 2026-2027, total assessment revenue is estimated at approximately $12,497, based on an equal per-parcel assessment of $77.14. These revenues are intended to fully fund the annual cost of maintaining the District improvements.

FUND BALANCE AND LONG-TERM OUTLOOK

Historical and projected fund balances indicate the following trend:

Table 2

Fiscal Year	Ending Fund Balance
FY 2024-25	$6,944
FY 2025-26	$6,177
FY 2026-27 (est.)	$ 7,608
FY 2027-28 (est.)	$7,306
FY 2028-29 (est.)	$6,709

While the District revenues currently exceed operating expenditures and administrative costs and holds a positive fund balance position, projections indicate a gradual decline over multi-year projections. This trend is primarily driven by ongoing inflationary increases in maintenance and administrative costs, combined with fixed revenue capacities.

Although the District is not presently in financial distress, continued reductions in fund balance suggests that the current funding model may not be sustainable in the long-term without future adjustments.

ADMINISTRATIVE CONSIDERATIONS

A significant portion of annual District expenditures is associated with administrative services and Citywide cost allocation charges required to manage contracts, oversee maintenance activities, and ensure compliance with applicable requirements.

Given the relatively small scale of the District, administrative costs represent a meaningful component of total annual expenditures.

CONCLUSION

The Monterey Bay Estates Landscape Maintenance Assessment District continues to provide services that support the appearance and functionality of common landscaped areas benefiting all parcels within the District.

The District is currently in stable financial condition with positive fund balances. Long-term projections indicate a gradual decline in ending fund balance reserves under existing assumptions, reflecting the impact of inflation and fixed assessment revenue constraints.

Throughout FY2026/2027 City staff will work with Landscape Maintenance District residents and provide outreach and coordination to address the above alternatives for long-term district operations. Results of this outreach and a recommendation for future Landscape Maintenance District operation will be brought to council in Quarter 1 of 2027 during the FY2027/2028 hearing and budgetary planning for this Landscape Maintenance District.

ENGINEER'S REPORT EXHIBITS
This report includes the following exhibits:

EXHIBIT A - An assessment diagram and boundary map showing all of the parcels of the real property within the Assessment District. The diagram is keyed to Exhibit C by the separate "Assessment Number".

EXHIBIT B - Spreadsheet showing actual and estimated maintenance costs for FY 2025-2026, FY 2026-2027, FY 2027-2028, FY2028-2029.

EXHIBIT C - An assessment roll showing the amount proposed to be assessed against each parcel of real property within this Assessment District. In addition to the Assessor's Parcel Number each parcel has been assigned a separate "Assessment Number" which corresponds to that parcel's lot number.

EXHIBIT D- A statement of the method by which the undersigned determined the amount to be assessed against each parcel based on the benefits to be derived by each parcel, respectively, from the improvements.

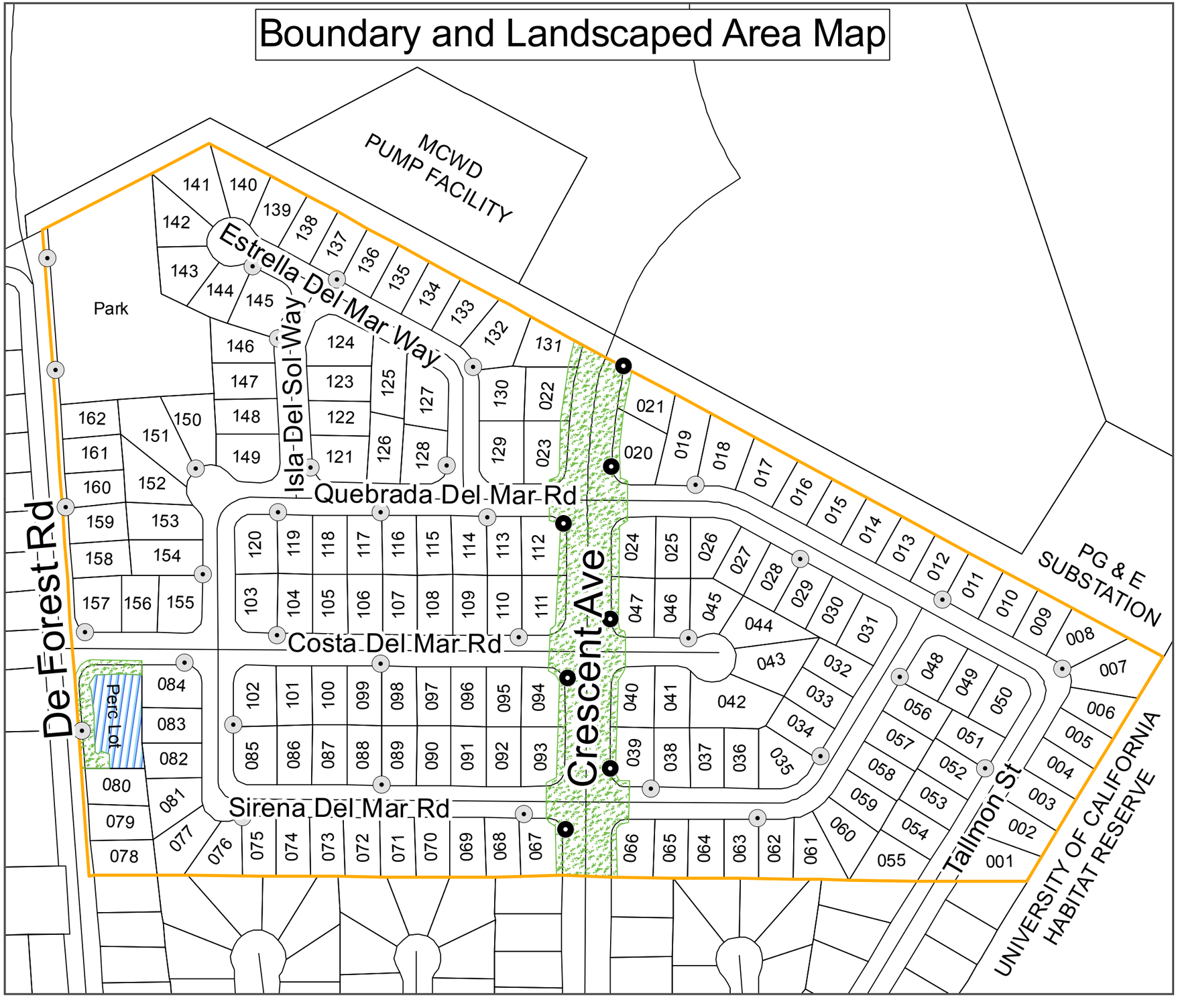
Respectfully submitted,

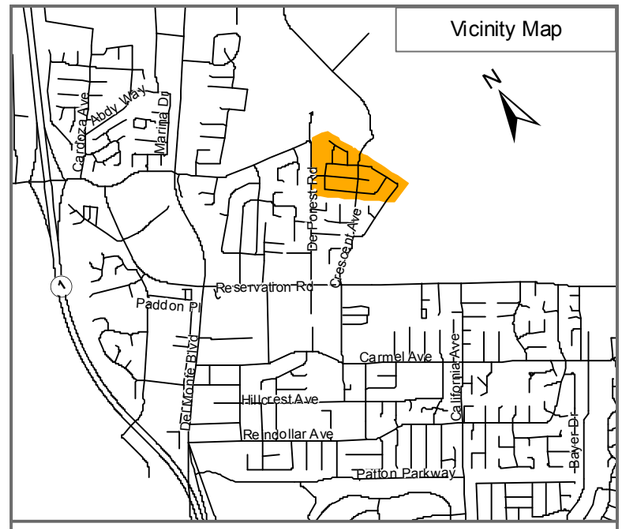
_____
Scott Shepard, PE
City Engineer

Boundary and Landscaped Area Map

EXHIBIT A

Monterey Bay Estates
Lighting and Landscape
Maintenance District





Legend

Monterey Bay Estates

- Boundary
- Landscaped Area **2.14 Acres**
- Parcels
- Percolation Lot
- Roads

Maintained Street Lights

- Total 34 - 100W
- Total 7 - 200W

Date: April 15th, 2009

Notes: The City of Marina assume no warranty or legal responsibility for the information contained on this map. Data and information represented on this map is subject to updates/modifications and may not be complete or appropriate for all purposes. The City of Marina and Monterey County GIS should be queried for the most current information. Parcel data is of mapping grade only and does not represent reliable locations or legal boundaries.

Sources: Monterey County GIS, City of Marina CDD
Map Projection: California State Plane Zone IV, NAD 83 (Feet)

N

0 100 200
Feet

CITY OF MARINA

EXHIBIT B

MONTEREY BAY ESTATES LIGHTING & LANDSCAPE MAINTENANCE DISTRICT

Summary	ACTUAL FY 2025-2026	Estimates FY 2026-2027	Estimates FY 2027-2028	Estimates FY 2028-2029
Beginning Cash Balance, July 1st	**$ 6,177**	**$ 7,608**	**$ 7,306**	**$ 6,709**
[a] Total Assessment Revenues (162 Parcels)	**$ 12,497**	**$ 12,497**	**$ 12,497**	**$ 12,497**
Expenditures				
Contractor Services				
[b] Landscape Maintenance Contract	$ 4,365	$ 5,988	$ 6,168	$ 6,353
Utilities	$ 120	$ 120	$ 120	$ 120
Large Tree Trimming	$ -	$ -	$ -	$ -
Extraordinary Maintenance	$ -	$ -	$ -	$ -
Plant/Tree Removal/Replacement	$ -	$ -	$ -	$ -
Administrative Services				
Administration (Incl. Engineers Report)	$ 3,500	$ 3,605	$ 3,713	$ 3,825
Cost Allocation Plan Charges	$ 2,871	$ 2,871	$ 2,871	$ 2,872
Legal Advertising	$ 209	$ 216	$ 222	$ 229
Total Expenditures	**$ 11,065**	**$ 12,799**	**$ 13,094**	**$ 13,398**
[c] Net Change in Fund Balance	**$ 1,431**	**$ (303)**	**$ (597)**	**$ (901)**
[d] Ending Fund Balance, June 30th	**$ 7,608**	**$ 7,306**	**$ 6,709**	**$ 5,807**

[a] Maximum Assessment per Prop 218 is $77.14 per parcel. The assessment amount for FY25-26 is consistent with FY24-25 at $77.14 per parcel.

[b] Maintenance Costs are shown as increasing per fiscal year by an estimated Consumer Cost Index (CPI) of 3% as allowed by the Contract Specifications.

[c] Net Change in Fund Balance equals the Total Expenditures subtracted from Total Assessment Revenue for that Fiscal Year.

[d] End Fund Balance equals the Net Change in Fund Balance plus the Beginning Cash Balance of that Fiscal Year.

[e] Financial projections are based on current service levels, known cost estimates, and assumed annual inflation factors. Actual revenues and expenditures may vary from these projections due to changes in contract pricing, maintenance needs, or other unforeseen conditions.

EXHIBIT C

MONTEREY BAY ESTATES
LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT
ASSESSMENT ROLL FOR
FISCAL YEAR 2026-2027

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
1	032-541-01	$77.14
2	032-541-02	$77.14
3	032-541-03	$77.14
4	032-541-04	$77.14
5	032-541-05	$77.14
6	032-541-06	$77.14
7	032-541-07	$77.14
8	032-541-08	$77.14
9	032-541-09	$77.14
10	032-541-10	$77.14
11	032-541-11	$77.14
12	032-541-12	$77.14
13	032-541-13	$77.14
14	032-541-14	$77.14
15	032-541-15	$77.14
16	032-541-16	$77.14
17	032-541-17	$77.14
18	032-541-18	$77.14
19	032-541-19	$77.14
20	032-541-20	$77.14
21	032-541-21	$77.14
22	032-555-38	$77.14
23	032-555-02	$77.14
24	032-542-01	$77.14
25	032-542-02	$77.14
26	032-542-03	$77.14

MONTEREY BAY ESTATES

LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ASSESSMENT ROLL FOR

FISCAL YEAR 2025-2026

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
27	032-542-04	$77.14
28	032-542-05	$77.14
29	032-542-06	$77.14
30	032-542-07	$77.14
31	032-542-08	$77.14
32	032-542-09	$77.14
33	032-542-10	$77.14
34	032-542-11	$77.14
35	032-542-12	$77.14
36	032-542-13	$77.14
37	032-542-14	$77.14
38	032-542-15	$77.14
39	032-542-16	$77.14
40	032-542-17	$77.14
41	032-542-18	$77.14
42	032-542-25	$77.14
43	032-542-26	$77.14
44	032-542-21	$77.14
45	032-542-22	$77.14
46	032-542-23	$77.14
47	032-542-24	$77.14
48	032-543-01	$77.14
49	032-543-02	$77.14
50	032-543-03	$77.14
51	032-543-04	$77.14
52	032-543-05	$77.14
53	032-543-06	$77.14
54	032-543-07	$77.14

MONTEREY BAY ESTATES

LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ASSESSMENT ROLL FOR

FISCAL YEAR 2025-2026

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
55	032-543-08	$77.14
56	032-543-09	$77.14
57	032-543-10	$77.14
58	032-543-11	$77.14
59	032-543-12	$77.14
60	032-543-13	$77.14
61	032-543-14	$77.14
62	032-543-15	$77.14
63	032-543-16	$77.14
64	032-543-17	$77.14
65	032-543-18	$77.14
66	032-543-19	$77.14
67	032-551-01	$77.14
68	032-551-02	$77.14
69	032-551-03	$77.14
70	032-551-04	$77.14
71	032-551-05	$77.14
72	032-551-06	$77.14
73	032-551-07	$77.14
74	032-551-08	$77.14
75	032-551-09	$77.14
76	032-551-10	$77.14
77	032-551-11	$77.14
78	032-551-12	$77.14
79	032-551-13	$77.14
80	032-551-14	$77.14
81	032-551-15	$77.14
82	032-551-16	$77.14

MONTEREY BAY ESTATES

LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ASSESSMENT ROLL FOR

FISCAL YEAR 2025-2026

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
83	032-551-17	$77.14
84	032-551-18	$77.14
85	032-552-01	$77.14
86	032-552-02	$77.14
87	032-552-03	$77.14
88	032-552-04	$77.14
89	032-552-05	$77.14
90	032-552-06	$77.14
91	032-552-07	$77.14
92	032-552-08	$77.14
93	032-552-09	$77.14
94	032-552-10	$77.14
95	032-552-11	$77.14
96	032-552-12	$77.14
97	032-552-13	$77.14
98	032-552-14	$77.14
99	032-552-15	$77.14
100	032-552-16	$77.14
101	032-552-17	$77.14
102	032-552-18	$77.14
103	032-553-01	$77.14
104	032-553-02	$77.14
105	032-553-03	$77.14
106	032-553-04	$77.14
107	032-553-05	$77.14
108	032-553-06	$77.14
109	032-553-07	$77.14
110	032-553-08	$77.14

MONTEREY BAY ESTATES

LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ASSESSMENT ROLL FOR

FISCAL YEAR 2025-2026

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
111	032-553-09	$77.14
112	032-553-10	$77.14
113	032-553-11	$77.14
114	032-553-12	$77.14
115	032-553-13	$77.14
116	032-553-14	$77.14
117	032-553-15	$77.14
118	032-553-16	$77.14
119	032-553-17	$77.14
120	032-553-18	$77.14
121	032-554-01	$77.14
122	032-554-02	$77.14
123	032-554-03	$77.14
124	032-554-04	$77.14
125	032-554-05	$77.14
126	032-554-06	$77.14
127	032-554-07	$77.14
128	032-554-08	$77.14
129	032-555-03	$77.14
130	032-555-39	$77.14
131	032-555-05	$77.14
132	032-555-06	$77.14
133	032-555-07	$77.14
134	032-555-08	$77.14
135	032-555-09	$77.14
136	032-555-10	$77.14
137	032-555-11	$77.14
138	032-555-12	$77.14

MONTEREY BAY ESTATES

LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

ASSESSMENT ROLL FOR

FISCAL YEAR 2025-2026

DIAGRAM AND ASSESSMENT NO.	ASSESSOR'S NET PARCEL NUMBER	ASSESSMENT
139	032-555-13	$77.14
140	032-555-14	$77.14
141	032-555-15	$77.14
142	032-555-16	$77.14
143	032-555-17	$77.14
144	032-555-18	$77.14
145	032-555-19	$77.14
146	032-555-20	$77.14
147	032-555-21	$77.14
148	032-555-22	$77.14
149	032-555-23	$77.14
150	032-555-24	$77.14
151	032-555-25	$77.14
152	032-555-26	$77.14
153	032-555-27	$77.14
154	032-555-28	$77.14
155	032-555-29	$77.14
156	032-555-30	$77.14
157	032-555-31	$77.14
158	032-555-32	$77.14
159	032-555-33	$77.14
160	032-555-34	$77.14
161	032-555-35	$77.14
162	032-555-36	$77.14

EXHIBIT D

METHOD OF DETERMINATION OF ASSESSMENT SPREAD

The maintenance and servicing of landscaping improvements and public lighting facilities within the Monterey Bay Estates Lighting and Landscape Maintenance Assessment District specially benefit all parcels within the District.

Because each residential lot receives substantially equal special benefit from the continued maintenance, operation, and servicing of these improvements, the assessment is apportioned equally among the 162 residential parcels within the District.

The annual assessment for Fiscal Year 2026-2027 is $77.14 per parcel, which does not exceed the maximum assessment previously authorized.

May 12, 2026 Item No. **10f(4)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2026

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2026-, ADOPTING A VISION ZERO STATEMENT TO SUPPORT ROADWAY SAFETY GOALS AND STRENGTHEN THE CITY'S SAFE STREETS AND ROADS FOR ALL (SS4A) GRANT APPLICATION.

RECOMMENDATION:

Staff recommend the City Council consider:

1. Adopting Resolution 2026-, adopting a Vision Zero statement which would support roadway and safety goals and strengthen the City's Safe Streets and Roads for All (SS4A) grant application.

EXECUTIVE SUMMARY:

The City is preparing to resubmit an application for federal Safe Streets and Roads for All (SS4A) grant funding for roadway safety improvements along the Del Monte Boulevard and Reservation Road corridors. Staff has been advised that adoption of a formal Vision Zero Statement by the City Council would strengthen the City's grant application competitiveness.

In 2022, the City Council adopted Resolution No. 2022-108 approving the City's Local Roadway Safety Plan (LRSP), which established a framework for reducing fatalities and serious injuries, improving multimodal safety, and supporting future grant applications. Adoption of the proposed Vision Zero Statement builds upon the City's existing roadway safety goals and prior Council actions.

BACKGROUND:

On August 16, 2022, the City Council adopted Resolution No. 2022-108 approving the City of Marina Local Roadway Safety Plan (LRSP). The LRSP identified transportation safety initiatives, partnerships, and infrastructure improvements intended to continue reducing fatalities and severe injuries within the City.

The LRSP further identified priority corridors and intersections for future safety improvements, including Reservation Road Corridor Improvements and Del Monte Boulevard locations.

The City is now seeking to resubmit an SS4A grant application focused on the Del Monte Boulevard and Reservation Road corridors. Staff has been informed that formal adoption of a Vision Zero Statement would improve the application score and demonstrate the City's commitment to measurable roadway safety outcomes.

DISCUSSION:

Vision Zero is a transportation safety strategy centered on eliminating traffic fatalities and serious injuries while promoting safe mobility for all roadway users.

The proposed Vision Zero Statement reads as follows:

"Marina believes that everyone deserves to travel safely. To achieve this vision, Marina has set an ambitious and achievable goal to reduce fatal and serious injuries by 30% by 2030 with the ultimate goal of eliminating fatal and serious injuries by 2040."

Adoption of this statement is consistent with the City's previously adopted LRSP, which supports reducing fatalities and severe injuries for all road users and prioritizing investments in traffic safety.

Approval of the proposed resolution would establish a clear policy direction, support future roadway safety planning efforts, and improve competitiveness for federal transportation grant opportunities.

FISCAL IMPACT:

Approval of this action does not create an immediate cost obligation.

Adoption of the Vision Zero Statement may improve the City's competitiveness for grant funding opportunities, including the Safe Streets and Roads for All program.

ENVIRONMENTAL REVIEW:

The proposed action is not a project under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378, as it constitutes an organizational or administrative activity that will not result in direct or indirect physical changes to the environment.

Respectfully submitted,

_____

Ismael Hernandez
Public Works Director
City of Marina

REVIEW/CONCUR:

_____

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA ADOPTING A VISION ZERO STATEMENT TO SUPPORT ROADWAY SAFETY GOALS

WHEREAS, the City of Marina is committed to protecting the health, safety, and welfare of residents, employees, and visitors; and

WHEREAS, on August 16, 2022, the City Council adopted Resolution No. 2022-108 approving the City of Marina Local Roadway Safety Plan; and

WHEREAS, the Local Roadway Safety Plan established goals and strategies to reduce fatalities and serious injuries on City roadways; and

WHEREAS, the City seeks to pursue federal and other transportation grant opportunities to improve roadway safety, including the Safe Streets and Roads for All (SS4A) program; and

WHEREAS, adoption of a Vision Zero Statement would reaffirm the City's commitment to safer streets for all roadway users and support ongoing funding efforts.

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

1. The City Council hereby adopts the following Vision Zero Statement:

"Marina believes that everyone deserves to travel safely. To achieve this vision, Marina has set an ambitious and achievable goal to reduce fatal and serious injuries by 30% by 2030 with the ultimate goal of eliminating fatal and serious injuries by 2040."

2. The City Manager, or designee, is authorized to take such administrative actions as necessary to carry out the intent of this Resolution.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina, duly held on the 19th day of May 2026 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

May 9, 2026 Item No. **10g(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting of
May 19, 2026

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2026-, APPROVING AN AGREEMENT BETWEEN THE CITY OF MARINA AND THE TRANSPORTATION AGENCY OF MONTEREY COUNTY (TAMC) FOR THE 2026 REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) ALLOCATION OF FUNDING, AND; APPROVING THE RSTP COMPETITIVE FUNDING GRANT APPLICATION FOR EDC2126 THE DOWNTON VITILIZATION AND IMPLEMENTATION PROJECTs, AND; AUTHORIZING THE FINANCE DIRECTOR TO MAKE THE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES, AND; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting Resolution No. 2026-, approving an agreement between the City of Marina and the Transportation Agency of Monterey County (TAMC) for the 2023 Regional Surface Transportation Program (RSTP) allocation of funding, and;

2. Approving the RSTP competitive funding grant application for EDC2126 The Downtown Vitalization and Implementation Projects, and;

3. Authorizing the Finance Director to make the necessary accounting and budgetary entries, and;

4. Authorizing the City Manager to execute the agreement on behalf of the City subject to final review and approval by the City Attorney.

BACKGROUND:

The Surface Transportation Program is a federal program that provides states and local jurisdictions with funding for highway improvements, street rehabilitation and transportation enhancements. TAMC receives an annual apportionment of Regional Surface Transportation Program (RSTP) funding, passed through the State. TAMC historically has distributed RSTP funding through fair-share (based on their urbanized populations) and competitive programs, establishing funding agreements for these programs on a three-year cycle.

At the regular meeting of March 25, 2026, the Transportation Agency for Monterey County (TAMC) adopted the Regional Surface Transportation Program 2026 (RSTP) Guidelines and Policies, along with allocation of RSTP fair-share funds to the City of Marina. Per the Agreement for the allocation of funding approved by the TAMC Board of Directors (**EXHIBIT "A"**), Marina will receive fair-share RSTP funds of $164,994.19 for transportation projects.

TAMC adopted the Master State & Federal Funding Agreement between TAMC and Local Agencies. In order to claim reimbursement for this funding (and other State and Federal sources that pass through TAMC), the Master State & Fed Funding Agreement will need to be executed. This agreement replaces the previous master funding agreement, which has expired, and includes a term for another three years.

The City will also be submitting an application for the RSTP competitive funding for the Downtown Vitalization Implementation Project. Total RSTP competitive funding available for this three-year cycle amounts to $13.4 million.

ANALYSIS:

The City's Capital Improvement Program (CIP) adopted budget includes $3.4 million to implement improvements within the right-of-way for the Downtown Vitalization Implementation Projects including operational and safety upgrades to Del Monte Boulevard from Highway 1 to Reservation Rd.

Del Monte Blvd is a critical piece of the Downtown Vitalization Plan. Included are improvements for Del Monte Blvd from Highway 1 to Reservation Rd to add bicycle infrastructure, expand sidewalk areas, provide urban greening, and less stressful connections to critical regional transit facilities (MST SURF!). The competitive RSTP application will request funding to complete design and construction of these safety improvements.

Applications will be submitted by June 5, 2026 with final award of RSTP competitive funds on August 26, 2026.

The $164,994.19 in fair-share RSTP funds available to Marina for transportation improvements will support the City's planned capital investments for upgraded traffic cameras at select intersections throughout the City and support the construction of other local transportation projects.

All Program funds must be encumbered by the dates outlined in Exhibit A of the Agreement.

FISCAL IMPACT:

Should the City Council approve this request, RSTP funding will be reimbursed to the City and City funds will need to be advanced prior to reimbursement.

CONCLUSION:

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

Respectfully submitted,

_____

Edrie Delos Santos, P.E.
Public Works Department
City of Marina

REVIEWED/CONCUR:

_____
Ismael Hernandez
Public Works Director
City of Marina

_____
Layne P. Long
City Manager
City of Marina

Exhibits:
Exhibit A – TAMC Master Funding Agreement Exhibit A
Exhibit B – TAMC Master Funding Agreement Language

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING AN AGREEMENT BETWEEN THE CITY OF MARINA AND THE TRANSPORTATION AGENCY OF MONTEREY COUNTY (TAMC) FOR THE 2026 REGIONAL SURFACE TRANSPORTATION PROGRAM (RSTP) ALLOCATION OF FUNDING, AND; APPROVING THE RSTP COMPETITIVE FUNDING GRANT APPLICATION FOR THE RESERVATION ROAD & DEL MONTE BOULEVARD OPERATIONAL & SAFETY IMPROVEMENTS PROJECT, AND; AUTHORIZING THE FINANCE DIRECTOR TO MAKE THE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES, AND; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, the Surface Transportation Program is a federal program that provides states and local jurisdictions with funding for highway improvements, street rehabilitation and transportation enhancements. TAMC receives an annual apportionment of Regional Surface Transportation Program (RSTP) funding, passed through the State. TAMC historically has distributed RSTP funding through fair-share (based on their urbanized populations) and competitive programs, establishing funding agreements for these programs on a three-year cycle, and;

WHEREAS, at the regular meeting of March 25, 2026, the Transportation Agency for Monterey County (TAMC) adopted the Regional Surface Transportation Program 2026 (RSTP) Guidelines and Policies, along with allocation of RSTP fair-share funds to the City of Marina. Per the Agreement for the allocation of funding approved by the TAMC Board of Directors (**Exhibit "A"**), Marina will receive fair-share RSTP funds of $164,994.19 for transportation projects, and;

WHEREAS, TAMC adopted the Master State & Federal Funding Agreement between TAMC and Local Agencies. In order to claim reimbursement for this funding (and other State and Federal sources that pass through TAMC), the Master State & Fed Funding Agreement will need to be executed. This agreement replaces the previous master funding agreement, which has expired, and includes a term for another three years, and;

WHEREAS, the City will also be submitting an application for the RSTP competitive funding for EDC2126 The Downtown Vitalization Implementation. Total RSTP competitive funding available for this three-year cycle amounts to $13.42 Million, and;

WHEREAS, the City's Capital Improvement Program (CIP) adopted budget includes $3.4 Million to implement improvements within the right-of-way for the Downtown Vitalization Implementation Projects including operational and safety upgrades to Del Monte Boulevard from Highway 1 to Reservation Rd, and;

WHEREAS, planned Del Monte Blvd improvements from Highway 1 to Reservation Rd include bicycle infrastructure, expand sidewalk areas, provide urban greening, and less stressful connections to critical regional transit facilities. The competitive RSTP application will request funding to design and construct these safety improvements, and;

WHEREAS, applications will be submitted by June 5, 2026 with final award of RSTP competitive funds on August 26, 2026, and;

WHEREAS, the $164,994.19 in fair-share RSTP funds available to Marina for transportation improvements will support the City's planned capital investments for upgraded traffic cameras at select intersections throughout the City and support the construction of other local transportation projects. All Program funds must be encumbered by the dates outlined in Exhibit A of the Agreement, and;

WHEREAS, should the City Council approve this request, RSTP funding will be reimbursed to the City and City funds will need to be advanced prior to reimbursement.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve an agreement between the City of Marina and the Transportation Agency of Monterey County (TAMC) for the 2026 Regional Surface Transportation Program (RSTP) allocation of funding, and;

2. Approve the RSTP competitive funding grant application for EDC2126 The Downtown Vitalization and Implementation Projects, and;

3. Authorize the Finance Director to make the necessary accounting and budgetary entries, and;

4. Authorize the City Manager to execute the agreement on behalf of the City subject to final review and approval by the City Attorney.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Marina, duly held on the 19th day of May 2026, 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

Transportation Agency for Monterey County

Master State and Federal Funding Agreement

Exhibit A

City of Marina

Agency	Board Approval Date	Fund Expiration Date	Type	Active Projects	Budget	Paid	Balance Outstanding
Marina	3/22/2023	3/21/2026	RSTP Fair Share	Del Monte and Beach Roundabout Safety Improvements	$ 45,869.90	$ -	$ 45,869.90
Marina	3/22/2023	3/21/2026	RSTP Fair Share	Imjin Parkway & 3rd Avenue Signal Improvements Project	$ 110,755.49	$ -	$ 110,755.49
Marina	8/23/2023	8/22/2026	RSTP Competitive	Del Monte Boulevard and Reservation Road Intersection Improvements	$ 1,717,500.00	$ -	$ 1,717,500.00
Marina	8/27/2025	8/26/2028	RSTP Mid-Cycle 2025	Imjin Parkway & 3rd Avenue Signal Improvements Project	$ 450,000.00	$ -	$ 450,000.00
Marina	3/25/2026	3/24/2029	RSTP Fair Share	Unprogrammed balance	$ 164,994.19	$ -	$ 164,994.19
					$ 2,489,119.58	**$ -**	**$ 2,489,119.58**

Agency	Board Approval Date	Fund Expiration Date	Type	Completed Projects	Budget	Paid	Balance Outstanding
Marina	3/26/2014	Completed	RSTP Fair Share	Resurfacing of the reservation road and the Imjin Parkway bike lane projects	$ 261,456.00	$ 261,456.00	$ -
Marina	8/27/2014	Completed	RSTP Competitive	Beach Road Improvements - SR 1 to Marina Drive	$ 100,000.00	$ 100,000.00	$ -
Marina	6/24/2015	Completed	RSTP Reserve	Imjin Parkway Repaving and Bicycle Lanes	$ 334,264.00	$ 334,264.00	$ -
Marina	6/24/2015	Completed	2017 RSTP Reserve	Imjin Parkway Repaving and Bicycle Lanes	$ 76,736.00	$ 76,736.00	$ -
Marina	1/22/2020	Completed	RSTP Safe Streets	Cardoza Avenue Corridor Improvement Project	$ 200,000.00	$ 200,000.00	$ -
Marina	3/25/2020	Completed	RSTP Fair Share	Del Monte Boulevard Extension Project	$ 303,807.71	$ 303,807.71	$ -
Marina	8/23/2017	Deprogrammed	RSTP Competitive	Reservation Road Roundabouts	$ 14,472.50	$ 14,472.50	$ -
					$ 1,290,736.21	**$ 1,290,736.21**	**$ -**

Last Revised: **3/30/2026**

Approved by: Todd Muck

Todd Muck, Executive Director

AGREEMENT BETWEEN THE
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
AND THE CITY OF MARINA
FOR THE ALLOCATION OF FUNDING APPROVED BY
THE TRANSPORTATION AGENCY BOARD OF DIRECTORS

This agreement is made on _____ by and between the City of Marina, a public body, hereinafter referred to as "Recipient," and the Transportation Agency for Monterey County, hereinafter referred to as "TAMC."

WHEREAS, TAMC is the state-designated Regional Transportation Planning Agency for Monterey County; and

WHEREAS, as authorized by section 182.6(g) of the Streets and Highways Code, TAMC has entered into a separate agreement with the State of California, through the Department of Transportation (Caltrans), to assign a defined portion of its annual federal Surface Transportation Block Grant Program (STBGP) apportionment to Caltrans in exchange for state funds for specified fiscal year(s); and

WHEREAS, TAMC is authorized to use these exchanged funds (hereinafter referred to as "RSTP Exchange Funds") to assist local agencies to promote projects which otherwise qualify for STBGP funds; and

WHEREAS, as authorized by Chapter 2, Title 21, Rule 6640 of the Transportation Development Act, one of the duties of TAMC is to administer the provisions of the Transportation Development Act in apportioning Local Transportation Funds (LTF) for the Transportation Development Act 2% (TDA 2%) program for bicycle and pedestrian projects pursuant to Article 3 of that law, and to the Cities, County, and Monterey-Salinas Transit District;

WHEREAS, as authorized by the Joint Powers Agreement for the Monterey County Regional Development Impact Fee Agency, TAMC is designated to administer and allocate regional development impact fee revenues (RDIF) to projects identified in the approved Strategic Expenditure Plan; and

WHEREAS, the TAMC Board of Directors has approved the allocation of funds toward the projects listed in Exhibit A; and

WHEREAS, it is contemplated by TAMC and the Recipient that the amount of funding and the projects designated in Exhibit A may change from time to time as set forth below; and

WHEREAS, TAMC has requested the Monterey County Auditor-Controller to establish a separate fund for the Federal Apportionment Exchange Program and such a separate fund has been established.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, THE PARTIES HERETO AGREE AS FOLLOWS:

1. RULES FOR RSTP EXCHANGE FUNDS

    A. TAMC agrees to allocate RSTP Exchange Funds paid by Caltrans under the Federal Apportionment Exchange Program only for projects as authorized under sections 133(b) and 133 (c) of Title 23, United States Code and Article XIX of the California State Constitution.

    B. The Recipient agrees to use RSTP Exchange Funds only for the RSTP Exchange eligible project(s) described in Exhibit A, as approved by the TAMC Board of Directors, for the amounts awarded for each project.

2. RULES FOR TDA 2%

    A. TAMC agrees to allocate TDA 2% funds under the Transportation Development Act only for projects as authorized under the Transportation Development Act Section 99234 Claims for Pedestrian and Bicycle Facilities.

    B. The Recipient agrees to use TDA 2% funds only for TDA 2% eligible project(s) described in Exhibit A, as approved by the TAMC Board of Directors, for the amounts awarded for each project.

3. RULES FOR RDIF

    A. TAMC agrees to allocate RDIF funds under the Joint Powers Agreement only for projects as authorized by the TAMC Board of Directors in the approved Strategic Expenditure Plan.

    B. The Recipient agrees to use RDIF funds only for RDIF eligible project(s) described in Exhibit A, as approved by the TAMC Board of Directors, for the amounts awarded for each project.

4. ADMINISTRATIVE POLICIES

    A. The projects described in Exhibit A, and the amounts allocated therefore, may be amended from time to time without changing the rest of this Master Agreement, by means of approval by the TAMC Board of Directors of a revised Exhibit A, which shall be designated by a date and number (e.g., “Exhibit A-1 (DATE)”).

    B. The Recipient agrees to submit an annual report to TAMC by April 30 describing the progress towards completion for all projects listed in Exhibit A.

C. The Recipient agrees to mention TAMC's role in funding the project in any press releases or media events held by the Recipient to promote a funded project.

D. TAMC agrees to reimburse the Recipient within 30 days of receipt of a completed claim form (Exhibit B) from the Recipient.

E. The Recipient agrees to cause the completion of the project(s) within three years from the date funds were awarded by the TAMC Board of Directors, as recorded in Exhibit A. Failure to complete the project(s) in a timely basis shall allow TAMC to refuse reimbursement and to reprogram such funds for other purposes.

5. COST PRINCIPLES

A. Recipient agrees to comply with Office of Management and Budget Circular A-87, Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements, Cost Principles and Audit Requirements.

B. Recipient agrees to:

(a) use Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., to determine the allowability of individual project cost items; and

(b) comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements, Costs Principles and Audit Requirements.

Every sub-recipient receiving funds as a contractor or sub-contractor under this AGREEMENT shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements, Costs Principles and Audit Requirements.

6. THIRD PARTY CONTRACTING

A. Recipient shall not award a construction contract over $10,000 or other contracts over $25,000 on the basis of a noncompetitive negotiation for work to be performed using Funds without the prior written approval of Caltrans. This provision shall not apply to professional service contracts of the type which are required to be procured in accordance with Government Code Sections 4525 (d), (e), and (f).

B. Recipient agrees that travel and per diem reimbursements and third-party contract reimbursements to subcontractors will be allowable as project costs only after those costs are incurred and paid for by the subcontractors and only if consistent with Paragraph 10, below.

C. In addition to the above, the pre-award requirements of third party contractor/ consultants with Recipient shall be consistent with Local Program Procedures as published by Caltrans.

7. ACCOUNTING SYSTEM

Recipient, its contractors and subcontractors, shall establish and maintain an accounting system and records that properly accumulate and segregate expenditures by line item. The accounting system of Recipient, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment claims.

8. RIGHT TO AUDIT

For the purpose of determining compliance with Public Contract Code 10115, et seq. and Title 21, California Code of Regulations, Chapter 21, Section 2500 et seq., when applicable and other matters connected with the performance of the Agreement pursuant to Government Code 8546.7, Recipient shall maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of the Agreement, including but not limited to, the costs of administering the Agreement. All parties shall make such materials available at their respective offices at all reasonable times during the Agreement period and for three years from the date of final payment under the Agreement. The state, State Auditor, TAMC, FHWA, or any duly authorized representative of the Federal Government shall have access to any books, records, and documents of Consultant and its certified public accountants (CPA) work papers that are pertinent to the Agreement and indirect cost rates (ICR) for audit, examinations, excerpts, and transactions, and copies thereof shall be furnished if requested. Subcontracts in excess of $25,000 shall contain this provision.

9. TRAVEL AND SUBSISTENCE

Payments to Recipient for travel and subsistence expenses of Recipient forces and/or its contractors or subcontractors, claimed for reimbursement or applied as local match credit, shall not exceed rates authorized to be paid exempt non-represented State employees under current State Department of Personnel Administration (DPA) rules. If the rates invoiced are in excess of those authorized DPA rates, then Recipient is responsible for the cost difference and any overpayments shall be reimbursed to the TAMC on demand.

10. PROJECT COMPLETION

Recipient agrees to provide to the TAMC a short report summarizing total project costs and milestones, including before and after photos of the project, for each project within sixty (60) days of completion.

11. GOVERNING LAWS

This Agreement shall be construed and enforced according to the laws of the State of California, and the parties hereby agree that the County of Monterey shall be the proper venue for any dispute arising hereunder.

12. CONFLICT OF INTEREST

Recipient warrants that it presently has no interest and shall not acquire any interest during the term of this Agreement, which would directly or indirectly conflict in any manner or to any degree with its full and complete performance of all services under this Agreement.

13. CONSTRUCTION OF AGREEMENT

The parties agree that each party has fully participated in the review and revision of this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement or any exhibit or amendment. To that end, it is understood and agreed that this Agreement has been arrived at through negotiation, and that neither party is to be deemed the party which prepared this Agreement within the meaning of Civil Code Section 1654. Section and paragraph headings appearing herein are for convenience only and shall not be used to interpret the terms of this Agreement.

14. WAIVER

Any waiver of any term or condition hereof must be in writing. No such waiver shall be construed as a waiver of any other term or condition herein.

15. SUCCESSORS AND ASSIGNS

This Agreement and all rights, privileges, duties and obligations hereunder, to the extent assignable or delegable, shall be binding upon and inure to the benefit of the parties and their respective successors, permitted assigns and heirs.

16. TIME IS OF THE ESSENCE

The parties mutually acknowledge and agree that time is of the essence with respect to every provision hereof in which time is an element. No extension of time for performance of any obligation or act shall be deemed an extension of time for performance of any other obligation or act, nor shall any such extension create a precedent for any further or future extension.

17. EXECUTION OF AGREEMENT

Any individual executing this Agreement on behalf of an entity represents and warrants that he or she has the requisite authority to enter into this Agreement on behalf of such entity and to bind the entity to the terms and conditions hereof. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same agreement.

18. ENTIRE AGREEMENT

This document, including all exhibits hereto, constitutes the entire agreement between the parties, and supersedes any and all prior written or oral negotiations and representations between the parties concerning all matters relating to the subject of this Agreement.

19. TERMINATION DATE

This Agreement shall remain in effect for a period of three (3) years from the latest date reflected on the signature page(s) below.

IN WITNESS WHEREOF, TAMC and Recipient execute this Agreement as follows:

TRANSPORTATION AGENCY FOR MONTEREY COUNTY

_____ _____
Todd Muck Date
Executive Director

Recipient:
CITY OF MARINA

_____ _____
Layne Long Date
City Manager

Approved as to Form:

_____ _____
Shane Strong Date
TAMC Counsel

_____ _____
City Attorney Date
City of Marina

May 14, 2026 Item No. **10g(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2026

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2026-, APPROVING AGREEMENTS WITH CLIENTFIRST TECHNOLOGY CONSULTING FOR: BID ASSISTANCE FOR THE AQUATIC AND SPORTS CENTER IN AN AMOUNT NOT TO EXCEED $39,820; CONSULTING FOR A CITYWIDE SECURITY ASSESSMENT PLAN FOR EXISTING CITY FACILITIES, IN AN AMOUNT NOT TO EXCEED $29,880; AND ASSISTANCE WITH SECURITY CAMERA PLACEMENT AND INFRASTRUCTURE FOR THE NEW DUNES AND SEA HAVEN PARKS AT A COST NOT TO EXCEED $10,900; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

RECOMMENDATION: It is recommended that the City Council consider adopting Resolution No. 2026-,:

1. Approving an agreement with ClientFirst Technology Consulting to provide bid assistance services for the Aquatic and Sports Center, in an amount not to exceed $39,820;
2. Approving an agreement with ClientFirst Technology Consulting to provide a city-wide security assessment and plan, in an amount not to exceed $29,880;
3. Approving an agreement with ClientFirst Technology Consulting to provide assistance with public safety camera placement and supporting infrastructure design at the new Dunes and Sea Haven Parks, in an amount not to exceed $10,900;
4. Authorizing the City Manager to execute the agreements subject to final review and approval by the City Attorney; and
5. Authorizing the Finance Director to make necessary accounting and budgetary entries.

BACKGROUND

City staff have attended multiple meetings with the design team for the Aquatic and Sports Center. At one meeting, the City questioned whether the team had considered information technology in their design. They indicated that funding was included in the estimate; however, a technical firm had not been selected. In October 2025, the City entered into an agreement with ClientFirst Technology Consulting (ClientFirst) to assist with the technology design for this new facility. The costs associated with this contract were not anticipated to exceed $24,180. The scope of work includes working with City staff to identify technology design requirements, reviewing the most current architectural design documents, participating in design meetings as the City's technology representative; preparing technology, security, audio/visual layouts and sketches; and providing recommendations on systems. These systems would include door access controls, public safety video systems, public address system, conference audio/visual equipment, low voltage systems, computer room design; and building ingress for voice and data connectivity. Currently, ClientFirst representatives have reviewed the initial design documents and attended two meetings with the design team, and an additional meeting with staff. Approximately $4,000 has been expended on these services.

ANALYSIS

During a meeting with the Finance Director and the Police Chief, the following services were identified for potential consideration. These services could assist with moving forward the technology segment of the Aquatic and Sports Center; and also standardizing and security.

Bid Assistance for the Aquatics and Sports Center *Contract Amount: $39,820*

To assist in moving forward with the technology component of this project, staff requested a proposal from ClientFirst to prepare detailed bid specifications for technology equipment and related services. This would include producing technical drawings, preparing the bid design narrative, coordinating with the architectural/engineering team on cable pathways, teledata closets, and all specified systems; responding to technical bid questions and assisting with the review of bids; and providing negotiation assistance, if needed. ClientFirst has consulted on similar projects, including the City of Newark George M. Silliman Community Activity Center. A copy of the detailed proposal is included in **EXHIBIT A**, which includes an overview of staff that will be assigned to the project, as well as information regarding the firm. Funds for this contract are anticipated to come from the existing Aquatic and Sports Center budget.

City-wide Security Assessment and Plan *Contract Amount: $29,880*

As part of the consulting services for the Aquatic and Sports Center, ClientFirst will be developing bid specifications for some systems, that could also be used city-wide. This includes public safety cameras, motion detection, door access controls, and panic buttons. To achieve economies of scale in the purchase or installation of equipment for other City facilities, it would be beneficial to incorporate these systems into the bid specifications. This would also assist with standardizing and upgrading systems across all City facilities. The attached proposal includes a complete assessment of all existing City facilities **(EXHIBIT B)**. This includes all City parks, the airport, ballfields, and all buildings. Due to the proposed new City Hall, Council Chambers, and Public Safety Building, the assessment could evaluate only the critical access points that would benefit from these improvements.

The City currently has funding for an Information Technology Master Plan. Components of Master Plan can include evaluating IT staffing, software, hardware, policies, cybersecurity, and security systems. Earlier this year, the City entered into an agreement with the California Office of Emergency Services Cybersecurity Integration division to provide a comprehensive cybersecurity assessment. This new service is offered at no-cost to the City. The Police Chief, Finance Director, and the IT consultants (TechRx and Taygeta) attended a preliminary meeting with CalOES to review the scope of work. Elements of this assessment include evaluating the City's cybersecurity posture using the State's framework, which is based on national standards; internal and external vulnerability scanning, providing identify and access management assistance, conducting penetration testing, and preparing a detailed report. Using this service would reduce the need for a detailed cybersecurity assessment in the IT Master Plan.

The funding for this contract would come from the $75,000 that was included in the biennial budget for an IT Master Plan. This would leave $45,000 for the remaining components of the plan. It is anticipated with the in-depth CalOES cybersecurity assessment and this in-depth review of the security elements, these components would no longer be needed in the master plan; or could be reviewed in a more condensed format.

The City also has included $250,000 in the approved budget for Building Access Control and Security, that could be used to purchase some of the identified equipment.

Security Camera Assistance at the new Dunes and Sea Haven Parks Contract Amount: $10,900

The Police Chief and Finance Director had preliminary discussions regarding public safety camera placement at the City's two new parks. Complimentary to the other efforts, ClientFirst can assist with public safety camera placement and connectivity at the new Dunes and Sea Haven Parks. The goal of this project would be to incorporate conduit and other supporting elements into the park construction at an early stage, potentially reduce costs, and eliminate post-go-live modifications. Additional details are provided in **EXHIBIT C**.

FISCAL IMPACT

If the City chooses to move forward with these agreements, the initial contract for $24,180 can be closed due to consolidation of services. This total contract costs that would be applicable to the Capital Improvement Fund would be $54,720, which represents bid assistance for technologies at the Aquatic and Sports Center, Security Camera Assistance at the Dunes and Sea Haven Parks; and $4,000 for the initial consulting services. It is anticipated that these costs could be absorbed into the existing capital improvement budget. A portion of the funds set aside for the IT Master Plan can be used to support the $29,880 in costs for the Citywide Security Assessment and Plan.

CONCLUSION

City staff are recommending approval of these contracts to move forward with the technology component of the Aquatic and Sports Center, as well as evaluate security systems within the City.

Respectfully submitted

_____
Tori A. Hannah
Finance Director
City of Marina

REVIEWED BY:

_____
Layne Long
City Manager
City of Marina

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA CITY APPROVING AN AGREEMENTS CLIENTFIRST TECHNOLOGY CONSULTING FOR: BID ASSISTANCE FOR THE AQUATIC AND SPORTS CENTER IN AN AMOUNT NOT TO EXCEED $39,820; A CITYWIDE SECURITY ASSESSMENT PLAN FOR EXISTING CITY FACILITIES, IN AN AMOUNT NOT TO EXCEED $29,880; AND ASSISTANCE WITH SECURITY CAMERA PLACEMENT AND INFRASTRUCTURE FOR THE NEW DUNES AND SEA HAVEN PARKS AT A COST NOT TO EXCEED $10,900; AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENTS, SUBJECT TO REVIEW AND APPROVAL BY THE CITY ATTORNEY

WHEREAS, the City has approved the Aquatic and Sports Center Project and a consulting firm was not initially identified to assist with technology design services; and

WHEREAS, ClientFirst has experience in technology and security design, developing bid specifications, and project management; and

WHEREAS, ClientFirst has provided proposals to provide bid assistance for the Aquatic and Sports Center; a citywide Security Assessment and Plan; and security camera placement and technology consulting for the new Dunes and Sea Haven Parks (Exhibits A-C); and

WHEREAS, the city would like to engage ClientFirst Technology Consulting to assist with developing bid specifications and related support for the Aquatics Center; developing a citywide Security Assessment and Plan, and assist with camera placement and infrastructure for the new Dunes and Sea Haven parks.

NOW THEREFORE BE IS RESOLVED that the City Council of the City of Marina does hereby:

1. Approve an agreement with ClientFirst Technology Consulting to provide bid assistance for the Aquatic and Sports Center, in an amount not to exceed $39,820
2. Approve an agreement with ClientFirst Technology Consulting to develop a Citywide Security Assessment and Plan, in an amount not to exceed $29,880
3. Approve an agreement with ClientFirst Technology Consulting to provide assistance with public safety camera placement and supporting infrastructure design at the new Dunes and Sea Haven Parks, in an amount not to exceed $10,900; and
4. Authorize the City Manager to execute the agreements subject to final review and approval by the City Attorney; and
5. Authorize the Finance Director to make necessary accounting and budgetary entries.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held on the 19th day of May 2026, by the following vote:

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

_____
Bruce Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

March 24, 2026

Ms. Tori Hannah
Finance Director
City of Marina
211 Hillcrest Ave
Marina, CA 93933

Re: Proposal for Aquatic and Sports Complex Technology Bid Assistance

Dear Ms. Hannah:

The City of Marina is remodeling and connecting two existing buildings to create an Aquatic and Sports complex. The City's architect and engineering team did not include technology systems in their scope of work. The City, ClientFirst, and the architect agreed that ClientFirst would be responsible for low-voltage structured cabling, audiovisual systems throughout the facility, overhead paging, door access control, panic buttons, and video cameras. Door access control, panic buttons, and video cameras will be designed as part of a city-wide assessment project.

ClientFirst has developed this proposal for the creation of bid procurement documents to be issued as part of the building construction bid.

Scope of Work

ClientFirst proposes the following infrastructure-related consulting activities: public address, structured cabling, conference room audio/visual, and building audio/visual systems bid assistance.

- Workshop with stakeholders to determine system needs
- Review existing conditions through building tours, review architect and engineer drawings, investigate pathways, and gather other pertinent information.
- Merge the bid template with the ClientFirst security systems bid specification template.
- Customize bid language to meet City needs.
- Produce desired technology systems drawings for:
  - Low-voltage structured cabling
  - Identify data drop and public address speaker locations
  - Design audiovisual systems
  - Door access control and intrusion detection
  - Public safety video camera placement and connectivity
  - Elevator and facilities systems connectivity
  - Determine cable pathways and supports
  - Coordinate with planned electrical systems
- Create the necessary bid design narrative document.
- Coordinate pathways, tele/data closets, and all specified systems with the Architect/Engineer.
- Finalize bid, including schedule and language.
- The architect/Engineering team will then issue the bid.
- Receive questions for written answers as appropriate.
- Review bids and provide a summary cost analysis.

- Conduct a final bid validation meeting with the lowest responsive and responsible vendor to confirm bid details.
- Contract Finalization and negotiation assistance as needed.

Note: The current proposal does not include Construction Administration during project implementation. ClientFirst can propose Construction Administration assistance once the implementation vendor has been selected, should the City desire these services.

Project Management and Timing

The project will be staffed by Craig Williams, with assistance from Tom Jakobsen, James Smith, Tom Weiman, Aaron Ayala, and the Document Team. Mr. Williams will serve as the overall Project Manager. The project team has experience in infrastructure design of a similar scope and size. The team is ready to begin work on the project immediately, pending School Board approval.

Detailed Work Plan

The following work plan outlines the project steps and the hours to be devoted by project team members.

Step	Aquatic & Sports Complex *Technology Bid Assistance*	Total Hours	Tom J.	Craig	Drafting
1	**Project Management**	8	4	4	
2	**Low Voltage Structured Cabling -** Prepare specifications, including rack elevations, cable routing, cable supports, conduit, and cable locations to support all technology systems.	24		24	
3	**Public Address -** Prepare specifications, including system performance, equipment models, and installation requirements. Incorporate special requirements for sound and durability in aquatic and sports areas.	8		8	
4	**Audiovisual, Meeting Rooms -** Prepare specifications, including system performance, equipment models, and installation requirements.	12		12	
5	**Audio/Visual, Aquatic, and Sports Areas -** Prepare specifications, including system performance, equipment models, and installation requirements. Incorporate special requirements for sound and durability in these aquatic and sports areas.	12		12	
6	**Door Access Control/Intrusion Detection -** Prepare specifications, including system performance, equipment models, and installation requirements. Incorporate special requirements for durability in aquatic and sports areas.	6		6	
7	**Public Safety Video -** Prepare specifications, including system performance, equipment models, and installation requirements. Incorporate special considerations.	6		6	
8	**Elevator and Facilities Systems -** Verify connectivity to the elevator (telephone) and remote connections for facilities systems, such as building automation, pool filtration, and lighting control. Prepare specifications.	2		2	
9	**Technology Bid Drawings and Design Narrative** for the above systems. CAD base sheets provided by A/E.	66		26	40

Step	Aquatic & Sports Complex *Technology Bid Assistance*	Total Hours	Tom J.	Craig	Drafting
10	**Coordination with A/E -** To incorporate design changes during the CD process. ***NOTE**: 50% CDs, 75% CDs, 90% CDs*	6		6	
11	**Review Cost Estimates -** Propose potential bid alternates.	10	2	8	
12	**On-Site Prebid Meeting(s) -** Attend with Owner. Note questions re: technology systems	8		8	
13	**Bidder Questions -** Assist with responses and contribute to addenda	8		6	2
14	**Bid Proposals -** Review & Comment	2		2	
15	**Bid Validation Meeting -** Attend & prepare follow-up questions for technology systems subcontractor(s).	2		2	
16	**Validate Subcontractor Selection**	2		2	
	Total Hours	182	6	134	42

Fees

Our professional fees are based on the scope and approach outlined in this proposal, including expenses. Our standard billing rates for these services depend on the levels and skill sets of the consultant(s) assigned to specific aspects of the project.

Video Surveillance System Construction Observation

Video Surveillance Bid Assistance	Total Hours	Tom J.	Craig	Drafting
Total Hours	182	6	134	42
Billing Rates		$ 250	$ 230	$ 150
Total Estimated Consulting Fees	$38,620			
Expenses	$1,200			
Total Project Costs	**$39,820**			

Scope Changes and Management

Alternative scope changes and fee adjustments are possible and are dependent on specific project needs, staff resources, and capabilities.

If, during the course of the project, the nature or scope of our work changes, we would discuss the matter and its effect on our fees and obtain prior written approval before proceeding.

Payment Terms

We invoice monthly as progress proceeds. ClientFirst will provide a detailed accounting of all consulting time and expenses as a part of the invoice. Payments are due within 30 days of receipt, payable by check or ACH.

Additional Expenses

Expenses are expected to be primarily for miscellaneous, small, IT-related items and mileage. These expenses will be billed at cost. Any extraordinary expenses, such as airfare or hotel costs, will be submitted for approval in advance.

Additional Services/Purchases by Other Seeking Public Agencies

ClientFirst acknowledges that other public agencies may seek to "piggyback" on the same terms and conditions of a resulting similar service and/or purchase being offered in this contract or proposal. ClientFirst can agree or disagree to allow contract piggybacks on a case-by-case basis. ClientFirst agrees to extend the same pricing, terms, and conditions as stated in this contract or proposal to each political entity, special district, and related non-profit. It is understood that other entities shall make purchases in their own names, make payments, and be directly liable to ClientFirst. The agency shall in no way be involved or responsible for ClientFirst for other entities' purchases.

We believe ClientFirst is uniquely qualified to provide the resources and expertise necessary to assist the City of Marina with this project. If you have any questions regarding this proposal, please contact Craig at 630.656.7366 or via email at cwilliams@clientfirstcg.com or Tom at 815.222.3441 or via email at tjakobsen@clientfirstcg.com. We appreciate the continued opportunity to serve the City of Marina.

Sincerely,

Tom Jakobsen
Partner
IT Infrastructure and Support Practice Leader

Craig Williams, RCDD, NTS
Director
Infrastructure Consulting Services

Tom Jakobsen

Partner – IT Infrastructure and Operations Consulting Practice Leader

Tom Jakobsen has over 40 years of experience in the information technology arena. His interdisciplinary experience has given him a unique understanding of the interrelationship between IT infrastructure, operations, and business applications. Tom focuses on IT Strategic Planning, Governance, IT management mentoring, Virtual CIO, and other IT management projects. Tom has over 20 years of experience focused on local government infrastructure, operations, staffing, and project management.

Highlights

- Former National IT Infrastructure Consulting Practice Leader for RSM McGladrey, the nation's fifth-largest CPA and consulting firm
- Virtual CIO for multiple agencies
- Mentor for newly appointed IT Directors and CIOs.
- IT Strategic advisor for cities, counties, and not-for-profits.
- Two-time Interim CIO at Illinois Action for Children
- Managed hundreds of IT consulting projects with dozens of municipalities and local governments

Agency Experience

City of Azusa
City of Big Bear Lake
City of Bloomington
City of Brentwood
City of Brisbane
City of Burbank
City of Calabasas
City of Carlsbad
City of Cedar Hill
City of Chino
City of Corona
City of Downey
City of Dublin
City of Emeryville
City of Farmers Branch
City of Foster City
City of Glendora
City of Hayward
City of Healdsburg
City of Hemet
City of Highland Park
City of Hutto
City of Albany
City of Joliet
City of La Habra
City of La Puente
City of Laguna Niguel
City of Lake Forest
City of Larkspur
City of Manassas Park
City of Menlo Park
City of Mission Viejo
City of Mountain View
City of Murrieta
City of Newark
City of Norco
City of Oakbrook Terrace
City of Pacific Grove
City of Palm Desert
City of Palmdale
City of Petaluma
City of Pflugerville
City of Piedmont
City of Pismo Beach
City of Port Hueneme
City of Rancho Cucamonga
City of Rancho Mirage
City of Redlands
City of Rialto
City of Riviera Beach
City of Rockford
City of Rohnert Park
City of Salinas
City of San Bernardino
City of San Leandro
City of San Pablo
City of Sandpoint
City of Seal Beach
City of Sierra Madre
City of Simi Valley
City of South Gate
City of South San Francisco
City of St. Charles
City of Trace
City of University Park
City of Vacaville
City of West Covina
City of West Des Moines
City of West Sacramento
City of Whittier
City of Wilton Manors
County of Atascosa
County of Davie
County of Denton
County of Lassen
County of Mariposa
County of Mendocino
County of Plumas
County of Tuolumne
Town of Danville
Town of Groton
Town of Windsor
Town of Woodside
Town of Yucca Valley
Village of Arlington Heights
Village of Barrington Hills
Village of Bloomingdale
Village of Cary
Village of Glencoe
Village of Homewood
Village of Lake Barrington
Village of Libertyville
Village of Lincolnwood
Village of Northbrook
Village of Northfield
Village of Oak Brook
Village of Oak Park
Village of Ossining
Village of Palos Park
Village of Park Forest
Village of River Forest
Village of Riverside
Village of South Barrington
Village of Wheeling
Castaic Lake Water Agency
Castro Valley Sanitary District
Coachella Valley Mosquito Vector Control District
El Toro Water District
Four Rivers Sanitation Authority
Jurupa Community Services District
Las Virgenes Municipal Water District
Ramona Municipal Water District
San Bernardino Municipal Water
Sweetwater Authority
Western Municipal Water District
Forest Preserve District of Will County
Naperville Park District
Norridge Park District
Park District of Highland Park
Illinois Action for Children
Jurupa Community Service District
Los Angeles County Development Authority
Midpeninsula Regional Open Space District
Steppenwolf Theatre
Indianapolis Public Library
Oak Park Library
Oswego Public Library District
Rockford Library
Stanislaus Council of Governments
Moraga-Orinda Fire District
Riverside County Sheriff's Department
Arie Crown Hebrew Day School
Batavia UCSD 101
Carpentersville UCSD 300
Central Burlington SD 301
Orland Park CHSD 230
Chicago International Charter Schools
CUSD 300
DeKalb CUSD 428
Durand CUSD 322
East Aurora SD 131
Elmhurst SD 205
Geneva CUSD 304
Glenview SD 34
Harlem SD 122
Harvard SD 50
Indian Prairie CUSD 204
Morton HSD 201
Mount Prospect SD 57
Naperville CUSD 203
Niles Township HSD 219
Orland Park D230
Oswego CUSD 308
Park Ridge-Niles SD
Salt Creek SD 48
San Marino USD
St. Charles CUSD 303
Township HSD 214
West Covina USD
Wheaton SD 200

CREDENTIALS, DEGREES, AND AFFILIATIONS

- Bachelor of Science in Mathematics and Economics – University of Iowa
- Member, Project Management Institute, Midwest Chapter
- Member, University of Iowa Graduate College, External Advisory Board

SPECIALTIES

- Network Design, Procurement, Implementation, and Oversight
- Cybersecurity
- Disaster Recovery
- IT Operations Management
- Virtual CIO/IT Management
- IT Management Mentoring
- IT Governance
- Policies Development
- Project Management
- Assessments, Strategy, and Planning

Project Management Institute

Tom, I've been meaning to thank you for your expertise and guidance… assisting us in moving forward on all fronts.

—City Manager
IL Municipality

James Smith

Senior Director, IT Infrastructure Consulting

James Smith is a seasoned technology executive with a remarkable career spanning over 25 years. A diverse array of high-level roles in the Information Technology sector characterizes his career. James has solidified his reputation as an accomplished leader, adept manager, and visionary technology strategist.

Throughout his professional career, James has consistently demonstrated a knack for driving success in various capacities. His expertise encompasses a spectrum of specialties, including sales and services engagement processes, systems design consulting, sales management, and managed services. He possesses a unique knack for formulating and executing IT strategies, developing technology plans, and offering expert insights in cloud services consulting, business continuity, disaster recovery, and deep storage solutions.

Highlights

- Leveraged over 25 years of proven experience in high-level positions within the Information Technology field
- Demonstrated leadership as an accomplished leader, manager, and technology strategist with a track record of success in developing, designing, and selling IT solutions
- Proficient in communicating and implementing IT strategies, managing high-visibility initiatives, and providing technology consulting at the Director, Vice President, and CxO levels nationwide
- Specialties encompass a wide range of areas, including sales and services engagement processes, systems design consulting, sales management, and managed services
- Expertise in IT strategy and technology plan development, cloud services consulting, business continuity, disaster recovery, master data management, distributed end-user technologies, and end-to-end systems architecture

SPECIALTIES

- Engagement Management
- Systems design consulting
- IT Support Services
- Contract Negotiations
- Staff Augmentation
- IT strategy and technology plan development
- Cloud services
- IT Cost Optimization
- Business continuity and disaster recovery
- Deep data management expertise
- Distributed end-user technologies
- End-to-end systems architecture

Agency Experience

City of Azusa
City of Calabasas
City of Cedar Hill
City of Farmers Branch
City of Mountain View
City of Oakland Park
City of Petaluma
City of Sandpoint
City of South Gate
City of Whittier
Town of Windsor
Village of Lincolnwood
Village of River Forest
County of Kings
County of Travis
El Toro Water District
Bloomington School District
Byron School District
DeKalb School District
Des Plaines School District
Elmhurst School District
Hoover Schrum District
Jurupa School District
Oak Lawn School District
Salt Creek School District
Sycamore School District
Township High School District
DuPage County Sheriff
ESQ Region 20
Harris County Toll Authority
Placer County Sheriff
Riverside County Sheriff's Department
Aurora Public Library
Alamo Community College
DeVry University
Kishwaukee College
Moraine Valley Community College
Oakton Community College
Rock Valley College
Roosevelt University

Craig Williams, RCDD, NTS

Director, Infrastructure Consulting Services

Craig Williams has over 25 years of experience in the IT profession, focused primarily on providing visionary consulting and support for education and other public-sector organizations. A former school CIO, Craig emphasizes a balanced perspective of improvement in all areas of IT, from internal infrastructure to public-facing technologies. He is an articulate consensus-builder with executives, departments, staff, and the public. Craig leverages his extensive master planning, infrastructure design, application implementation, and project management experience to provide districts with effective, lasting results in utilizing technology to fulfill their educational mission.

Highlights

- Full Wireless replacement RFPs for school districts
- Building security replacement for Illinois school district
- Numerous E-Rate network equipment RFPs
- E-Rate WAN RFPs
- Point-to-point WAN for Illinois school district
- Fiber replacement for mid-sized K-12 school district
- Selected as one of 16 technology directors nationally for HP and Intel Profiles in Leadership through Tech and Learning Magazine
- Directed technology support and operations at Illinois' second-largest public school district, serving 40,000 students. Led technical staff of 71. Increased customer satisfaction from 87.7% to 95.2% rate
- National award from the Help Desk Institute as one of Elite 50 organizations for customer support across all industries

CREDENTIALS, DEGREES, AND AFFILIATIONS

- Bachelor of Science in Architecture – University of Illinois
- BICSI Registered Communication Distribution Design (RCDD)
- BICSI Network Technology Systems (NTS) Designer
- MBA, North Central College (Concentration in Management Information Systems)

SPECIALTY AREAS

- Infrastructure – Low Voltage Systems/Cabling
- Data Center/Networking
- Wireless
- Project Management
- Business and Human Resources Systems
- CIO Advisory
- Public-Facing Web Technology
- Staff Support/Customer Service

Agency Experience

City of Azusa
City of Calabasas
City of Cedar Hill
City of Glendora
City of Joliet
City of Manassas Park
City of Newark
City of Pacific Grove
City of Piedmont
City of Pismo Beach
City of Rancho Cucamonga
City of Rancho Mirage
City of Riviera Beach
City of San Pablo
City of South San Francisco
City of University Park
City of Vacaville
City of West Covina
City of West Des Moines
Town of Groton
Village of Lincolnwood
Village of Northfield
Village of Orland Park
Village of Park Forest
Village of River Forest
Village of Riverside
Village of Wheeling
County of Davie
County of Mariposa
County of Mendocino
County of Tuolumne
Champaign County Forest Preserve District
Forest Preserve District of Lake County
Hayward Area Recreation and Park District
Norridge Park District
Four Rivers Sanitation Authority
San Bernardino Municipal Water District
Joliet Public Library
Northbrook Public Library
Rancho Cucamonga Library
Rockford Public Library
Steppenwolf Theatre
Algonquin SD 158
Arie Crown Hebrew Day School
Batavia SD 101
Bloomingdale SD 13
Bunker Hill SD 8
Butler SD 53
Carpentersville CUSD 300
Central CUSD 301
Chicago International Charter Schools
Community High School District 99
DeKalb CUSD 428
Durand CUSD 322
Elmhurst SD 205
Forest Ridge SD 142
Geneva CSD 304
Glen Ellyn SD 41
Harlem SD 122
Harvard SD 50
Harvey SD 152
Hinsdale HSD 86
Hononegah SD 207
Huntley SD 158
Indian Prairie CUSD 204
J. Sterling Morton HSD 201
Joliet PSD 86
Lake Zurich SD 95
Maine Township HSD 207
Marmion Academy
Mt. Prospect SD 57
Naperville CUSD 203
Niles Township HSD 219
Posen-Robbins SD 143.5
Prairie Grove SD 46
Salt Creek SD 48
Sunset Ridge School District
Thornton Fractional HSD 215
Township HSD 214
TrueNorth Educational Cooperative
West Aurora SD 129
Wheaton Warrenville CUSD 200
Winnetka SD 39
Worth SD 127
Yorkville SD 115

Craig, you were instrumental in the successful completion of this project all along the way, but especially as we… needed a push in "crossing the last beachhead."

—Superintendent of Schools
IL School District

Craig, I just wanted to personally thank you for all your work on this. Your expertise is invaluable and much appreciated.

—Commander
California Police Department

Aaron Ayala

Senior Systems Engineer

Aaron Ayala has over 20 years in Information Technology and more than five years working solely on high-level, local-government projects. Aaron is an IT support, project management, and vendor relations expert. He is accustomed to high-value, fast-paced, high-pressure roles, with the ability to prioritize multiple tasks and meet deadlines while providing superior customer service.

Highlights

- Infrastructure Project Manager and Network Design Engineer
- Manages large- and small-scale implementation teams. Examples include:
  - $4.5MM deployment of Cisco and ShoreTel structured cabling, voice infrastructure, and data infrastructure for a municipality with 35 locations
  - $2.5MM deployment of HPE and Mitel voice and data infrastructure for a county with 33 locations
  - IT Implementation project management for Mother Lode Regional Juvenile Detention Center, Tuolumne County, California
  - Data Center Relocation for a mid-sized California city
  - Contract administration for structured cabling system, door access control, and data center-related vendor implementations
- Design and procurement of Cisco, HPE, Palo Alto, and other major network solutions
- Wireless systems, Networks, Network security, Backup systems, Infrastructure
- Design and procurement of door access control, structured cabling, and video surveillance systems
- Implementation of network management tools, including network monitoring, Active Directory security, and others

CREDENTIALS, DEGREES, AND AFFILIATIONS

- Bachelor of Science in Information Systems – University of Phoenix
- Certified Information Systems Security Professional

SPECIALTIES

- Infrastructure Project Management
- Staff Management
- Vendor Relationships
- Systems Administration
- IT Operations
- IT SOX Compliance

Agency Experience

City of Albany
City of Azusa
City of Big Bear Lake
City of Carlsbad
City of Cedar Hill
City of Corona
City of Farmers Branch
City of Glendale
City of Hawaiian Gardens
City of Hemet
City of Hutto
City of La Puente
City of Laguna Niguel
City of Manassas Park
City of Mission Viejo
City of Murrieta
City of Newark
City of Pacific Grove
City of Palm Desert
City of Palmdale
City of Petaluma
City of Piedmont
City of Pinole
City of Pismo Beach
City of Port Hueneme
City of Rancho Cucamonga
City of Rancho Mirage
City of Rialto
City of Salinas
City of San Clemente
City of San Leandro
City of San Pablo
City of Sandpoint
City of South Gate
City of University Park
City of Vacaville
City of West Covina
City of West Sacramento
City of Wilton Manors
City of Woodside
City of Yucca Valley
County of Mendocino
County of Tuolumne
County of Yolo
Town of Windsor
Town of Woodside
Village of Barrington
Village of Barrington Hills
Village of Lincolnwood
Village of Lisle
Village of Northfield
Village of Oak Brook
Village of Orland Park
Village of Park Forest
Village of River Forest
Village of Riverside
Village of South Barrington
Champaign County Forest Preserve District
East Bay Regional Park District
Hayward Area Recreation and Park District
Livermore Area RPD
Norridge Park District
Moraga-Orinda Fire District
Riverside County Sheriff's Department
Castaic Lake Water Agency
Castro Valley Sanitary
Four Rivers Sanitation Authority
Fresno Irrigation District
San Bernardino Municipal Water
West County Wastewater
Zone 7 Water
Los Angeles Community Development Authority
Batavia Public Library
Hemet Public Library
Joliet Public Library
Rockford Public Library
Steppenwolf Theatre
Algonquin SD 158
Arie Crown Hebrew Day School
Batavia SD 101
Butler SD 53
Carpentersville SD 300
Central Burlington SD 301
Chicago International Charter School
DeKalb CUSD 428
Durand CUSD 322
East Aurora SD 131
Elgin SD U-46
Geneva Community SD 304
Glen Ellyn SD 41
Harlem SD 122
Harvard SD 50
Harvey SD 152
Hinsdale HSD 86
Hononegah SD 207
Huntley SD 158
Indian Prairie CUSD 204
Joliet PSD 86
Marmion Academy
Mt. Prospect SD 57
Naperville CUSD 203
Niles Township HSD 219
Orland Park D230
Posen-Robbins SD 143.5
St. Charles CUSD
Salt Creek SD 48
Thorton Fractional HSD 214
Township HSD 214
TrueNorth Educational Cooperative 804
West Aurora SD 129
Wheaton-Warrenville SD 200
Winfield SD 34
Worth SD 127

I appreciate your efforts and the great work done by ClientFirst to date in all areas.

—Chief Financial Officer
IL Library

Government Technology

Focusing on local governments means that we understand the unique needs, processes, protocols, and political nuances involved in the industry. This **understanding and experience** ensure that our strategies and recommendations are practical in all respects. Our management team's career experience includes over 3,500 projects for more than 500 local government agencies.

Local Presence and Practice Locations

We have a local presence and extensive experience in California. ClientFirst is a national firm with practices in California, Illinois, Texas, and North Carolina.

Corona, CA

Schaumburg, IL

San Antonio, TX

Charlotte, NC

Business Management Approach

We understand that not all government executives are versed in the latest technology issues and opportunities. Therefore, our approach and deliverables provide a business-management perspective that **enables the layperson to understand the technology issues, strategies, and potential solutions required to make more informed business decisions.**

True Independence

ClientFirst believes in practicing **true independence**. We do not resell products nor maintain relationships that would result in any add-on profit margins or referral fees. Our interest is in **putting the client first** by finding optimum solutions (i.e., the greatest value at the lowest competitive cost) to meet their needs.

National Recognition

Our consultants are recognized nationally by many of the industry's leading vendors for their outstanding work. They appreciate the fairness and objectivity we demonstrate when dealing with their organizations.

Industry Recognition

CIO Review

ClientFirst has been featured in *CIO Review* as one of the "20 Most Promising Government Technology Solution Providers".

CIOReview
The Navigator for Enterprise Solutions
GOVERNMENT TECHNOLOGY SPECIAL
CIOREVIEW.COM
20 Most Promising Government Technology Solution Providers
ClientFirst Technology Consulting
Bringing Innovation, Optimization, and Measurement to Local Government
Government agencies are striving for greater accountability and responsiveness by providing citizens more information and self-service, thereby garnering the confidence that their government is performing its best

National Speakers

ClientFirst personnel have conducted educational sessions at national and local conferences, including CSMFO, MISAC, and GFOA, among others.

Diversified Experience

We have extensive experience with a wide variety of organizations, technologies, and processing environments. Additionally, we possess extensive knowledge of the software and hardware market and are well-informed about vendor and industry developments.

Integrated Technology Solutions Groups

Whatever the agency's technology needs are, we offer a unique combination of experts in their respective disciplines who can guide technology decisions, planning, implementation, and management, chosen according to the specific needs of each project. Working as an integrated team, we **deliver comprehensive consulting and support services from start to finish**.

ClientFirst Integrated Technology Solutions Groups

MANAGEMENT CONSULTING
- Technology Planning
- Mentoring/Advisory
- Interim CIO
- Contract Negotiations
- Project Management
- Technology Governance

COMMUNITY DEVELOPMENT
- Public Portals
- System Administration
- Gap Analysis
- Software Selection
- Implementation Project Management

IT INFRASTRUCTURE
- Networking
- Servers
- Data Centers
- Procurement Mgmt.
- Contract Negotiations
- Project Management

CYBERSECURITY
- Assessment & Planning
- Incident Response Plans
- Disaster Recovery
- Procurement Management
- Contract Negotiations
- Project Management

APPLICATIONS CONSULTING
- Business Process Review
- Software Selection
- Implementation Project Mgmt.

GIS
- Assessment & Planning
- Design
- Data Management
- Development
- Mapping

TELECOM
- Bill Audits
- Assessment & Planning
- Design
- RFP/Procurements
- Carrier Services Agreements
- Call Centers

STRUCTURED CABLING
- Assessment and Certification
- CADD Design & Layout
- Vendor Selection
- Project Management
- Documentation

Integrated Technology Services

Management Consulting

- Technology Strategic/Master Planning
- IT Assessment
- IT Staffing Assessment
- Process Improvement
- Procurement Assistance
- Contract Negotiation
- Project Management
- IT Governance Seminars

Community Development

- Public Portals
- System Administration
- Gap Analysis
- Software Selection
- Implementation Project Management

IT Staffing/Augmentation

- IT Staffing Needs Assessment and Operational Reviews
- Interim IT Management
- Supplemental IT Management Staffing

IT Infrastructure

Networking and Servers

- Assessment, Design, and Installation
- Replication and Redundancy Strategies
- Virtualization
- Cloud Computing
- Wireless
- Data Center Design

Disaster Recovery

- Risk Assessment and Business Impact Analysis
- Disaster Recovery Planning
- Hot-Site and Recovery Services Evaluation
- Storage Area Networking
- Backup Strategies and Design

Cybersecurity

- Assessment and Planning
- Applications and Hardware Security
- Cybersecurity Review
- Security Policy and Control Development
- Intrusion Testing
- Workshops and Training
- Compliance: NIST, NCCoE, PCI, CJIS, NEA/FERC

Applications Consulting

Business Process Review

- Business Case Analysis
- Assessment and Recommendations
- Process Analysis and Improvement

Software Selection

- Feature / Function Requirements
- Implementation Risk Assessment
- Change Management
- RFP Development
- Vendor Analysis and Evaluation
- Demonstration Facilitation
- Contract Review and Negotiation
- Implementation Project Management
- Ad Hoc Report-Writing Assistance

Structured Cabling System Design

- Assessment and Certification
- CADD Design and Layout
- RFP / Vendor Selection
- Project Management
- Documentation

Telecommunications Consulting

- VoIP Readiness Review
- Systems Evaluation, Design, Specifications, and RFP Development
- Bill Audits (Cost Analysis and Negotiation)
- Telecom Expense Management (TEM)
- Credit / Refund Requests
- Strategic Planning
- Project Management
- Carrier Services Cost Analysis
- Operational and Workflow Reviews
- System Selection and Contract Negotiations

ECMS

- Needs Assessment
- Business Process Review
- System Selection
- Planning
- Implementation Oversight

Fiber-Optic Network Design GIS

- Assessment and Planning
- Design
- Data Management
- Development
- Mapping
-

Areas of Expertise

The consultants assigned to this engagement have direct experience in a broad range of products and services.

> ClientFirst **has such a broad and well-rounded experience with cities that they already have a good idea of what will or won't work. Other vendors we have worked with don't have this depth of experience and suggest solutions that are unrealistic in a city government environment.**
>
> — IT Director
> *CA Municipality*

IT Operations / Technical Services Experience

- Technical Services
- 24/7 On-Call
- PC Break-Fix Services
- Routers and Switches
- Server Installation, Configuration and Troubleshooting
- On-Site or Remote Services
- Network Troubleshooting and Configuration
- Security Systems Support
- Managed Services
- Network Management
- Event Monitoring
- Patch Management
- Inventory Management
- Licensing Management
- Software Distribution
- Remote Network and Desktop Monitoring

Telecom Experience

- Systems Evaluation and Assessments
- Telecommunications System Management
- Voice and Data Cable Infrastructure Design and Engineering
- LAN/WAN Assessments, Design, Procurement, and Implementation
- VoIP (Voice-over-Internet Protocol) Readiness Reviews and Assessments
- Telecom Billing Audits and Cost Reviews
- Strategic IT and Telecommunications Planning
- Systems Design and Alternative Analysis
- Business Continuation Planning and Disaster Recovery Planning
- Call Center Planning and Operational Design
- Competitive System and Vendor Selection
- Project Management and Implementation

Department Area Experience

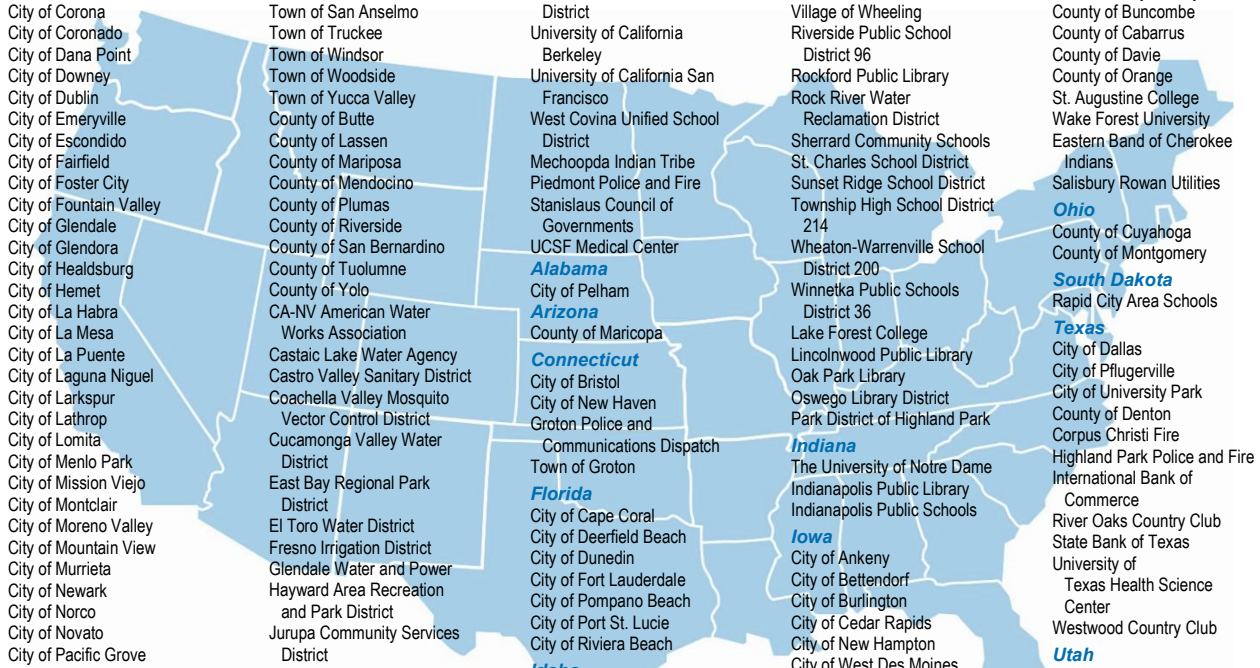
- Council
- Administration
- Building and Safety
- City Clerk
- Finance
- Fire
- Library
- Utility Billing
- Customer Service/Call Centers
- Payroll
- Human Resources
- Planning
- Police
- Purchasing
- Public Works
- Parks and Recreation
- Engineering
- Geographic Information System (GIS)
- Water
- Waste Water
- Sanitation
- Field Operations
- Laboratories
- Environmental Services
- Facilities
- Treatment Plants
- Fleet Management
- Engineering
- Warehousing
- SCADA
- Information Systems

Application Area Experience

- General Ledger
- Budgeting
- Project Accounting
- Grant Accounting
- Cash Receipts
- Purchasing and Receiving
- Bids Management
- Contract Management
- Accounts Payable
- Fixed Assets
- Loans
- Special Assessments
- Financial Reporting
- Business Licensing
- Applicant Tracking
- Human Resources
- Employee Self-Service
- Benefits Tracking
- Time and Attendance
- Payroll
- CIS and Utility Billing
- Customer Service / Call Centers
- Backflow
- Service Orders
- Work Orders / Preventative Maintenance
- Inventory and Fleet Management
- Planning, Permitting, Inspection and Code Enforcement
- Land/Parcel/Address Management
- Computer-Aided Dispatch (CAD)
- Records Management
- Mobile Computing
- Citizen Request Management (CRM)
- Geographic Information System (GIS)
- Adjudication
- Citation Management
- Database Management

Consultants' Collective Experience

We understand that the experience of the individual consultants is a significant factor in hiring a firm to conduct the project on your behalf. Our consultants have extensive public-sector experience in their respective careers, including projects with the following agencies:



California
City of Albany
City of Azusa
City of Benicia
City of Big Bear Lake
City of Brentwood
City of Brisbane
City of Burbank
City of Calabasas
City of Camarillo
City of Carlsbad
City of Cathedral City
City of Cerritos
City of Chico
City of Chino
City of Clovis
City of Colton
City of Corona
City of Coronado
City of Dana Point
City of Downey
City of Dublin
City of Emeryville
City of Escondido
City of Fairfield
City of Foster City
City of Fountain Valley
City of Glendale
City of Glendora
City of Healdsburg
City of Hemet
City of La Habra
City of La Mesa
City of La Puente
City of Laguna Niguel
City of Larkspur
City of Lathrop
City of Lomita
City of Menlo Park
City of Mission Viejo
City of Montclair
City of Moreno Valley
City of Mountain View
City of Murrieta
City of Newark
City of Norco
City of Novato
City of Pacific Grove
City of Pacifica
City of Palm Desert
City of Palmdale
City of Patterson
City of Petaluma
City of Piedmont
City of Pinole
City of Pismo Beach
City of Port Hueneme
City of Rancho Cucamonga
City of Rancho Mirage
City of Redlands
City of Rialto
City of Rohnert Park
City of Rosemead
City of Sacramento
City of Salinas
City of San Bernardino
City of San Clemente
City of San Gabriel
City of San Jacinto
City of San Leandro
City of San Pablo
City of San Rafael
City of Seal Beach
City of Sierra Madre
City of Simi Valley
City of South Gate
City of South Pasadena
City of South San Francisco
City of St. Helena
City of Sunnyvale
City of Temecula
City of Tracy
City of Tulare
City of Tustin
City of Upland
City of Vacaville
City of West Covina
City of West Sacramento
City of Whittier
Town of Danville
Town of Hillsborough
Town of San Anselmo
Town of Truckee
Town of Windsor
Town of Woodside
Town of Yucca Valley
County of Butte
County of Lassen
County of Mariposa
County of Mendocino
County of Plumas
County of Riverside
County of San Bernardino
County of Tuolumne
County of Yolo
CA-NV American Water Works Association
Castaic Lake Water Agency
Castro Valley Sanitary District
Coachella Valley Mosquito Vector Control District
Cucamonga Valley Water District
East Bay Regional Park District
El Toro Water District
Fresno Irrigation District
Glendale Water and Power
Hayward Area Recreation and Park District
Jurupa Community Services District
Las Virgenes Water District
Livermore Area Recreation and Park District
Mesa Water District
Midpeninsula Regional Open Space District
Newhall County Water District
Novato Sanitary District
Palmdale Water District
Ramona Municipal Water District
Rincon del Diablo Municipal Water District
Rosamond Community Services District
San Bernardino Municipal Water
San Mateo Consolidated Fire District
Southern California Coastal Water Research
Sweetwater Authority
Union Sanitary District
Walnut Valley Water District
West County Wastewater District
Western Municipal Water District
Colton Joint Unified School District
Fontana Unified School District
Irvine Unified School District
Lake Elsinore Unified School District
Menifee Unified School District
Mountain View School District
Ohlone Community College
Palm Springs School District
Romoland School District
San Jose Community College
San Marino Unified School District
University of California Berkeley
University of California San Francisco
West Covina Unified School District
Mechoopda Indian Tribe
Piedmont Police and Fire
Stanislaus Council of Governments
UCSF Medical Center

Alabama
City of Pelham

Arizona
County of Maricopa

Connecticut
City of Bristol
City of New Haven
Groton Police and Communications Dispatch
Town of Groton

Florida
City of Cape Coral
City of Deerfield Beach
City of Dunedin
City of Fort Lauderdale
City of Pompano Beach
City of Port St. Lucie
City of Riviera Beach

Idaho
City of Sandpoint

Illinois
City of Bloomington
City of Champaign
City of Countryside
City of Crystal Lake
City of Highland Park
City of Joliet
City of Lake Forest
City of Moline
City of Morton Grove
City of Naperville
City of Oakbrook Terrace
City of Orland Park
City of Prospect Heights
City of Rockford
City of Rock Island
City of St. Charles
City of Waukegan
City of Wood Dale
County of DuPage County
County of Peoria County
County of Sangamon County
County of Winnebago County
Village of Arlington Heights
Village of Cary
Village of Glencoe
Village of Kenilworth
Village of Lake Barrington
Village of Libertyville
Village of Lincolnwood
Village of Matteson
Village of Norridge
Village of Northbrook
Village of Northfield
Village of Oak Brook
Village of Oak Park
Village of Oswego
Village of Palos Park
Village of River Forest
Village of Riverside
Village of Westmont
Village of Wheeling
Riverside Public School District 96
Rockford Public Library
Rock River Water Reclamation District
Sherrard Community Schools
St. Charles School District
Sunset Ridge School District
Township High School District 214
Wheaton-Warrenville School District 200
Winnetka Public Schools District 36
Lake Forest College
Lincolnwood Public Library
Oak Park Library
Oswego Library District
Park District of Highland Park

Indiana
The University of Notre Dame
Indianapolis Public Library
Indianapolis Public Schools

Iowa
City of Ankeny
City of Bettendorf
City of Burlington
City of Cedar Rapids
City of New Hampton
City of West Des Moines
County of Johnson
County of Linn
State of Iowa
Burlington Community School District
Cedar Rapids Community School District
Davenport School District
Diocese of Davenport Catholic Schools
Dubuque Community School District
Knoxville Community School District
Mason City School District
North Scott School District
Des Moines Area Community College
Cedar Falls Utilities

Kansas
City of Shawnee

Michigan
University of Michigan
Lake Superior State University

Minnesota
County of Anoka

Nevada
County of Nye
Town of Pahrump

New York
City of Batavia
Village of Ossining

North Carolina
City of Burlington
City of Gastonia
City of High Point
City of Kinston
City of Mount Airy
City of Salisbury
Arc of Stanley County
County of Buncombe
County of Cabarrus
County of Davie
County of Orange
St. Augustine College
Wake Forest University
Eastern Band of Cherokee Indians
Salisbury Rowan Utilities

Ohio
County of Cuyahoga
County of Montgomery

South Dakota
Rapid City Area Schools

Texas
City of Dallas
City of Pflugerville
City of University Park
County of Denton
Corpus Christi Fire
Highland Park Police and Fire
International Bank of Commerce
River Oaks Country Club
State Bank of Texas
University of Texas Health Science Center
Westwood Country Club

Utah
Washington County School District

Virginia
Commonwealth of Virginia
City of Manassas Park

Wisconsin
City of Appleton
City of Brookfield
City of Eau Claire
City of Wauwatosa
City of West Allis
County of Brown
County of Kenosha
County of Milwaukee
County of Waukesha
HIDTA Milwaukee
Diocese of Madison Catholic Schools
Madison School District
Shorewood School District
Whitnall School District
West Allis School District

Technical Certifications

ClientFirst consultants collectively possess an extensive portfolio of certifications, revealing their commitment to ongoing professional training and ensuring that our clients have access to the latest information in the field.

April 9, 2026

Ms. Tori Hannah
Finance Director
City of Marina
211 Hillcrest Ave
Marina, CA 93933

Re: Proposal for Security Assessment and Plan

Dear Ms. Hannah:

The City of Marina is interested in assessing the capabilities of current facilities systems and developing a plan to standardize and improve system capabilities. Systems to be considered during the assessment and planning stages include motion detection, door access control, panic buttons, and public safety video. Facilities maintenance and management systems are outside the scope of the proposed assessment.

The goal of the assessment phase of the project is to inventory existing safety systems, identify additional needs, and develop budgetary pricing that includes all necessary improvements and integrations. After the Assessment Phase, ClientFirst will present the improvement budgets to the City team in workshops to develop a plan based on improvement priorities and available funding.

Background

The City maintains public safety systems of various vintages. These systems have generally been introduced individually over time. Because of varying system ages and capabilities, maintenance costs are high. Also, these systems cannot be integrated to provide security alerts and alarms using a standard methodology.

A review and validation of project requirements for motion detection, cameras, door card readers, and panic button locations is necessary. The resulting requirements documentation will serve as input for a design and budgeting project phase to design a standard city-wide system that can be implemented as the budget allows. Based on the final budget, ClientFirst and the City will, through workshops, develop a multi-year facilities systems improvement plan. The plan will utilize project priorities and available budget to improve systems at city facilities.

Scope of Work

ClientFirst proposes the following safety system assessment consulting activities:

Facilities Systems Assessment

- City to provide an inventory of existing safety systems and, if available, their revision levels for each building.
- ClientFirst will review existing security systems, conduct building tours, review recently proposed potential additions, investigate pathways to system components, and gather other pertinent information related to supporting data networking capabilities.
- We will review the current arrangements related to alerts, alarms, and video displays. The assessment results will include suggested improvements.
- Document information gathered and requirements.
- City to gather blueprints or CAD drawings and provide them to ClientFirst if available.
- Create line-of-sight documentation for video cameras at each building. Document numbers and locations of needed improvements to other systems and associated technology.
- Review current video camera display needs and recommend potential improvements.
- Develop "order of magnitude" cost estimates based on revised requirements.
    - By system type
    - By facility
    - Including any custom integration cost estimates
    - Including ongoing maintenance and support
- Conduct workshops with interested City stakeholders to review cost estimates, potential optional services, and recommended solution designs.
- Based on workshop results, revise cost models to answer questions, provide further recommendations, and update the plan.

Future Project Phases

Future project phases include Bid Development, Procurement Assistance, and Construction Administration. When the project scope is finalized, proposals will be generated for these phases.

Project Management and Timing

James Smith and Craig Williams will staff the project, with assistance from Tom Jakobsen and the Document Team. Mr. Jakobsen will serve as the overall Project Manager. The project team has experience in infrastructure design of a similar scope and size. The team is ready to begin work on the project immediately, pending approval.

References

We believe our clients are our best salespeople. The references listed here are examples of clients with similar needs. Each of these clients has retained our services on multiple occasions. We pride ourselves on client satisfaction and strive to build long-term partnerships with our clients.

City of Newark

37101 Newark Blvd., Newark, CA 94560

Edwin Miranda, Information Officer/Information Technology Director **510.578.4893**

ed.miranda@newark.org

City of Piedmont

120 Vista Avenue, Piedmont, CA 94611

Daniel Gonzales, Public Works Director **510.420.3061**

dgonzales@piedmont.ca.gov

City of Petaluma

11 English Street, Petaluma, CA 94952

Brendan Galten, IT Manager **707.776.3616**

bgalten@cityofpetaluma.org

Detailed Work Plan

The following work plan outlines the project steps and the hours to be devoted by project team members.

Security Assessment and Plan

Step	Security Assessment and Plan	Total Hours	Craig	James
Phase 1 - Coordination				
1	General coordination and project management - schedule team meetings and provide meeting minutes	8	8	
2	Request and review introductory documentation - inventory of current door access control, video systems, fire/burglar alarm systems, facilities listing and updated data network diagram.	8	4	4
3	City to gather available blue prints or CAD drawings. City to review available data network ports, equipment locations, rack space and power availability in coordination with ClientFirst assessed needs.	N/A	N/A	N/A
Phase 2 - Assessment				
4	Facility walk-through: Confirm camera, card reader, alarm & panic button locations. Verify pathways and wireless requirements for connectivity. Identify lines of sight, connectivity needs, power and space requirements.	32	16	16
5	Document information gathered and requirements - develop camera location documentation by site. Document network connectivity needs and potential interface needs. Deliverable to be in PPT format.	22	20	2
6	Research potential vendors and cost of integrations to existing systems.	4	4	
7	Develop "order of magnitude" cost estimates based on requirements - include by building and by type of system. Initial estimated to include replacement of all systems.	16	16	
8	Workshop - ClientFirst and City to review cost estimates, potential optional services and develop implementation plan.	4	4	
9	Revise cost models to answer City questions and develop draft recommendations and plan	8	8	
10	Workshop - ClientFirst and City to review revised cost estimates and recommended solution.	4	4	
11	Revise cost models and plan and prepare final deliverables.	4	4	
12	ClientFirst and City to discuss recommendations and finalize potential Year 1 scope of work and any alternates.	2	2	
	Total Hours	**112**	**90**	**22**

Fees

Our professional fees are based on the scope and approach outlined in this proposal, including expenses. Our standard billing rates for these services depend on the levels and skill sets of the consultant(s) assigned to specific aspects of the project.

Security Assessment and Plan	Total Hours	Craig	James
Total Hours	112	90	22
Billing Rates		$ 240	$ 240
Total Estimated Consulting Fees	$ 26,880		
Expenses	$ 3,000		
Total Project Costs	**$ 29,880**		

Scope Changes and Management

Alternative scope changes and fee adjustments are possible and are dependent on specific project needs, staff resources, and capabilities.

If the nature or scope of our work should change during the project, we would discuss such matters and their effect on our fees and obtain prior written approval before proceeding.

Payment Terms

We invoice monthly as progress proceeds. ClientFirst will provide a detailed accounting of all consulting time and expenses as a part of the invoice. Payments are due within 30 days of receipt, payable by check or ACH.

Additional Expenses

Expenses are expected to be primarily for miscellaneous, small, IT-related items and mileage. These expenses will be billed at cost. Any extraordinary expenses, such as airfare or hotel costs, will be submitted for approval in advance.

We believe ClientFirst is uniquely qualified to provide the resources and expertise necessary to assist the City of Marina with this project. If you have any questions regarding this proposal, please contact me at 951.739.7989 or via email at tjakobsen@clientfirstcg.com. We appreciate the continued opportunity to serve the City of Marina.

Sincerely,

Tom Jakobsen
Partner
IT Infrastructure and Support Practice Leader

May 14, 2026

Ms. Tori Hannah
Finance Director
City of Marina
211 Hillcrest Ave
Marina, CA 93933

RE: Proposal for Parks Public Safety Camera – Future Proofing

Dear Ms. Hannah:

Please accept this proposal for assistance with future-proofing two new parks for public-safety video. The City is in the process of constructing, bidding on, and/or designing Dunes and Sea Haven parks.

We have reviewed the overall schematics for these parks and prepared a proposal to provide recommendations on public safety camera placement and supporting infrastructure design. Public safety camera infrastructure design is expected to include future arrangements for power, conduits, cellular or wireless connectivity, and supporting data network infrastructure.

The goal of the project is to incorporate conduit and other supporting elements into park construction, reduce overall cost, and eliminate post-go-live construction modifications.

Scope of Work

The City has requested that ClientFirst provide detailed design assistance for the placement and connectivity of public safety cameras at Dunes and Sea Haven parks.

We will meet with City staff to develop design requirements, review the architect's current design documents, and participate in design meetings as the City's technology representative. Expected ClientFirst areas of responsibility are outlined below:

- Review and comment on Design Drawings – as the owner's representative, review and provide detailed, specific comments verbally and in writing.
  - Review to focus on public safety camera placement, electric power, conduit, and supporting connectivity.
- Work with the design team to:
  - Meet all camera and structured cabling systems design standards of operation
  - Align conduit with existing design elements
  - Determine necessary data network connectivity and tele/data space needs
  - Assist with ingress of tele/data cabling for voice and data services
- Prepare camera placement and expected line of sight, and modify construction drawings for conduit, power, and tele/data connectivity needs.
- Work with the City and the Design Team to finalize requirements and systems design.
  - Develop the engineer's design estimates and work with staff to meet any budgetary constraints.

- Advise the architect and City on the design of the following systems:
  - Ingress conduit for data connectivity
  - Tele/data needs
  - Public Safety Video Systems

Work Plan

The City has requested that ClientFirst provide technical assistance for the City's IT-related plans for the Aquatics Center renovation. Our assistance will provide City information systems staff with additional project structure and enhanced communication among the various organizations working on Aquatics Center-related issues.

Steps	Parks Public Safety Camera – Future Proofing	Total Hours	Craig	Drafting	Comments
1	Project Management and Coordination	4	4		
2	Review Plans	6	6		Review submittals for compliance with IT requirements
3	Workshop(s) - City Staff to review potential camera placement, very high-level budgetary costs	4	4		Multiple workshops, budget 2 hours each park with questions
4	Draft conduit pathways	12	6	6	
5	Telecom room or cabinet details	10	6	4	
6	Coordinate with architects	8	8		4 hours per park
7	RFIs	6	6		Answer questions related to change orders
	Total Hours	**50**	**40**	**10**	

Fees

Our professional fees are based on the scope and approach outlined in this proposal, plus expenses. Our standard billing rates for these types of services reflect the levels and skill sets of the consultant(s) assigned to specific aspects of the project.

Parks Public Safety Camera – Future Proofing	Total Hours	Craig	Drafting
Total Hours	50	40	10
Billing Rates		$ 235	$ 150
Total Estimated Consulting Fees	$ 10,900		
Expenses	$ 0		
Total Project Costs	**$ 10,900**		

We can begin the initial activities for this project, such as project coordination and scheduling, within 1-2 weeks of finalizing an agreement on this proposal.

Scope Changes and Management

Alternative scope changes and fee adjustments are possible, depending on specific project needs and staff resources and capabilities. Minor changes to the scope and methodology outlined above will not affect our fees.

If the nature or scope of our work changes significantly during the project, we will discuss the matter and its effect on our fees and obtain written approval before proceeding.

Payment Terms

We invoice monthly as work proceeds. ClientFirst will provide a detailed accounting of all consulting time and expenses on the invoice. Payments are due within 30 days of receipt and are payable by check or ACH.

Additional Services/Purchases by Other Public Agencies

ClientFirst acknowledges that other public agencies may seek to "piggyback" on similar services and/or purchases resulting from this contract or proposal, under the same terms and conditions. ClientFirst can choose to agree or disagree to allow contract piggybacks on a case-by-case basis. ClientFirst agrees to extend the same pricing, terms, and conditions as stated in this contract or proposal to each political entity, special district, and related non-profit. It is understood that other entities shall make purchases in their own names, make payments, and be directly liable to ClientFirst. The agency shall in no way be involved or responsible for ClientFirst's purchases by other entities.

If you have any questions, feel free to contact me at 951.739.7989 or via email at tjakobsen@clientfirstcg.com. We appreciate the continued opportunity to serve the City of Marina.

If this proposal is in accordance with the City's understanding of the services to be performed by ClientFirst, please sign and date this letter and return it, physically or electronically.

Sincerely,

Tom Jakobsen
Senior Partner
IT Infrastructure and Operations Practice Leader

Accepted by

City of Marina

Signature *Date*

Name and Title (print)

May 12, 2026 Item No. **10h(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2026

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2026-, ACCEPTING THE DEDICATION OF PUBLIC IMPROVEMENTS AS SHOWN ON THE APPROVED DUNES (FORMERLY UNIVERSITY VILLAGE) IMPROVEMENT PLANS AND PARCEL MAP FOR PHASE 2 NORTH (FORMERLY OPPORTUNITY SITE 1A), AUTHORIZING THE CITY CLERK TO RELEASE BOND SECURITIES, ACCEPT A WARRANTY BOND, AND RECORD ACCEPTANCE WITH THE MONTEREY COUNTY RECORDER'S OFFICE

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2026-, accepting the dedication of Public Improvements as shown on the approved Dunes (Formerly University Village) Improvement Plans and Parcel Map for Phase 2 North (Formerly Opportunity Site 1A);
2. Authorize the City Clerk to release bond securities, accept a warranty bond, and record acceptance with Monterey County Recorder's Office.

BACKGROUND:

At the regularly scheduled meeting of May 19, 2020, the City Council adopted Resolution No. 2020-53, approving an amendment to the University Village Phase 2 Tentative Map.

At the regularly scheduled meeting of September 21, 2021, the City Council adopted Resolution No. 2021-102, approving the creation of public utility easements on City properties for utility improvements benefiting Opportunity Site 1A (now "Phase 2 North") within the Specific Plan boundaries of The Dunes on Monterey Bay development project subdivision.

At the regularly scheduled meeting of December 7, 2021, the City Council adopted Resolution No. 2021-133, authorizing the City Manager to give an option exercise notice to Marina Community Partners to acquire the Hotel Site portion of Opportunity Site 1A in accordance with the terms of the Operating Agreement between the City and Marina Community Partners.

At the regularly scheduled meeting of January 11, 2022, the City Council adopted Resolution No. 2022-03, authorizing the City Manager to enter into a Hotel Development Agreement with Dadwal Management Group or its designee for the development of Hotels on Opportunity Site 1A in the Dunes Development.

At the regularly scheduled meeting of November 21, 2023, the City Council adopted Resolution No. 2023-120, approving the Phase 2 North Public Improvement Agreement between the City of Marina and Shea Homes, LP. A Faithful Performance bond and a Labor and Materials bond have each been filed with the City Clerk in the amount of $1,057,956.00.

ANALYSIS:
The Improvements required by the improvement plans entitled "The Dunes on Monterey Bay Phase 2 North Improvement Plans" ("**Improvement Plans**"), and approved by the City Engineer on June 14, 2023, were completed by MCP in substantial conformance with the approved Improvement Plans for the project.

The Public Improvement Agreement states that a Guarantee and Warranty period will remain for one year after acceptance of the Improvements by the City Council.

Therefore, a request is being made by MCP to release all of the Faithful Performance bond. A new bond of 10% of the original Performance bond ($105,795.60) for public improvements in Phase 2 North will remain with the City Clerk as the Guarantee and Warranty Security for one (1) year after acceptance. Any repairs required during the Guarantee and Warranty period will be made by MCP, or the costs will be recovered from said bond. After the Warranty period, maintenance responsibilities for streetlights, sidewalks, pavement, and stormwater improvements will be covered by the City.

FISCAL IMPACT:
The fiscal impacts for maintenance of these improvements after the warranty period have been captured in the Community Facilities District, Dunes 2024-01.

CEQA Findings:
The City has determined this is not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061.

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

Respectfully submitted,

_____
Edrie Delos Santos, P.E.
Public Works Department
City of Marina

REVIEWED/CONCUR:

_____
Ismael Hernandez
Public Works Director
City of Marina

_____
Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA ACCEPTING DEDICATION OF PUBLIC IMPROVEMENTS AS SHOWN ON APPROVED DUNES (FORMERLY UNIVERSITY VILLAGE) IMPROVEMENT PLANS AND PARCEL MAP FOR PHASE 2 NORTH (FORMERLY OPPORTUNITY SITE 1A), AUTHORIZING CITY CLERK TO RELEASE BOND SECURITIES, ACCEPTING A WARRANTY BOND, AND RECORD ACCEPTANCE WITH MONTEREY COUNTY RECORDER'S OFFICE

WHEREAS, at the regularly scheduled meeting of May 19, 2020, the City Council adopted Resolution No. 2020-53, approving an amendment to the University Village Phase 2 Tentative Map, and;

WHEREAS, at the regularly scheduled meeting of September 21, 2021, the City Council adopted Resolution No. 2021-102, approving the creation of public utility easements on City properties for utility improvements benefiting Opportunity Site 1A (now "Phase 2 North") within the Specific Plan boundaries of The Dunes on Monterey Bay development project subdivision, and;

WHEREAS, at the regularly scheduled meeting of December 7, 2021, the City Council adopted Resolution No. 2021-133, authorizing the City Manager to give an option exercise notice to Marina Community Partners to acquire the Hotel Site portion of Opportunity Site 1A in accordance with the terms of the Operating Agreement between the City and Marina Community Partners, and;

WHEREAS, at the regularly scheduled meeting of January 11, 2022, the City Council adopted Resolution No. 2022-03, authorizing the City Manager to enter into a Hotel Development Agreement with Dadwal Management Group or its designee for the development of Hotels on Opportunity Site 1A in the Dunes Development, and;

WHEREAS, at the regularly scheduled meeting of November 21, 2023, the City Council adopted Resolution No. 2023-120, approving the Phase 2 North Public Improvement Agreement between the City of Marina and Shea Homes, LP. A Faithful Performance bond and a Labor and Materials bond have each been filed with the City Clerk in the amount of $1,057,956.00, and;

WHEREAS, the Improvements required by the improvement plans entitled "The Dunes on Monterey Bay Phase 2 North Improvement Plans" ("**Improvement Plans**"), and approved by the City Engineer on June 14, 2023, were completed by MCP in substantial conformance with the approved Improvement Plans for the project, and;

WHEREAS, the Public Improvement Agreement states that a Guarantee and Warranty period will remain for one year after acceptance of the Improvements by the City Council, and;

WHEREAS, therefore, a request is being made by MCP to release all of the Faithful Performance bond. A new bond of 10% of the original Performance bond ($105,795.60) for public improvements in Phase 2 North will remain with the City Clerk as the Guarantee and Warranty Security for one (1) year after acceptance. Any repairs required during the Guarantee and Warranty period will be made by MCP, or the costs will be recovered from said bond. After the Warranty period, maintenance responsibilities for streetlights, sidewalks, pavement, and stormwater improvements will be covered by the City, and;

WHEREAS, the fiscal impacts for maintenance of these improvements after the warranty period have been captured in the Community Facilities District, Dunes 2024-01. The City has determined this is not a project under CEQA per Article 20 Section 15378 and under General Rule Article 5 Section 15061.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Accept dedication of Public Improvements as shown on the approved Dunes (Formerly University Village) Improvement Plans and Final Map for Phase 2 North (Formerly Opportunity Site 1A);
2. Authorize the City Clerk to release Performance, and Labor and Materials bond securities;
3. Authorize the City Clerk to accept a warranty bond, and;
4. Authorize the City Clerk to record acceptance with Monterey County Recorder's Office.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th day of May 2026 by the following vote:

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

_____
Bruce Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

PUBLIC IMPROVEMENT AGREEMENT

AGREEMENT FOR IMPROVEMENT OF STREETS, INSTALLATION OF STORM DRAINS AND OTHER PUBLIC WORKS FACILITIES
"The Dunes on Monterey Bay" Project
– Phase 2 North –

This Agreement for Improvement of Streets, Installation of Storm Drains and Other Public Works Facilities ("Agreement") is made and entered into this 8th day of December, 2023, by and between the City of Marina, herein called the "City," a municipal corporation, and Shea Homes Limited Partnership, a real property owner, developer or subdivider, herein called the "Developer."

WHEREAS, pursuant to the Development Agreement dated July 8, 2005, the Disposition and Development Agreement dated May 31, 2005, as amended by the Implementation Agreements, and the Quitclaim Deed dated September 21, 2006, Marina Community Partners, LLC, as the "Master Developer" is the owner of the land known as The Dunes Phase 2N; and

WHEREAS, on May 31, 2005, by Resolution 2005-130 the Master Developer received approval from the City for: (1) the University Village (now "The Dunes on Monterey Bay") Specific Plan (Resolution 2005-130); and (2) a Tentative Subdivision Map ("Tentative Map") consistent with the City's General Plan and the Specific Plan (Resolution 2005-131) subject to Conditions of Approval attached to Resolution 2005-131 including: Condition 3 requiring a subdivision improvement agreement and bonding; and Condition 18 requiring establishment of a Landscape and Lighting District ("LLD") prior to approval of the first Final Map; and

WHEREAS, the Master Developer conducted deconstruction and demolition activities affecting the Property (as defined below) under the terms of a Right of Entry Agreement from the City dated September 30, 2005; and

WHEREAS, the Marina Redevelopment Agency and the Master Developer entered into the Implementation Agreement Regarding University Village on September 6, 2006, which provided for construction of the project in three major phases, Phases 1, 2 and 3 and which further split Phase 1 into three separate sub phases termed Phase 1A, Phase 1B and Phase 1C and established Conforming Clarification(s) to the Schedule of Performance for each sub phase; and

WHEREAS, following the Master Developer's invocation of an excused delay in the construction of Phase 1, Phase 2 and Phase 3 due to the impact of economic conditions on the feasibility of the project, on August 5, 2008, the Marina Redevelopment Agency and the Master Developer entered into the Second Implementation Agreement Regarding University Village to provide for the Master Developer's continued construction of the project in spite of the economic downturn and made certain changes to the Disposition and

Development Agreement and to the Conforming Clarifications to the Schedule of Performance; and

WHEREAS, on August 12, 2008, in accordance with Resolution 2008-173 the City and the Master Developer entered into a Public Improvement Agreement to provide for the improvement of streets, installation of storm drains and other public works facilities for a portion of Phase 1C and 2 designated as residential in the Specific Plan (the "Initial Phase/Residential"); and

WHEREAS, on May 18, 2010, by Resolution 2010-13(MRA) the Marina Redevelopment Agency and the City, by Resolution 2010-75, approved a modification to the Schedule of Performance; and

WHEREAS, The Master Developer transferred ownership of the Property to Developer pursuant to a grant deed recorded on March 26th, 2020, as document number 202122155 ; and

WHEREAS, The Master Developer assigned, and Developer assumed, the obligations of Master Developer under the Disposition and Development Agreement and the Development Agreement between City and Master Developer with respect to the Property pursuant to a Partial Assignment and Assumption Agreement; and

WHEREAS, The Master Developer remains obligated under the Disposition and Development Agreement and Development Agreement for the balance of the Project not yet conveyed to third parties; and

WHEREAS, the Conditions of Approval of the Tentative Map, as adopted by Resolution 2005-131 and as amended by Resolution 2008-209 require the establishment of a Landscape and Lighting District prior to recording of a final map; and

WHEREAS, on June 2, 2015, by Resolution 2015-01 the City approved the formation of Community Facilities District No. 2015-01 (The Dunes); and

WHEREAS, by Resolution 2015-11 the Master Developer received approval from the City for an amendment to Conditions of Approval Nos.3 and 20 (Resolution 2008-209) for the Tentative Map which provided for the establishment of a Community Facilities District in lieu of a Landscape and Lighting District and permitted the Developer to record a final map for Phase 1C First Phase/Residential prior to the establishment of the Community Facilities District but that the City shall not accept any of the infrastructure improvements or easements for Phase 1C First Phase/Residential to be maintained by the Community Facilities District, including infrastructure improvements to be completed by the Developer, until such time as the Community Facilities District is established; and

WHEREAS, the Developer will subsequently submit for approval by the City and subsequent recording with the office of the Monterey County Recorder, a final map ("Final Map") for Phase 2N; and

WHEREAS, revised improvement plans entitled "The Dunes on Monterey Bay, Phase 2 North Stage 1" herein the "Improvement Plans," to be those signed by the City Engineer on June 14th, 2023, and incorporated herein by reference, have been submitted to the City for approval and acceptance, including certain streets constituting a portion of Phase 2N of The Dunes on Monterey Bay Project, referred to herein as Phase 2N development area, or the "Project," located on and along Del Monte Blvd, from Bay View Street to Imjin Pkwy, and the southerly end of a portion of Breakwater Street, herein the "Property". Improvements are to include new storm drain system, curb, gutter, asphalt concrete pavement, streetlights and electrical facilities, sidewalk, striping, traffic signs, and survey monuments, as shown on Exhibit A, herein the "Improvements;" and

WHEREAS, the City will not accept any of the Phase 2N public improvements to be constructed pursuant to this Agreement until all the conditions of this Agreement are satisfied in full; and

WHEREAS, the Developer requires certain utilities and public works facilities in order to service the Project under the minimum standards established by the City; and

WHEREAS, the City, by and through its City Council, has enacted certain Codes, Ordinances and Resolutions and certain Rules and Regulations have been promulgated concerning the subject matter of this Agreement; and

WHEREAS, the City has certain responsibilities for maintenance and operation of such Improvements, utilities and public service facilities after acceptance by City, and for providing the necessary connecting system, and the City has agreed to discharge those responsibilities following its acceptance of the Improvements.

NOW THEREFORE, in consideration of the foregoing and in order to carry on the intent and purpose of said Codes, Ordinances, Resolutions, Rules and Regulations, it is agreed by and between the parties as follows:

SECTION 1

The recitals to this Agreement are hereby incorporated into the terms of this Agreement. All applicable Codes, Ordinances, Resolutions, Rules and Regulations and established policies of the City and the laws of the State of California and the United States of America concerning the subject matter of this Agreement are hereby referred to and incorporated herein to the same effect as if they were set out a length herein. Said Codes, Ordinances, Resolutions, Rules and Regulations include, but are not limited to, the following: The Municipal Code of the City of Marina, including the current Zoning Ordinance, and the currently adopted California Building Code.

SECTION 2

The Developer agrees:

a. To perform each and every provision required by the City to be performed by the Developer in each and every one of the applicable Codes, Ordinances, Resolutions, Rules and other Regulations and to comply with the foregoing and all applicable laws.

b. To annex the Property to Community Facilities District No.2015-01 to provide for the imposition of special assessments on the Property providing funding for the maintenance of the Improvements to be constructed by the Developer pursuant to this Agreement in a timely manner in order to ensure that the annexation to the Community Facilities District is accomplished prior to the sale or conveyance of any portion of the Property.

c. To grant to the City or other entities entitled thereto, from property owned by the Developer, without charge and free and clear of monetary liens and encumbrances, any and all public, private, utility, drainage, construction or access easements and rights of way (herein "easements") in and to the Property necessary for the City, in order that the storm drain and street improvements to said real property may be extended; however, City shall not be obligated to accept any such easement, right-of-way or improvements thereon prior to the annexation of the Property to the Community Facilities District. At no cost to the Developer, City and Developer will work cooperatively with the owners of other real property to acquire all easements necessary to construct the Improvements. At no cost to the City, City agrees to support Developer in acquisition of easements necessary to construct the Improvements and to accept said easements upon execution of easement grant deeds to the City by grantors, subject to the condition set forth above regarding the annexation to the Community Facilities District. City also agrees to issue Developer and/or Developer's contractors encroachment permits necessary to accomplish said work.

Prior to acceptance of the Improvements by the City, to indemnify, defend with counsel of City's choice and hold the City and any of its officials, boards and commissions and members thereof, agents and employees, free and harmless from all suits, fees, claims, demands, causes of action, costs, losses, damages, liabilities and expenses (including without limitation attorney's fees) because of or arising or resulting directly or indirectly from (i) any damage done to any utility, public facility or other material or installation of the City on said real estate as a result of the Developer or any contractor or subcontractor of the Developer, or any employee of the foregoing, grading or working upon said real estate; or (ii) any act or omission of Developer or Developer's contractors, or subcontractors, or any employee of the foregoing in connection with the design, construction or other work performed by them in connection with this Agreement, including without limitation all claims relating to injury or death of any person or damage to any property, except for such claims, demands, causes of action liability, or loss arising out of the sole active negligence of the City or any of its officials, boards and commissions and members thereof, agents and employees. City shall not be responsible for the design or construction of the Improvements pursuant to the Improvement Plans, regardless of any negligent action or inaction taken by City in approving the Improvement Plans unless the

particular improvement design was specifically required by City over written objection by Developer submitted to the City Engineer before construction and acceptance of the Improvements, which objection indicated that the particular improvement design was dangerous or defective and suggested an alternate safe and feasible design. Prior to acceptance, Developer shall remain obligated for routine maintenance. After acceptance, Developer shall remain obligated to eliminate any defect in design or dangerous condition caused by the design of construction defect, however, Developer shall not be responsible for routine maintenance. Provisions of this Section shall remain in full force and effect for ten years following acceptance by City of the Improvements. The Improvement security shall not be required to cover the provisions of this Section. Developer shall reimburse City for all costs and expenses (including but not limited to fees and charges of architects, engineers, attorneys, and other professionals, and court costs) incurred by City in enforcing the provisions of this Section

d. To construct and improve all public works facilities and other improvements described on the Engineer's Estimate referenced in Section 3 of this agreement and the Improvement Plans submitted to the City in furtherance of this Agreement on file with the City. All construction and improvements shall be completed in accordance with all standards established in the applicable Codes, Ordinances, Resolutions, Rules and Regulations, all applicable laws and this Agreement, and in accordance with the grades, plans, and specifications approved by the City Engineer or his or her designee. Developer shall furnish two good and sufficient bonds, in an amount of 100% of the City Engineer's, or his or her designee's, estimated cost of the Improvements, guaranteeing Developer's performance of this Agreement: (1) a Payment Bond on a form provided by the City; and (2) a Faithful Performance Bond, both of which must be secured from a surety company admitted to do business in California. Each bond shall set forth a time period for performance by the contractor of its obligations and the terms and conditions on which the City may obtain the proceeds of the bond. Alternatively, the Developer may provide a cash deposit in an amount of 100% of the City Engineer's, or his or her designee's, estimated cost of the Improvements to guarantee Developer's performance of this Agreement.

The Faithful Performance Bond shall be in an amount not less than one hundred percent (100%) of the total estimated amount payable for the Improvements described in this agreement, and shall secure payment to City of any loss due to the default of the Developer or its contractors or their inability or refusal to perform this contract, and to guarantee or warranty the work done pursuant to this Agreement for a period of one year following acceptance thereof by City against any defective work or labor done or defective materials furnished. The performance bond shall by its terms remain in full force and effect for a period of not less than one year after completion of the Improvements by Developer and acceptance of the Improvements by the City, provided that Developer may substitute for the performance bond securing the warranty described above with a separate warranty bond issued by an admitted surety in the amount of ten percent (10%) of the total contract price of the Improvements (provided that amount of said bond shall not be less than One Thousand Dollars ($1,000) to cover the one-year warranty period. Government Code §66499.7, and as it may hereafter be amended, extended, or otherwise modified, shall apply to a request by Developer for release, in whole or in part, of the Faithful Performance Bond.

The Payment Bond shall be in an amount not less than one hundred percent (100%) of the total estimated amount payable for the Improvements described in this Agreement. The Payment Bond shall secure the payment of those persons or entities to whom the Developer may become legally indebted for labor, materials, tools, equipment or services of any kind used or employed by the contractor or subcontractor in performing the work, or taxes or amounts to be withheld thereon. The Payment Bond shall provide that the surety will pay the following amounts should the Developer, or its contractor or subcontractors fail to pay the same, plus reasonable attorneys' fees to be fixed by the court if suit is brought upon the bond: (1) amounts due to any of the persons named in California Civil Code Sections 8520, 8530 and 9100; (2) amounts due under the Unemployment Insurance Code with respect to work or labor performed for the improvements described in this agreement; and (3) any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the Developer, its contractors and subcontractors pursuant to Section 13020 of the Unemployment Insurance Code with respect to the work and labor. The Payment Bond shall, by its terms, inure to the benefit of any of the persons named in Civil Code Sections 8520, 8530 and 9100 so as to give a right of action to those persons or their assigns in any suit brought upon the bond

The Developer shall submit the following for both the surety that furnishes the Payment Bond and the surety that furnishes the Faithful Performance Bond: (1) a current printout from California Department of Insurances website (www.insurance.ca.gov) showing that the surety is admitted to do business in the State; or (2) a certificate from the Clerk of the County of Monterey that the surety's certificate of authority has not been surrendered, revoked, canceled, annulled, or suspended or in the event that it has, than renewed authority has been granted.

e. At all times during the term of this Agreement and until the Improvements constructed by Developer are accepted by City, Developer shall, at no cost to City obtain and maintain (a) a policy of general liability and property damage insurance in the minimum amount of Two Million Dollars ($2,000,000), combined single limit for both bodily injury and property damage; (b) workers' compensation insurance as required by law; and (c) broad form "Builder's Risk" property damage insurance limits of not less than 100% of the estimated value of the Improvements to be constructed by Developer pursuant to this Agreement (Builders Risk Insurance is not required when only mass grading and roadway-related improvements consisting of no structures are to be constructed).

All such policies shall provide that thirty (30) days written notice must be given in advance to City prior to termination, cancellation or modification. The insurance specified in (a) above shall name City as additional insured and the insurance (b) shall name the City as a loss payee, and (c) shall provide that City, although an additional insured or loss payee, may recover for any loss suffered by reason of the acts or omissions of Developer or Developer's contractors or their respective employees. Developer hereby waives, and Developer shall cause each of its contractors and subcontractors to waive, all rights to recover against City for any loss or damage arising from a cause covered by the insurance required to be carried pursuant to this Agreement, and will cause each insurer to waive all

rights of subrogation against City in connection therewith. All policies shall be written on an occurrence basis and not on a claims made basis and shall be issued by insurance companies acceptable to City. Prior to commencing any work pursuant this Agreement, Developer shall deliver to City the insurance company's certificate evidencing the required coverage, or if required by City a copy of the policies obtained.

f. Not to offer for dedication to and acceptance by the City any of the public improvements constructed by Developer and located on the Property until such time as the Property is annexed to the Community Facilities District.

g. Not to convey, transfer, assign, or sell in one transaction or a series of transactions, subsequent to recordation of the Final Map for Phase 2N and prior to the annexation to the Community Facilities District, any portion or interest of the Developer in the Property or the Project. Notwithstanding the foregoing, Developer may transfer, assign or sell in one transaction or a series of transactions all or any portion or interest of the Developer in the Property or the Project with consent of the City, such consent not to be unreasonably delayed, conditioned or withheld, to any entity which controls, is controlled by or is under common control with the Developer or the Master Developer, provided that said assignee assumes, in full, the obligations of Developer under this Agreement.

SECTION 3

An estimate of the cost for construction of the Improvements and performing land development work in connection with the Improvements according to the Improvement Plans has been made and has been approved by the City Engineer or his or her designee, as shown on Exhibit B. That estimated amount is $1,057,956. The basis for the estimate is on file in the Office of the City Engineer and is incorporated into this Agreement by reference.

SECTION 4

Developer will commence substantial construction of the Improvements required by this Agreement within the time period set forth in the Conforming Clarifications to the Schedule of Performance ("Schedule of Performance") between City and Master Developer, as the Schedule of Performance may be subsequently amended. All the provisions of this Agreement and all work to be done pursuant to the terms of this Agreement are to be completed within the time periods set forth in such Schedule of Performance. Developer shall maintain such public works facilities and other improvements described in this Agreement at Developer's sole cost and expense at all times prior to acceptance by City in a manner which will preclude any hazard to life or

health or damage to property. City shall accept the Improvements no later than six (6) months after such time as the Improvements are (i) completed to the satisfaction of the City Engineer, (ii) the annexation to the CFD is completed and (iii) the City is in receipt of funds from the CFD to maintain the Improvements.

SECTION 5

a) Default of Developer shall include, but not be limited to: (1) failure to timely commence construction of the Improvements; (2) failure to timely complete construction of the Improvements; (3) failure to timely commence and complete the annexation of the Property to the Community Facilities District; (4) failure to timely cure any defect of the Improvements; (5) failure to perform substantial construction work for a period of sixty calendar days after commencement of the work; (6) Developer's insolvency, appointment of a receiver, or the filing of any petition in bankruptcy either voluntary or involuntary which Developer fails to discharge within thirty days; (7) commencement of a foreclosure action against the project or a portion thereof, or any conveyance in lieu or in avoidance of foreclosure; or (8) failure to perform any other obligation under this Agreement. Notwithstanding the foregoing, Developer shall not be in default under this Agreement if it cures any default within thirty days' notice of such default, or if the default may not reasonably be curing within such time period, if it commences to cure within thirty days and thereafter diligently proceeds to complete the cure.

b) City reserves to itself all remedies available to it at law or in equity for breach of Developer's obligations under this Agreement. City shall have the right, subject to this Section, to draw upon or utilize the appropriate security to mitigate City's damages in the event of default by the Developer. The right of City to draw upon or utilize the security is additional to and not in lieu of any other remedy available to City. It is specifically recognized that the estimated costs and security amounts may not reflect the actual cost of construction or installation of the Improvements and, therefore, City's damages for Developer's default shall not exceed the cost of completing the Improvements. The sums provided by the security for the Improvements may be used by City for the completion of the Improvements in accordance with the Improvement Plans referenced herein.

c) In the event of Developer's default under this Agreement, Developer authorizes City to perform such obligation sixty days after mailing written notice of default to Developer and to Developer's surety, and agrees to pay the entire cost of such performance by City. City may take over the work and prosecute the same to completion by contract or by any other method City may deem advisable, for the account and at the expense of Developer, and Developer's surety shall be liable to the City for any excess cost or damages occasioned City thereby, including but not limited to fees and charges or architects, engineers, attorneys, other professionals and court costs. In such event, City without liability for doing so, may take possession of, and utilize in completing the work, such materials, appliances, plants and other property belonging to Developer as may be on the site of the work and necessary for performance of the work.

d) Failure of City to take an enforcement action with respect to a default, or to declare a breach, shall not be construed as a waiver of that default or breach or any subsequent default or breach of Developer.

SECTION 6

That the following General Stipulations and any attached stipulations shall be completed, subject to the approval of the City Engineer.

1. Locate and properly dispose of any wells, septic tanks and underground fuel storage facilities.

2. Schedule the construction of improvements along existing public roads so that the work affecting vehicular traffic is complete with a minimum interruption of traffic

3. All work within the public right-of-way shall be subject to the approval of the City Engineer or his or her designee.

4. All construction work shall be coordinated so that the existing residents and/or businesses have access to their properties.

5. All improvements shall be installed per the approved Improvement Plans.

6. The Developer shall provide to the City of Marina electronic copy of the "As Built" Improvement Plans as an AutoCAD drawing file (DWG format, AutoCAD 2002 minimum or latest version).

7. Any reimbursements due the Developer, unless specified otherwise in writing in this agreement, will expire ten (10) years after the date of execution of this agreement.

8. Until the roads on the Property are open to the public, Developer shall give good and adequate warning to the public of each and every dangerous condition on the existing public roads, and will take all reasonable actions to protect the public from such dangerous condition.

SECTION 7

Developer shall, at Developer's expense, obtain all necessary permits and licenses for the construction and installation of the Improvements, give all necessary notices and pay all fees and taxes required by law.

SECTION 8

Neither Developer nor any of Developer's agents, contractors or subcontractors are or shall be considered to be agents of City in connection with the performance of Developer's obligations under this Agreement.

SECTION 9

Nothing contained in this Agreement shall preclude City from expending monies pursuant to agreements concurrently or previously executed between the parties, or from entering into agreements with other developers for the apportionment of costs of water and sewer mains, or other improvements, pursuant to the provisions of the City ordinance providing therefor, nor shall anything in this Agreement commit the City to any such apportionment.

SECTION 10

Developer shall not be entitled to assign its obligations under this Agreement to any transferee of all or any part of the property within the Project or to any other third party without the express written consent of City.

SECTION 11

Acceptance of the work, or any portion of the work on behalf of the City shall be made by the City Council upon recommendation of the City Engineer after final completion and inspection of all Improvements and only after the annexation of the Property to the Community Facilities District. Such acceptance shall not constitute a waiver of defects by City.

SECTION 12

The provisions of this Agreement are severable. If any portion of this Agreement is held invalid by a court of competent jurisdiction, the remainder of the Agreement shall remain in full force and effect unless amended or modified by the mutual consent of the parties.

SECTION 13

In the event that suit or arbitration is brought to enforce the terms of this Agreement, the prevailing party shall be entitled to litigation costs and reasonable attorney's fees.

SECTION 14

This Agreement shall be interpreted in accordance with the laws of the State of California. Jurisdiction of all disputes of this Agreement shall be in the County of Monterey, State of California.

SECTION 15

Time is of the essence of this Agreement.

SECTION 16

This Agreement, the Conditions, the Disposition and Development Agreement as amended by the Implementation Agreements, the Agreement for Improvement of Streets, Installation of Storm Drains and Other Public Works Facilities "The Dunes on Monterey Bay' Project A Portion of Phase 1C – First Phase Residential, the Agreement Forming Community Facilities District No. 2015-01, and the Agreement for Improvement of Streets, Installation of Storm Drains and Other Public Works Facilities "The Dunes on Monterey Bay, Phase 2N" constitute the entire agreement of the parties with respect to the subject matter. All modifications, amendments or waivers of the terms of this Agreement must be in writing and signed by an authorized representative of the parties.

SECTION 17

In the event the Schedule of Performance (including any Conforming Clarifications thereto) is tolled, the time for commencement of construction or completion of the Improvements hereunder shall be extended for the same duration as applies to the Schedule of Performance. Any such extension may be granted without notice to Developer's surety and shall not affect the validity of this Agreement or release the surety on any security given for this Agreement.

IN WITNESS WHEREOF, City and Developer have executed this Agreement as of the date first written above.

ATTEST:

~~Acting~~ Deputy City Clerk

CITY OF MARINA

Layne Long
City Manager

APPROVED AS TO FORM:

Heidi Quinn
City Attorney

IN WITNESS WHEREOF Developer has executed this agreement as of _____.

SHEA HOMES LIMITED PARTNERSHIP,
a California Limited Partnership

BY: _____
Donald A. Hoter
Authorized Agent

BY: _____
Doug Yount
Authorized Agent

NOTE: If Developer is a corporation, the complete legal name and corporate seal of the corporation and the corporate titles of the persons signing for the corporation shall appear above.

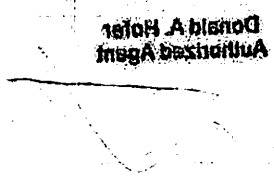
State of California County of _____ On _____ before me, (here insert name and title of the officer), personally appeared _____
_____
_____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

Per GC Sec. 40814; CC Sec. 1181


Donald A. Hofer
Authorized Agent

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF California)SS
COUNTY OF Alameda)

On December 6, 2023 before me, Kathy Lynn Barlow , Notary Public, personally appeared Donald A Hofer and Doug Yount
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/~~are subscribed to the within instrument and acknowledged to me that ~~he/she/~~they executed the same in ~~his/her/~~their authorized capacity(ies), and that by ~~his/her/~~their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

KATHY LYNN BARLOW
Notary Public - California
Alameda County
Commission # 2392707
My Comm. Expires Mar 2, 2026

This area for official notarial seal.

OPTIONAL SECTION
CAPACITY CLAIMED BY SIGNER

Though statute does not require the Notary to fill in the data below, doing so may prove invaluable to persons relying on the documents.

- ☐ INDIVIDUAL
- ☐ CORPORATE OFFICER(S) TITLE(S):
- ☐ PARTNER(S) ☐ LIMITED ☐ GENERAL
- ☐ ATTORNEY-IN-FACT
- ☐ TRUSTEE(S)
- ☐ GUARDIAN/CONSERVATOR
- ☐ OTHER

SIGNER IS REPRESENTING:

_____ Name of Person or Entity

_____ Name of Person or Entity

OPTIONAL SECTION

Though the data requested here is not required by law, it could prevent fraudulent reattachment of this form.

THIS CERTIFICATE MUST BE ATTACHED TO THE DOCUMENT DESCRIBED BELOW

TITLE OR TYPE OF DOCUMENT: _____

NUMBER OF PAGES _____ DATE OF DOCUMENT _____

SIGNER(S) OTHER THAN NAMED ABOVE _____

Reproduced by <<!!Table Field EONAME Not Found!!>> 11/2007

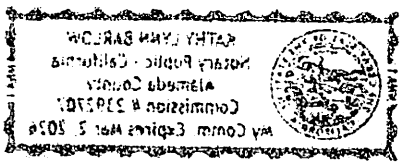

KATHY LYNN BARLOW
Notary Public - California
Alameda County
Commission # 2292707
My Comm. Expires Mar 5, 2029

EXHIBIT A

THE DUNES ON MONTEREY BAY
PHASE 2 NORTH
MARINA, CALIFORNIA
IMPROVEMENT PLANS
STAGE 1

PROJECT TEAM

APPLICANT/DEVELOPER	MARINA COMMUNITY PARTNERS, LLC 110 10TH STREET MARINA, CA 93933 (831)384-1018
CIVIL ENGINEER	WHITSON ENGINEERS 6 HARRIS COURT MONTEREY, CA 93940 ANDREW HUNTER, RCE 67730 (831) 649-5225
GEOTECHNICAL ENGINEER	BERLOGAR STEVENS & ASSOCIATES 1220 QUARRY LANE, SUITE C PLEASANTON, CA 94566 (925)484-0220

BENCHMARK NOTES

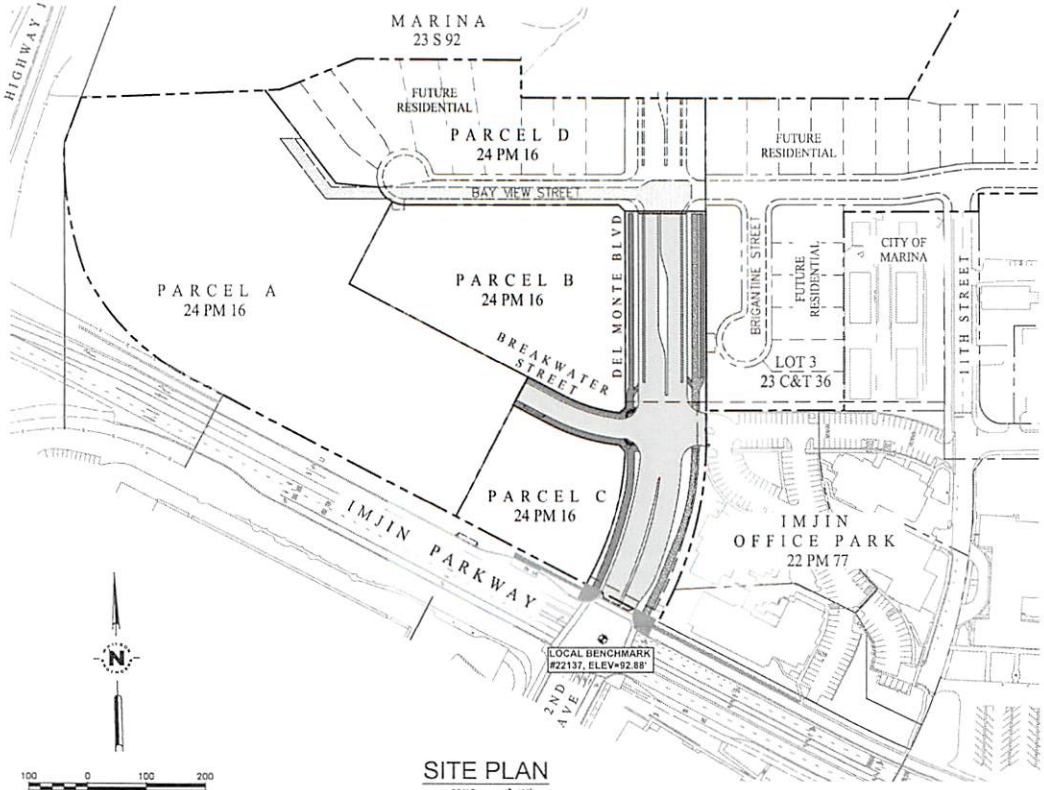
1. SURVEY CONTROL IS BASED ON PROPAGATION OF AN EXISTING CONTROL NETWORK PREVIOUSLY ESTABLISHED FOR PAST PHASES OF THE DUNES ON MONTEREY BAY PROJECT. HORIZONTAL CONTROL UTILIZES A GROUND-BASED COORDINATE SYSTEM BASED ON THE CALIFORNIA COORDINATE SYSTEM, NAD 83 ZONE IV. GRID COORDINATES HAVE BEEN SCALED TO GROUND BY A APPLYING AN AVERAGE COMBINED SCALE FACTOR OF 1.00006928. BEARINGS ARE GRID BEARINGS PER THE CALIFORNIA COORDINATE SYSTEM, NAD83 ZONE IV.
2. ELEVATIONS ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), AS VERIFIED IN OCTOBER OF 2019 BASED ON SURVEYED TIES TO THE FOLLOWING BENCHMARKS AS PUBLISHED BY THE NATIONAL GEODETIC SURVEY (NGS):

NGS PID	DESIGNATION	PUBLISHED ELEVATION	MEASURED ELEVATION	Δ
DJ5210	C 1301	73.06'	73.39'	0.33'
DJ5194	L 813 RESET	145.89'	145.87'	-0.02'

3. AN ESTABLISHED NAVD88 ELEVATION OF 92.88' FOR A BRASS DISC, STAMPED RCE 29811 IN A MONUMENT WELL AT THE CENTERLINE INTERSECTION OF 2ND AVENUE AND IMJIN PARKWAY, DESIGNATED POINT #22137, SHOWN HEREON, IS THE LOCAL SITE BENCHMARK

PROPERTY LINE NOTES

1. THE SUBJECT IMPROVEMENTS OF THESE PLANS ARE WITHIN PARCEL D, AS PARCEL D IS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED IN VOLUME 24 OF PARCEL MAPS AT PAGE 16, ON MARCH 8, 2022.
2. PARCELS A, B, AND C AS SHOWN ON THESE PLANS ARE PER THE ABOVE REFERENCED PARCEL MAP AND ARE SUBJECT TO FUTURE DEVELOPMENT.
3. PARCEL D AS REFERENCED ABOVE AND LOT 3 AS SHOWN ON THAT CERTAIN MAP RECORDED IN VOLUME 23 OF MAPS AT PAGE 36 ON AUGUST 25, 2006, WILL BE SUBDIVIDED IN THE FUTURE FOR RESIDENTIAL LOT PURPOSES, WITH A LAYOUT APPROXIMATELY AS SHOWN HEREIN.



SITE PLAN
SCALE: 1"=100'

REVISION LOG				
NO.	DATE	DESCRIPTION	SHEETS	CITY

MARINA COAST WATER DISTRICT
11 RESERVATION ROAD
MARINA, CA 93933
(831) 384-6131
APPROVED FOR CONSTRUCTION: 6/14/2023
GARRETT HAERTEL, P.E. 72403, DISTRICT ENGINEER — DATE

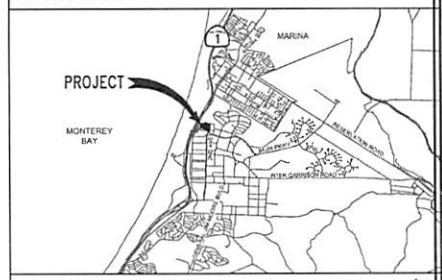
APPROVED FOR CONSTRUCTION
BRIAN McMINN, P.E. 64143
CITY ENGINEER — DATE 6/14/23

REVIEWED: DATE 3/16/2023
THE GEOTECHNICAL ASPECTS OF THE IMPROVEMENT PLANS HAVE BEEN REVIEWED FOR SUBSTANTIAL CONFORMANCE WITH THE INTENT OF THE RECOMMENDATIONS CONTAINED IN THE GEOTECHNICAL EXPLORATION REPORT.

811 Know what's below. Call before you dig.

0 1 2 INCHES 3

LOCATION MAP



NOT TO SCALE NORTH

LEGEND

DESCRIPTION	PROPOSED	EXISTING
SUBDIVISION BOUNDARY		
LOT LINE		
RIGHT-OF-WAY		
CENTER LINE		
EASEMENT LINE		
HINGE LINE/TOP SLOPE		
TOE SLOPE		
SAWCUT LIMIT		
GUTTER FLOWLINE		
EARTH DITCH		
CONCRETE V-DITCH		
CURB AND GUTTER		
SIDEWALK		
DRIVEWAY CURB CUT		
CURB RAMP		
DOMESTIC WATER MAIN	W	W
SANITARY SEWER	SS	SS
STORM DRAIN	SD	SD
STORM MANHOLE		
STANDARD CURB INLET		
STORM DRAIN FIELD INLET		
2" GRAVEL SURFACE		
WOODEN BARRICADE		

ABBREVIATIONS

AB	AGGREGATE BASE
AC	ASPHALT CONCRETE
B	BUBBLER
BC	BEGINNING OF CURVE
BEG	BEGIN
BFP	BACK FLOW PREVENTER
BO	BLOW OFF VALVE
BOW, BW	BACK OF WALK
(C)	COMMERCIAL
CATV	CABLE TELEVISION
CB	CATCH BASIN
CG&S	CURB, GUTTER & SIDEWALK
CL	CENTERLINE
CO	CLEAN OUT
CONC	CONCRETE
CR	CROWN
DI	DROP INLET/DITCH INLET
DL	DRIVEWAY LIP
DW	DRIVEWAY
EC	END OF CURVE
EM	EASEMENT
EP	EDGE OF PAVEMENT
ER	END OF RETURN
EX, EXIST, (E)	EXISTING
(F)	FUTURE
FC	FACE OF CURB
FF	FINISH FLOOR
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FUT	FUTURE
GB	GRADE BREAK
GFF	GARAGE FINISH FLOOR
GL	GARAGE LIP
GP	GARAGE PAD
GND	GROUND
GR	GRATE
HGL	HYDRAULIC GRADE LINE
HL	HINGE LINE
HP	HIGH POINT
I/E/U	INGRESS, EGRESS & UTILITY EASEMENT
IM	IRRIGATION METER
INV	INVERT
IRR	IRRIGATION SERVICE
IS	IRRIGATION SLEEVE
L	LENGTH
LL	LOT LINE
LP	LOW POINT
LS	LANDSCAPE
LT	LEFT
MAX	MAXIMUM
MCD	MEDIAN CURB DRAIN
MID	MIDDLE
MIN	MINIMUM
NE	NORTHEAST
NW	NORTHWEST
OR	OVER/BUILD
OH	OVERHEAD ELECTRIC
(P)	PROPOSED
PAD	PAD
PCC	PORTLAND CEMENT CONCRETE
PFF	PORCH FINISH FLOOR
PG	PROFILE GRADE
PIP	PROTECT IN PLACE
PL	PROPERTY LINE
PRC	POINT OF REVERSE CURVE
PT	POINT OF TANGENT
PUE	PUBLIC UTILITY EASEMENT
PVC	POLYVINYL CHLORIDE
RCP	REINFORCED CONCRETE PIPE
RET	RETAINING
RG	ROUGH GRADE
RT	RIGHT
R/W	RIGHT OF WAY
SC	SAW CUT
SDMH	STORM DRAIN MANHOLE
SE	SOUTHEAST
SO	SIDE OPENING
SS	SANITARY SEWER
SSMH	SANITARY SEWER MANHOLE
STA	STATION
STD	STANDARD
SW	SOUTHWEST
S/W	SIDEWALK
TB	TOP OF BANK
TBC	TOP OF BAND CURB
TC	TOP OF CURB
TI	TRAFFIC INDEX
TRC	TOP OF ROLLED CURB
TW	TOP OF WALL
TYP	TYPICAL
UG	UNDERGROUND GAS
UT	UNDERGROUND TELEPHONE
W	WATER
WQ	WATER QUALITY
WV	WATER VALVE
XJT	EXISTING JOINT TRENCH

INDEX OF SHEETS

SHEET	DESCRIPTION
1	COVER SHEET
2	IMPROVEMENT PLAN NOTES
3	SHEET INDEX
4	UTILITY SECTIONS
5-6	IMPROVEMENT PLAN DETAILS & STREET SECTIONS
7-8	STORMWATER CHAMBER DETAILS
9-11	MCWD STANDARD WATER DETAILS
12	UTILITY SYSTEMS MAP
13-17	PLAN & PROFILE
18	MEDIAN PLAN
19	CURB RETURN PROFILES
20	STORM DRAIN AND SEWER PROFILES
21-22	SIGNING AND STRIPING PLAN
TR-1	TREE REMOVAL AND PRESERVATION PLAN

WDID No.: 3 27C344980
RISK LEVEL: 2

Civil Engineering
Land Surveying
4 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com
Whitson ENGINEERS

PROFESSIONAL ENGINEER — P. HUNTER — No. 67730 — CIVIL — STATE OF CALIFORNIA — 6/30/2025

SUBMITTAL / REVISION	DATE	APPROVED PLANS
6	6/14/2023	APH

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA
APN: 031-251-073 & 074

COVER SHEET
SITE PLAN, VICINITY MAP, INDEX, LEGEND, NOTES

SCALE:	1" = 100'
DRAWN:	APH
JOB No.:	3140.35
SHEET	1 OF 23

GENERAL NOTES

1. THE CONTRACTOR'S ATTENTION IS DIRECTED TO THE REQUIREMENTS FOR THE DIVISION OF INDUSTRIAL SAFETY AND, IN PARTICULAR, TO THE REQUIREMENTS FOR TRENCHES OR EXCAVATIONS 5 FEET OR MORE IN DEPTH (WHICH COULD CONTAIN MAN).
2. THE CONTRACTOR SHALL POST EMERGENCY TELEPHONE NUMBERS AT THE JOB SITE FOR PUBLIC WORKS, AMBULANCE, POLICE AND FIRE DEPARTMENTS, CONSTRUCTION SAFETY POST SIGN AT JOB SITE BEARING OWNER'S NAME AND SITE ADDRESS, PROPERTY OWNERS SHALL BE CLEARLY MARKED.
3. THE CONTRACTOR SHALL PROVIDE ALL BARRICADES, LIGHTS, SIGNS AND GUARDS AS DEEMED NECESSARY TO PROTECT THE PUBLIC FROM PUBLIC SAFETY ON ALL TASKS.
4. THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING EXISTING STREETS, SIDEWALKS, CURBS AND GUTTERS FREE FROM HAZARDS DURING CONSTRUCTION. EACH DAY'S WORK SHALL INCLUDE ALL CLEANING AND REPAIRS NECESSARY TO RESTORE THE WORK AREA THROUGHOUT TO THE CONDITION THAT EXISTED PRIOR TO COMMENCEMENT OF THE WORK.
5. ASPHALT CONCRETE PAVEMENT SHALL BE SAWCUT AT THE LOCATIONS INDICATED IN THE APPROXIMATE LOCATIONS SHOWN ON THE PLANS. SAWCUT LINES SHALL BE PARALLEL OR PERPENDICULAR TO THE ADJACENT CURB LINE WHERE PRACTICABLE. SAWCUT DEPTH SHALL BE 1½ INCHES OR 2 INCHES.
6. CURB AND GUTTER SHALL BE SAWCUT AT THE LOCATIONS INDICATED BY THE ENGINEER AS SHOWN ON THE PLANS. SAWCUT LINES SHALL CONSIDER EXISTING CRACKS AND JOINTS.
7. SIDEWALK SHALL BE SAWCUT AT THE LOCATIONS INDICATED BY THE ENGINEER AS SHOWN ON THE PLANS. SAWCUT LINES SHALL BE PARALLEL OR PERPENDICULAR TO THE ADJACENT CURB LINE WHERE PRACTICABLE. SAWCUT DEPTH SHALL BE 1½ INCHES OR 2 INCHES.
8. DRIVEWAY SHALL BE SAWCUT AT THE LOCATIONS INDICATED BY THE ENGINEER AS SHOWN ON THE PLANS. SAWCUT LINES SHALL BE 10 FEET OR 6 INCHES.
9. ALL EXPOSED EARTH SURFACES SHALL BE PLANTED AT THE EARLIEST POSSIBLE TIME.

DEMOLITION NOTES

1. REMOVAL OF PAVEMENTS AND STRUCTURES
2. ALL EXISTING PAVEMENT, STRUCTURES AND FOOTINGS WITHIN THE LIMITS OF WORK NOT SHOWN TO BE RETAINED SHALL BE REMOVED AS NECESSARY TO PROVIDE VOIDS AND TO ACCOMMODATE NEW CONSTRUCTION OPERATIONS CAUSE DAMAGE BEYOND THE LIMITS OF THE SAWCUT LINE. THE PAVEMENT REMOVAL AND ROAD TRUE-GRADING AND CURB CONSTRUCTION IS READY TO INSTALL IS COMPLETE AND ROAD AND CURB CONSTRUCTION IS READY TO PROCEED.
3. SAWCUTTING
4. SAWCUTTING SHALL BE DONE SO AS TO PROVIDE A STRAIGHT, NEAT EDGE. WHERE SURFACE SUCH THAT ALL MATERIAL ACCESS IS MAINTAINED.
5. ASPHALT CONCRETE PAVEMENT SHALL BE SAWCUT AT THOSE LOCATIONS INDICATED IN THE APPROXIMATE LOCATIONS SHOWN ON THE PLANS. SAWCUT LINES SHALL BE PARALLEL OR PERPENDICULAR TO THE ADJACENT CURB LINE WHERE PRACTICABLE. SAWCUT DEPTH SHALL BE 1½ INCHES OR 2 INCHES.
6. CURB AND GUTTER SHALL BE SAWCUT AT THE LOCATIONS INDICATED BY THE ENGINEER AS SHOWN ON THE PLANS. SAWCUT LINES SHALL CONSIDER EXISTING CRACKS AND JOINTS. SAWCUT SHALL BE 10 FEET OR 6 INCHES.
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8. DRIVEWAY SHALL BE SAWCUT AT THE LOCATIONS INDICATED BY THE ENGINEER AS SHOWN ON THE PLANS. SAWCUT LINES SHALL BE 10 FEET OR 6 INCHES.
9. ALL EXPOSED EARTH SURFACES SHALL BE PLANTED AT THE EARLIEST POSSIBLE TIME.

DUST CONTROL NOTES

1. THE CONTRACTOR SHALL RESPONSIBLE FOR OPERATE IN THE CONJUNCTION WITH GRADING EQUIPMENT AND APPLICATION OF WATER SHALL BE MADE AS REQUIRED TO ASSURE SUCH AND COMPLETE PROTECTION. THE CONTRACTOR SHALL BE REQUIRED TO INSTALL DUST CONTROL PROTECTION AT ALL TIMES. IN ADDITION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE RESULTING FROM HIS FAILURE TO PROVIDE ADEQUATE DUST CONTROL.
2. SPRAY WATER AS REQUIRED TO KEEP EXPOSED EARTH SURFACES DURING CLEARING, GRADING, EARTH MOVING AND OTHER CONSTRUCTION ACTIVITIES TO CONTROL DUST. WATER SHALL BE APPLIED AS NECESSARY TO PREVENT DUST FROM BEING TRACKED OFF SITE.
3. DUST PALLIATIVES MAY BE SUBSTITUTED FOR WATERING UPON APPROVAL OF THE CITY ENGINEER. PRIOR TO USE, THE CONTRACTOR SHALL SUBMIT TO THE CITY ENGINEER A LIST OF PROPOSED MATERIALS AND APPLICATION RATES FOR EACH TYPE OF DUST PALLIATIVE PROPOSED FOR USE. THE LIST SHALL INCLUDE, BUT NOT BE LIMITED TO, MANUFACTURER'S NAME, PRODUCT NAME, AND APPLICATION RATE FOR EACH TYPE OF MATERIAL PROPOSED FOR USE.
4. THE CONTRACTOR SHALL PROVIDE WATER TRUCKS IN OPERATION AT ALL TIMES AS NECESSARY TO CONTROL DUST IN ACCORDANCE WITH THESE DUST CONTROL REQUIREMENTS. THE CONTRACTOR SHALL HAVE AT LEAST ONE WATER TRUCK ON THE JOB SITE AT ALL TIMES DURING EARTHWORK OPERATIONS. ADDITIONAL WATER TRUCKS SHALL BE REQUIRED BY THE CITY ENGINEER IF THE CONTRACTOR'S EQUIPMENT IS INSUFFICIENT TO CONTROL DUST IN ALL AREAS OF CONSTRUCTION.
5. THE CONTRACTOR SHALL PROVIDE WATER TRUCKS WITH GRADING EQUIPMENT AND AS NEEDED FOR DUST CONTROL DURING NON-WORKING HOURS. WEEKENDS AND HOLIDAYS SHALL BE INCLUDED IN NORMAL WORKING HOURS. NO CONSTRUCTION OPERATIONS SHALL BE CONDUCTED WITHOUT ADEQUATE DUST CONTROL PROTECTION AT ALL TIMES, EVEN IN THE EVENT OF EMERGENCY WORK.
6. THE CONTRACTOR SHALL RESPONSIBLE TO OPERATE IN CONJUNCTION WITH GRADING EQUIPMENT AND APPLICATION OF WATER SHALL BE MADE AS REQUIRED TO ASSURE SUCH AND COMPLETE PROTECTION. THE CONTRACTOR SHALL BE REQUIRED TO INSTALL DUST CONTROL PROTECTION AT ALL TIMES. IN ADDITION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE RESULTING FROM HIS FAILURE TO PROVIDE ADEQUATE DUST CONTROL.
7. SPRAY WATER AS REQUIRED TO KEEP EXPOSED EARTH SURFACES DURING CLEARING, GRADING, EARTH MOVING AND OTHER CONSTRUCTION ACTIVITIES WHEN DUST IS LIKELY TO CREATE A NUISANCE OR A HAZARD. WATER SHALL BE APPLIED AS NECESSARY TO PREVENT DUST FROM BEING TRACKED OFF SITE.
8. DUST PALLIATIVES MAY BE SUBSTITUTED FOR WATERING UPON APPROVAL OF THE CITY ENGINEER. PRIOR TO USE, THE CONTRACTOR SHALL SUBMIT TO THE CITY ENGINEER A LIST OF PROPOSED MATERIALS AND APPLICATION RATES FOR EACH TYPE OF DUST PALLIATIVE PROPOSED FOR USE. THE LIST SHALL INCLUDE, BUT NOT BE LIMITED TO, MANUFACTURER'S NAME, PRODUCT NAME, AND APPLICATION RATE FOR EACH TYPE OF MATERIAL PROPOSED FOR USE.
9. SPRAY WATER AS REQUIRED TO KEEP EXPOSED EARTH SURFACES DURING CLEARING, GRADING, EARTH MOVING AND OTHER CONSTRUCTION ACTIVITIES WHEN DUST IS LIKELY TO CREATE A NUISANCE OR A HAZARD. WATER SHALL BE APPLIED AS NECESSARY TO PREVENT DUST FROM BEING TRACKED OFF SITE.
10. DUST PALLIATIVES MAY BE SUBSTITUTED FOR WATERING UPON APPROVAL OF THE CITY ENGINEER. PRIOR TO USE, THE CONTRACTOR SHALL SUBMIT TO THE CITY ENGINEER A LIST OF PROPOSED MATERIALS AND APPLICATION RATES FOR EACH TYPE OF DUST PALLIATIVE PROPOSED FOR USE. THE LIST SHALL INCLUDE, BUT NOT BE LIMITED TO, MANUFACTURER'S NAME, PRODUCT NAME, AND APPLICATION RATE FOR EACH TYPE OF MATERIAL PROPOSED FOR USE.
11. WORK HOURS MAY BE RESTRICTED BY THE CITY ENGINEER TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE. NO WORK SHALL BE PERFORMED ON SATURDAY, SUNDAY OR HOLIDAYS WITHOUT THE WRITTEN APPROVAL OF THE CITY ENGINEER. WORK HOURS MAY BE RESTRICTED BY THE CITY ENGINEER TO 8:00 AM. TO 5:00 PM. ON SATURDAYS. NO WORK SHALL BE PERFORMED ON OBSERVED NATIONAL HOLIDAYS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE ADEQUATE COVER FOR PROTECTION OF ALL INSTALLED UTILITIES DURING THE CONSTRUCTION OF THIS PROJECT.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED BY THEIR OPERATIONS TO EXISTING UTILITIES AND SHALL REPAIR OR REPLACE ANY UTILITIES DAMAGED AT NO EXPENSE TO THE CITY.
14. THE CONTRACTOR SHALL COORDINATE THE SEWER, WATER AND STORM DRAIN CONSTRUCTION IN A MANNER TO PREVENT ANY CONFLICTS WHERE UTILITY LINES CROSS EACH OTHER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING PLANS FOR ALL OTHER UTILITIES IN THIS PROJECT OR ANY CONFLICT FAMILIARIZE HIMSELF THEREWITH. HE SHALL NOTIFY THE CIVIL ENGINEER IMMEDIATELY OF ANY CONFLICTS.
15. ALL SANITARY SEWER AND STORM DRAIN CONSTRUCTION SHALL PROCEED FROM THE DOWNSTREAM CONDITION TO THE UPSTREAM TERMINUS.
16. THE CONTRACTOR SHALL VERIFY THE FLOWLINE ELEVATION OF THE EXISTING SANITARY SEWER AND STORM DRAIN CONNECTION POINTS AND NOTIFY THE CIVIL ENGINEER IMMEDIATELY IF WORK IS FOUND TO DIFFER FROM THAT SHOWN ON THESE PLANS.
17. ALL ELECTROLIERS TO BE INSTALLED PER THE STREET LIGHT PLAN. REFER TO THE STREET LIGHT PLAN FOR SPECIFICATIONS.

IMPROVEMENT PLAN NOTES

1. THE FOLLOWING LIST OF STANDARDS AND/OR SPECIFICATIONS ARE INCORPORATED INTO THESE PLANS BY REFERENCE:
2. DESIGN AND CONSTRUCTION OF ALL IMPROVEMENTS SHALL COMPLY WITH ALL APPLICABLE STANDARDS INCLUDING:
   A) STANDARD SPECIFICATIONS, JULY 2018 EDITION BY THE STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION, ACT (ADA), ACCESS COMPLIANCE REQUIREMENTS OF
   B) CALIFORNIA BUILDING CODE (TITLE 24, PART 2, CALIFORNIA CODE OF REGULATIONS).
   C) MARINA COAST WATER DISTRICT STANDARD PLANS, SPECIFICATIONS AND CODE OF ORDINANCES (LATEST EDITION).
   D) CITY OF MARINA STANDARD SPECIFICATIONS, DESIGN STANDARDS, AND STANDARD PLANS
   THIS PLAN: S1-1, S1-2, S1-3, S1-4, S1-5, S1-6, AND S0-4.
2. THE CONTRACTOR SHALL NOTIFY USA (UNDERGROUND SERVICE ALERT) AT (800) 642-2444 OR CALL 8-1-1, 2 WORKING DAYS PRIOR TO ANY EXCAVATION. THE USA AUTHORIZATION NUMBER SHALL BE KEPT AT THE JOB SITE.
3. ALL NEW UTILITY DISTRIBUTION SERVICES SHALL BE PLACED UNDERGROUND.
4. ALL UNDERGROUND FACILITIES SHALL BE INSTALLED PRIOR TO THE CONSTRUCTION OF CURBS, FINAL PAVEMENTS OR SIDEWALKS. IF SHOWN ABOVE ONLY, THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADJUSTING FRAMES AND COVERS TO THE FINISHED PAVEMENT GRADE OR AS DIRECTED BY THE ENGINEER.
5. WHEN WORKING IN PAVEMENT ON AN EXISTING ROAD, THE EXISTING PAVEMENT SHALL BE CUT TO A NEAT LINE AND PAVEMENT BACK TO AN EXISTING ADJACENT STRUCTURAL SECTION, AS DIRECTED BY THE ENGINEER. ON POLICING, WAY BE REQUIRED TO DETERMINE THE LIMITS OF PAVEMENT REMOVAL.
6. THE CONTRACTOR IS RESPONSIBLE FOR MATCHING EXISTING STREETS, SIDEWALKS, LANDSCAPING AND OTHER IMPROVEMENTS WITH A SMOOTH TRANSITION IN PAVING, CURBS, GUTTERS, SIDEWALKS, GRADING, ETC., AND TO AVOID THE CREATION OF LOW POINTS OR HAZARDOUS CONDITIONS OF ANY NATURE OR APPARENT CHANGES IN APPEARANCE, GRADES, OR CROSS SLOPES.
7. SHOULD IT APPEAR THAT THE WORK TO BE DONE, OR ANY MATERIAL INCIDENTAL IS NOT SUFFICIENTLY DETAILED OR EXPLAINED ON THESE PLANS, THE CONTRACTOR SHALL CONTACT ANDREW MORTON AT MORTON ENGINEERING AT (831) 649-5225 FOR SUCH FURTHER EXPLANATIONS AS MAY BE NECESSARY.
8. ALL ASPHALT CONCRETE PAVING SHALL BE TYPE A, ½" MEDIUM, PER CITY OF MARINA STANDARDS.
9. EXISTING CURB AND SIDEWALK WITHIN THE PROJECT LIMITS THAT ARE DAMAGED OR DISPLACED, EVEN THOUGH NOT PROPOSED TO BE REMOVED, SHALL BE REPAIRED OR REPLACED, EVEN IF DAMAGE OR DISPLACEMENT OCCURRED PRIOR TO ANY WORK PERFORMED BY THE CONTRACTOR.
10. IF PAVING AND STORM DRAIN IMPROVEMENTS ARE NOT COMPLETED BY OCTOBER 1ST, TEMPORARY SILT CONTROLS AND/OR CONTROL FACILITIES SHALL BE INSTALLED TO CONTROL AND CONTAIN EROSION-CAUSED SILT DEPOSITS AND TO PROVIDE FOR THE SAFE DISCHARGE OF STORM WATERS INTO EXISTING STORM WATER FACILITIES PER THE PROJECT SWPPP DESIGN OF THESE FACILITIES MUST BE APPROVED BY THE PUBLIC WORKS DEPARTMENT.
11. THE EXISTENCE, LOCATION AND DEPTH OF ALL SUBSURFACE UTILITIES AND STRUCTURES SHOWN ON THESE PLANS, AS A GENERAL NOTE, NOT ALL UTILITIES MAY BE SHOWN. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE AND PROTECT ALL UTILITIES PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES WITHIN THE EXCAVATION AREA AT LEAST TWO WORKING DAYS BEFORE EXCAVATION.
12. THE CONTRACTOR SHALL VERIFY THE ELEVATION OF ALL UTILITIES PRIOR TO THE START OF CONSTRUCTION. IF THE ELEVATIONS SHOWN ON THESE PLANS VARY FROM THE ACTUAL ELEVATIONS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY AND SHALL NOT PROCEED WITH THE WORK UNTIL THE ENGINEER HAS ISSUED A CHANGE ORDER.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND SHALL REPAIR ANY DAMAGE DURING CONSTRUCTION AT NO EXPENSE TO THE OWNER.
14. THE CONTRACTOR SHALL NOTIFY THE ENGINEER AT LEAST 24 HOURS IN ADVANCE OF THE NEED FOR INSPECTION OF ANY WORK. NO WORK SHALL BE COVERED UP OR BACKFILLED WITHOUT THE APPROVAL OF THE ENGINEER.
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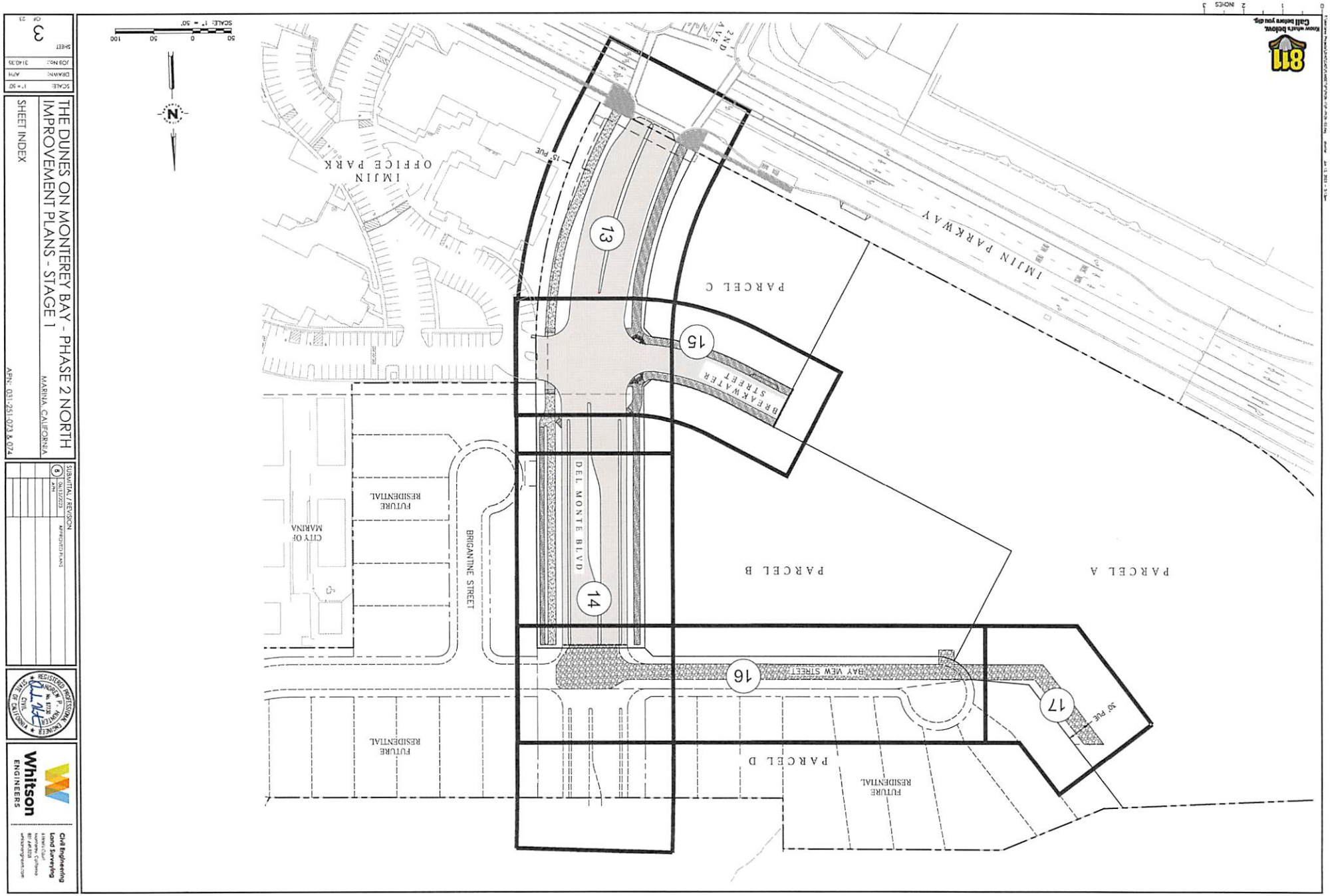
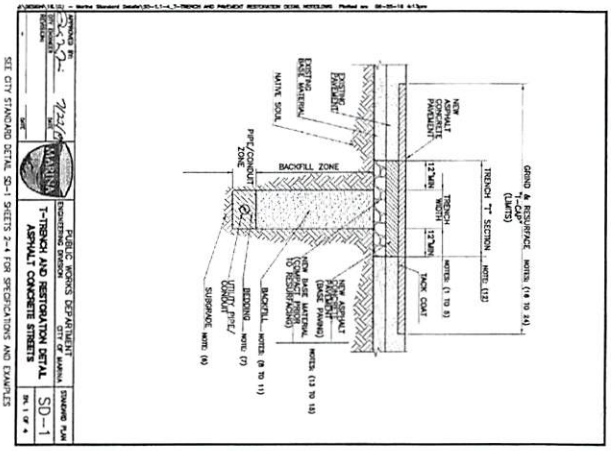
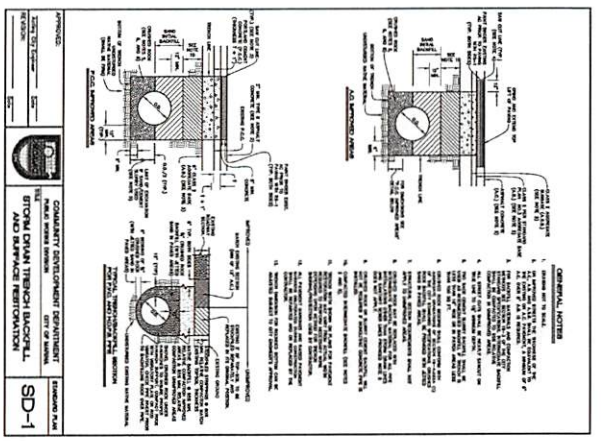
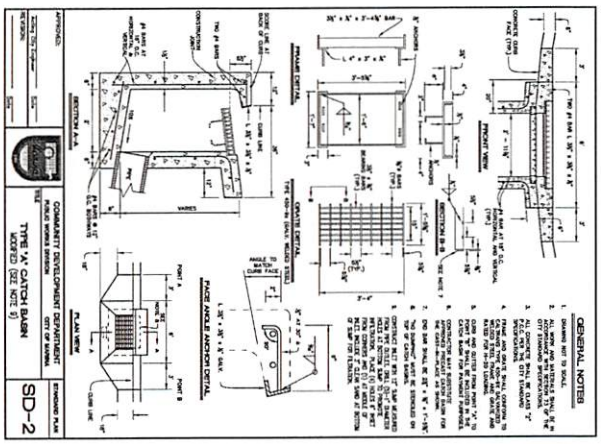
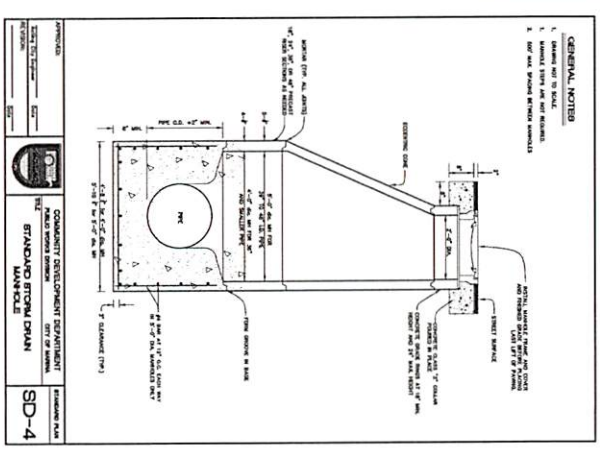
76. THE CONTRACTOR SHALL NOTIFY

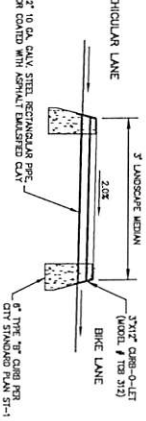

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA
SHEET INDEX
APN: 031-251-023 & 074
SUBMITTAL / REVISION
Whitson ENGINEERS
Civil Engineering
Land Surveying
SCALE: 1" = 50'
SHEET 3
IMJIN OFFICE PARK
IMJIN PARKWAY
2ND AVE
PARCEL A
PARCEL B
PARCEL C
PARCEL D
DEL MONTE BLVD
BRIGANTINE STREET
BAY VIEW STREET
BREAKWATER STREET
FUTURE RESIDENTIAL
CITY OF MARINA
13
14
15
16
17
30' PUE
811
Know what's below. Call before you dig.







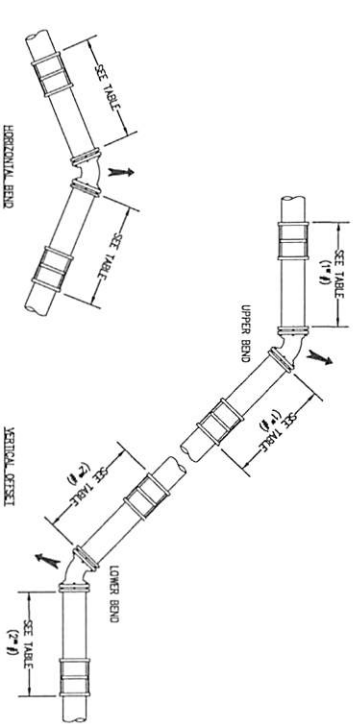




12" UNDER-MEDIAN CURB DRAIN (MCD)

(50' SPACING WHERE SHOWN ON PLAN)

NOT TO SCALE



THRUST RESTRAINT DETAILS

NOT TO SCALE

BASIS OF CALCULATIONS (OVERALL DISTINCTIONS, OTHER CONDITIONS)

-RESTRAINT LENGTHS IN TABLE ARE TO BE APPLIED IN BOTH DIRECTIONS OF FEATURE

-RESTRAINT LENGTH CALCULATION CRITERIA

SOIL TYPE: 3 (SW)

SAFETY FACTOR: 1.5

TRENCH TYPE: TYPE 5

DEPTH OF BURY: 7 FEET FOR WATER PIPES 12" OR LESS

TEST PRESSURE: 225 PSI

NOTES:

1. MCWD PREFERS THAT ALL PIPES BE MECHANICALLY RESTRAINED. THRUST BLOCKS TO BE ALLOWED ON A CASE-BY-CASE BASIS PER MCWD APPROVAL.
2. 4", 6", AND 8" WATER MAINS MAY USE RESTRAINED JOINTS OR THRUST BLOCKS WHERE APPLICABLE, AT THE DISCRETION OF THE CONTRACTOR, PER MCWD SPECIFICATIONS.
3. CONTRACTOR SHALL OBTAIN MCWD APPROVAL FOR RESTRAINED JOINT FITTINGS AND LENGTHS NOT LISTED IN THIS TABLE, OR FOR MODIFICATIONS TO CALCULATION CRITERIA.
4. FOR VERTICAL OFFSETS, THE FIRST NUMBER LISTED IS THE RESTRAINING LENGTH AT THE UPPER BEND, AND THE SECOND NUMBER IS THE RESTRAINING LENGTH AT THE LOWER BEND.
5. LENGTH OF RESTRAINED JOINTS ALONG A BRANCH OF A TEE IS BASED ON A UNIFORM TEE ASSEMBLY. CONTRACTOR SHALL OBTAIN MCWD APPROVAL FOR LENGTH OF RESTRAINED JOINTS AT REDUCING TEES

TYPE OF PIPE	REQUIRED LENGTH OF RESTRAINED JOINTS (FEET)								
	HORIZONTAL RESTRAINING					VERTICAL RESTRAINING			
	TEE (BRANCH)	DEAD END/ VALVE	BEND 90°	BEND 45°	BEND 22.5°	BEND 11.25°	VERTICAL OFFSET, 11.25°	VERTICAL OFFSET, 22.5°	VERTICAL OFFSET, 45°
4" PVC	1	57	19	8	4	2	6, 2	12, 3	24, 5
6" PVC	18	80	26	11	6	3	8, 2	16, 4	33, 7
8" PVC	42	105	34	14	7	4	11, 3	21, 5	44, 9
12" PVC	84	148	47	20	10	5	15, 3	30, 6	61, 13

SCALE:	NONE	THE DUNES ON MONTEREY BAY - PHASE 2 NORTH IMPROVEMENT PLANS - STAGE 1	MARINA, CALIFORNIA
DRAWN:	APM	UTILITY SECTIONS	APN: 031-251-073 & 074
JOB NO.:	314035		
SHEET	4 OF 23		

SUBMITTAL / REVISION

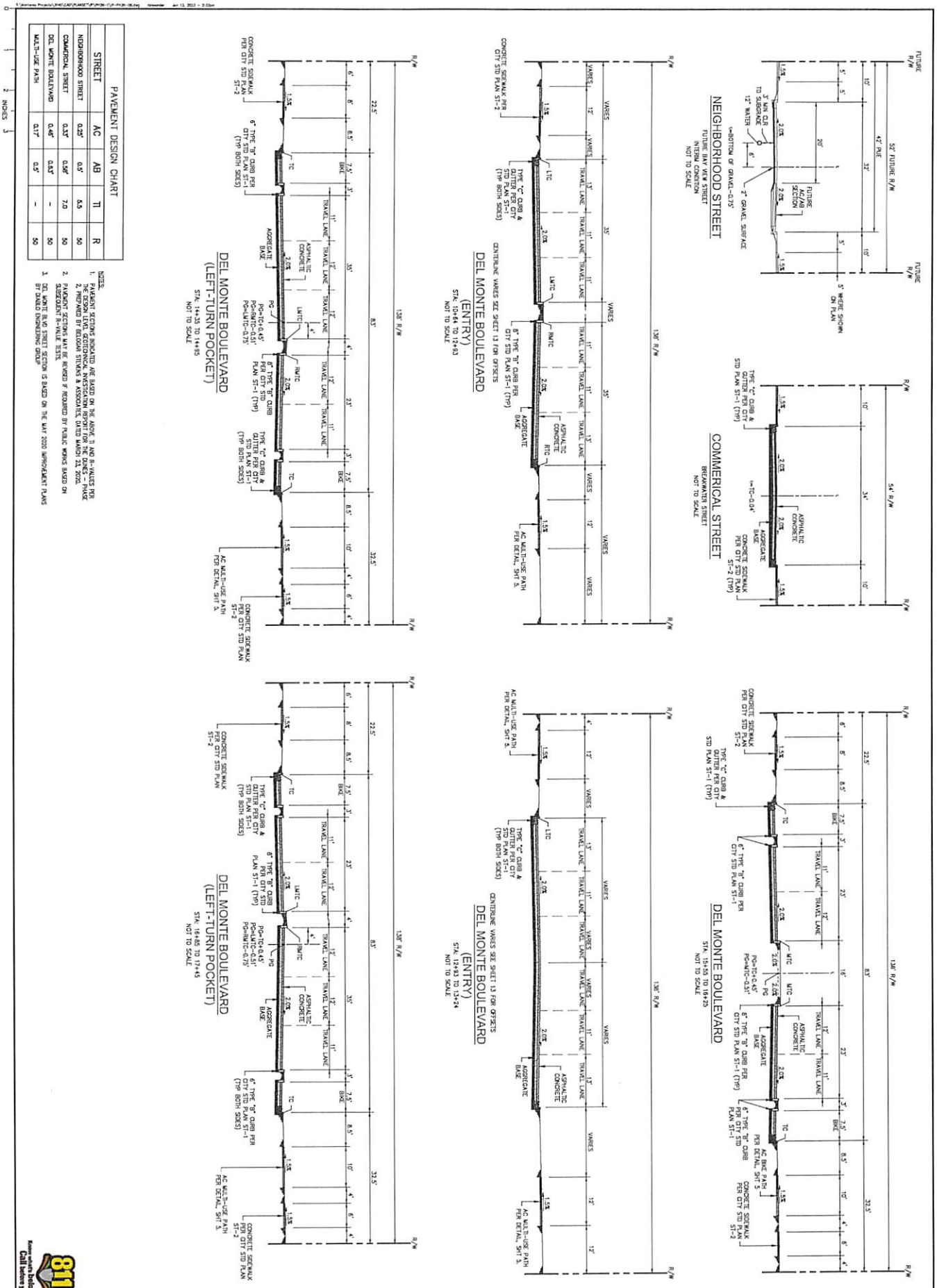
6	04/13/2023	APPROVED PLANS
	APN	

REGISTERED PROFESSIONAL ENGINEER — ANDREW P. HUNTER — No. 87730 — CIVIL — STATE OF CALIFORNIA

Whitson ENGINEERS

Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

CASE A CURB RAMP WING DISTANCE CHART	
CURB RETURN SLOPE	W
< 2%	7'
2% - 4%	8'
4% - 6%	9'
6% - 8%	10'



PAVEMENT DESIGN CHART				
STREET	AC	AB	TI	R
NEIGHBORHOOD STREET	0.25'	0.5'	5.5	50
COMMERCIAL STREET	0.33'	0.58'	7.0	50
DEL MONTE BOULEVARD	0.46'	0.83'	-	50
MULTI-USE PATH	0.17'	0.5'	-	50

NOTES:
1. PAVEMENT SECTIONS INDICATED ARE BASED ON THE ABOVE TI AND R-VALUES PER PAVEMENT DESIGN CHART ON THIS SHEET, UNLESS OTHERWISE NOTED.
2. PREPARED BY: BELLOMAR STEVENS & ASSOCIATES, DATED MARCH 24, 2020.
3. PAVEMENT SECTIONS MAY BE REVISED IF REQUIRED BY PUBLIC WORKS BASED ON SUBSEQUENT R-VALUE TESTS.
4. DEL MONTE BLVD STREET SECTION IS BASED ON THE MAY 2020 IMPROVEMENT PLANS BY BANDO ENGINEERING GROUP.

2 INCHES 3

Know what's below. Call before you dig. 811

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

STREET SECTIONS

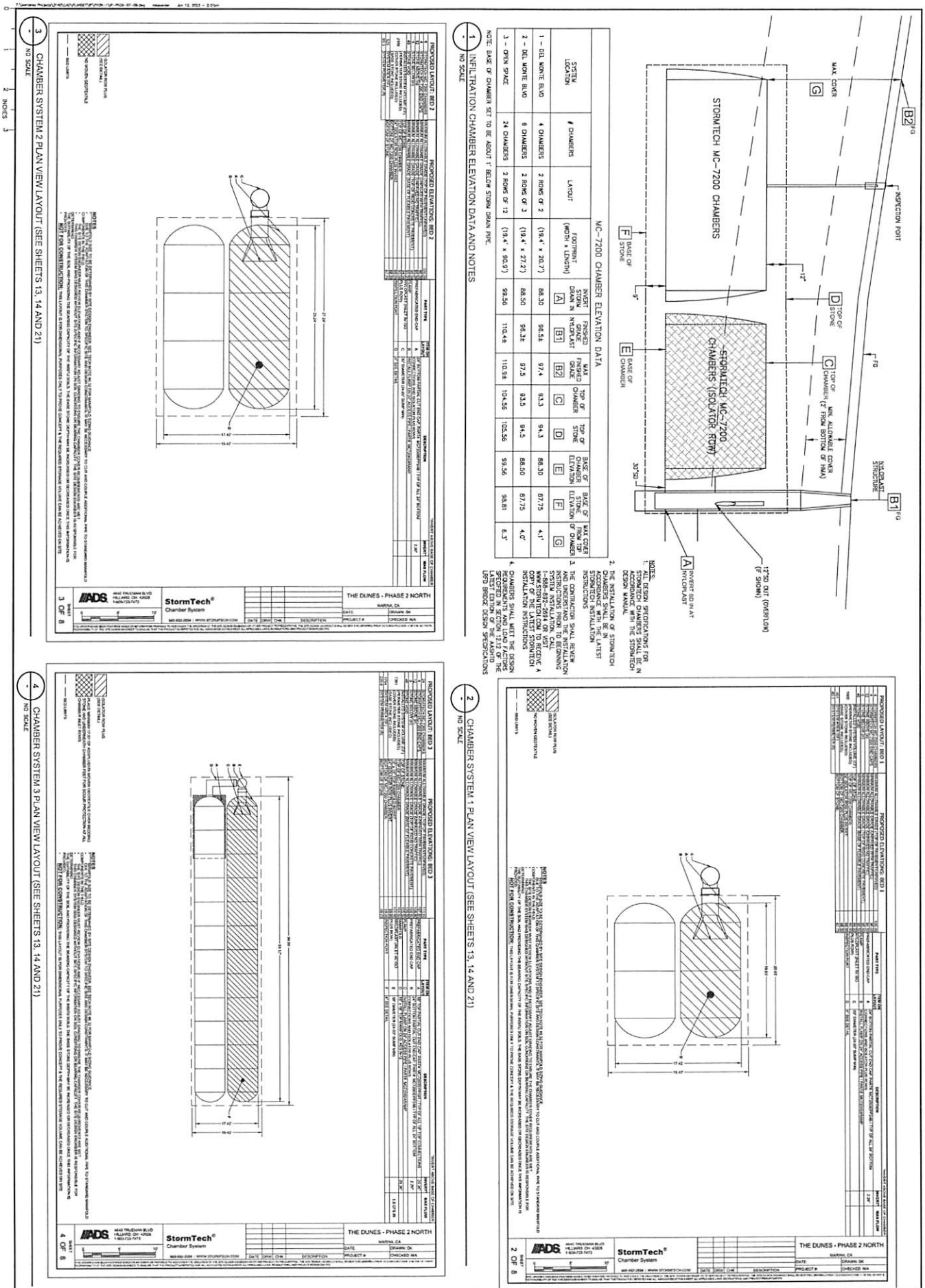
APN: 031-251-073 & 074

SUBMITTAL / REVISION
6 | 06/13/2023 | APPROVED PLANS

REGISTERED PROFESSIONAL ENGINEER ANDREW P. HUNTER No. 87130 CIVIL STATE OF CALIFORNIA

Whitson ENGINEERS
Civil Engineering
Land Surveying
2 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

SCALE: NONE
DRAWN: APH
JOB NO: 31-4035
SHEET 9 OF 23



NOTES:
1. ALL DESIGN SPECIFICATIONS FOR STORMTECH CHAMBERS SHALL BE IN ACCORDANCE WITH THE STORMTECH DESIGN MANUAL
2. THE INSTALLATION OF STORMTECH CHAMBERS SHALL BE IN ACCORDANCE WITH THE LATEST STORMTECH INSTALLATION INSTRUCTIONS
3. THE CONTRACTOR SHALL REVIEW THE INSTALLATION INSTRUCTIONS PRIOR TO BEGINNING SYSTEM INSTALLATION. CALL STORMTECH AT 1-800-733-7473 OR VISIT WWW.STORMTECH.COM TO RECEIVE A COPY OF THE LATEST STORMTECH INSTALLATION INSTRUCTIONS
4. CHAMBERS SHALL MEET THE DESIGN REQUIREMENTS FOR H-20 LOADING AS SPECIFIED IN SECTION 12.12 OF THE LATEST EDITION OF THE AASHTO LRFD BRIDGE DESIGN SPECIFICATIONS

MC-7200 CHAMBER ELEVATION DATA

SYSTEM LOCATION	# CHAMBERS	LAYOUT	FOOTPRINT (WIDTH x LENGTH)	INVERT STORM DRAIN IN N-CPLAST	FINISHED GRADE	MAX FINISHED GRADE	TOP OF CHAMBER	TOP OF STONE	BASE OF CHAMBER ELEVATION	BASE OF STONE ELEVATION	MAX COVER FROM TOP OF CHAMBER
				A	B1	B2	C	D	E	F	G
1 – DEL MONTE BLVD	4 CHAMBERS	2 ROWS OF 2	(19.4' x 20.7')	88.30	98.5±	97.4	93.3	94.3	88.30	87.75	4.1'
2 – DEL MONTE BLVD	6 CHAMBERS	2 ROWS OF 3	(19.4' x 27.2')	88.50	98.3±	97.5	93.5	94.5	88.50	87.75	4.0'
3 – OPEN SPACE	24 CHAMBERS	2 ROWS OF 12	(19.4' x 90.9')	99.56	110.4±	110.9±	104.56	105.56	99.56	98.81	6.3'

NOTE: BASE OF CHAMBER SET TO BE ABOUT 1' BELOW STORM DRAIN PIPE.

1 INFILTRATION CHAMBER ELEVATION DATA AND NOTES
NO SCALE

2 CHAMBER SYSTEM 1 PLAN VIEW LAYOUT (SEE SHEETS 13, 14 AND 21)
NO SCALE

3 CHAMBER SYSTEM 2 PLAN VIEW LAYOUT (SEE SHEETS 13, 14 AND 21)
NO SCALE

4 CHAMBER SYSTEM 3 PLAN VIEW LAYOUT (SEE SHEETS 13, 14 AND 21)
NO SCALE

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS
MARINA, CALIFORNIA

STORMWATER CHAMBER DETAILS

APN: 031-251-073 & 074

SUBMITTAL / REVISION
5 06/13/2023 APPROVED PLANS
APN

SCALE: NONE
DRAWN: APN
JOB NO: 3140.55
SHEET 7 OF 21

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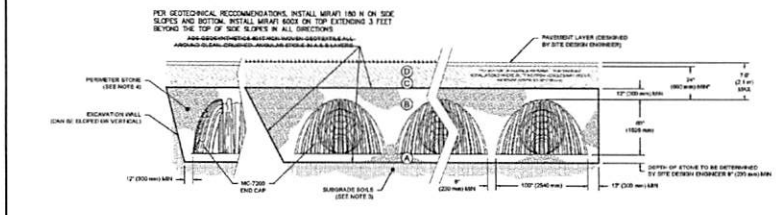
ACCEPTABLE FILL MATERIALS: STORMTECH MC-7200 CHAMBER SYSTEMS

	MATERIAL LOCATION	DESCRIPTION	AASHTO MATERIAL CLASSIFICATIONS	COMPACTION / DENSITY REQUIREMENT
D	FINAL FILL: FILL MATERIAL FOR LAYER 'D' STARTS FROM THE TOP OF THE 'C' LAYER TO THE BOTTOM OF FLEXIBLE PAVEMENT OR UNPAVED FINISHED GRADE ABOVE. NOTE THAT PAVEMENT SUBBASE MAY BE PART OF THE 'D' LAYER.	ANY SOIL/ROCK MATERIALS, NATIVE SOILS, OR PER ENGINEER'S PLANS. CHECK PLANS FOR PAVEMENT SUBGRADE REQUIREMENTS.	N/A	PREPARE PER SITE DESIGN ENGINEER'S PLANS. PAVED INSTALLATIONS MAY HAVE STRINGENT MATERIAL AND PREPARATION REQUIREMENTS.
C	INITIAL FILL: FILL MATERIAL FOR LAYER 'C' STARTS FROM THE TOP OF THE EMBEDMENT STONE ('B') LAYER TO 24" (600 mm) ABOVE THE TOP OF THE CHAMBER. NOTE THAT PAVEMENT SUBBASE MAY BE A PART OF THE 'C' LAYER.	GRANULAR WELL-GRADED SOIL/AGGREGATE MIXTURES, <20% FINES OR PROCESSED AGGREGATE. MOST PAVEMENT SUBBASE MATERIALS CAN BE USED IN LIEU OF THIS LAYER.	AASHTO M145[1] A-1, A-2-4, A-3 OR AASHTO M43[1] 3, 357, 4, 467, 5, 50, 57, 6, 67, 68, 7, 78, 8, 89, 9, 10	BEGIN COMPACTIONS AFTER 24" (600 mm) OF MATERIAL OVER THE CHAMBERS IS REACHED. COMPACT ADDITIONAL LAYERS IN 12" (300 mm) MAX LIFTS TO A MIN. 95% PROCTOR DENSITY FOR WELL GRADED MATERIAL AND 95% RELATIVE DENSITY FOR PROCESSED AGGREGATE MATERIALS
B	EMBEDMENT STONE: FILL SURROUNDING THE CHAMBERS FROM THE FOUNDATION STONE ('A' LAYER) TO THE 'C' LAYER ABOVE	CLEAN, CRUSHED, ANGULAR STONE	AASHTO M43[1] 3, 4	NO COMPACTION REQUIRED.
A	FOUNDATION STONE: FILL BELOW CHAMBERS FROM THE SUBGRADE UP TO THE FOOT (BOTTOM) OF THE CHAMBER.	CLEAN, CRUSHED, ANGULAR STONE	AASHTO M43[1] 3, 4	PLATE COMPACT OR ROLL TO ACHIEVE A FLAT SURFACE[2,3]

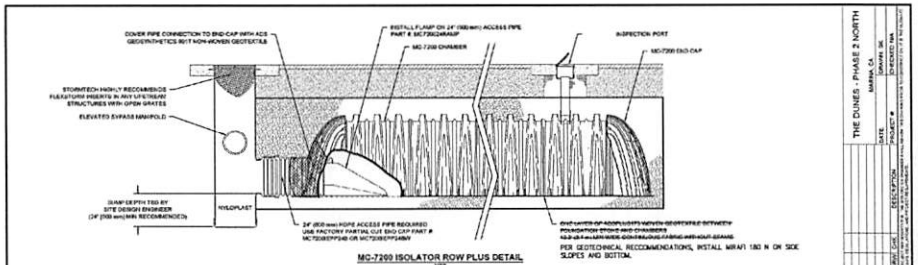
PLEASE NOTE:
1. THE LISTED AASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE CLEAN, CRUSHED, ANGULAR. FOR EXAMPLE, A SPECIFICATION FOR #4 STONE WOULD STATE "CLEAN, CRUSHED, ANGULAR NO. 4 (AASHTO M43) STONE".
2. STORMTECH COMPACTION REQUIREMENTS ARE MET FOR 'F' LOCATION MATERIALS WHEN PLACED AND COMPACTED IN 6" (150 mm) MAX LIFTS USING TWO FULL COVERAGES WITH A VIBRATORY COMPACTOR.
3. WHERE INFILTRATION SURFACES MAY BE COMPROMISED BY COMPACTION, FOR STANDARD DESIGN LOAD CONDITIONS, A FLAT SURFACE MAY BE ACHIEVED BY RAKING OR DRAGGING WITHOUT COMPACTION EQUIPMENT. FOR SPECIAL LOAD DESIGNS, CONTACT STORMTECH FOR COMPACTION REQUIREMENTS.
4. ONCE LAYER 'C' IS PLACED, ANY SOIL/MATERIAL CAN BE PLACED IN LAYER 'D' UP TO THE FINISHED GRADE. MOST PAVEMENT SUBBASE SOILS CAN BE USED TO REPLACE THE MATERIAL REQUIREMENTS OF LAYER 'C' OR 'D' AT THE SITE DESIGN ENGINEER'S DISCRETION.

PER GEOTECHNICAL RECOMMENDATIONS, INSTALL MIRAFI 180 N ON SIDE SLOPES AND BOTTOM. INSTALL MIRAFI 600X ON TOP EXTENDING 3 FEET BEYOND THE TOP OF SIDE SLOPES IN ALL DIRECTIONS



NOTES:

1. CHAMBERS SHALL MEET THE REQUIREMENTS OF ASTM F2418, "STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) CORRUGATED WALL STORMWATER COLLECTION CHAMBERS" CHAMBER CLASSIFICATION IN 891
2. MC-7200 CHAMBERS SHALL BE DESIGNED IN ACCORDANCE WITH ASTM F2787 "STANDARD PRACTICE FOR STRUCTURAL DESIGN OF THERMOPLASTIC CORRUGATED WALL STORMWATER COLLECTION CHAMBERS".
3. THE SITE DESIGN ENGINEER IS RESPONSIBLE FOR ASSESSING THE BEARING RESISTANCE (ALLOWABLE BEARING CAPACITY) OF THE SUBGRADE SOILS AND THE DEPTH OF FOUNDATION STONE WITH CONSIDERATION FOR THE RANGE OF EXPECTED SOIL MOISTURE CONDITIONS.
4. PERIMETER STONE MUST BE EXTENDED HORIZONTALLY TO THE EXCAVATION WALL FOR BOTH VERTICAL AND SLOPED EXCAVATION WALLS.
5. REQUIREMENTS FOR HANDLING AND INSTALLATION:
   - TO MAINTAIN THE WIDTH OF CHAMBERS DURING SHIPPING AND HANDLING, CHAMBERS SHALL HAVE INTEGRAL, INTERLOCKING STACKING LUGS.
   - TO ENSURE A SECURE JOINT DURING INSTALLATION AND BACKFILL, THE HEIGHT OF THE CHAMBER JOINT SHALL NOT BE LESS THAN 3".
   - TO ENSURE THE INTEGRITY OF THE ARCH SHAPE DURING INSTALLATION, AT THE ARCH STIFFNESS CONSTANT SHALL BE GREATER THAN OR EQUAL TO 450 LBS/PI/IN. THE ASC IS DEFINED IN SECTION 6.2.8 OF ASTM F2418, AND IS TO RESIST CHAMBER DEFORMATION DURING INSTALLATION AT ELEVATED TEMPERATURES (ABOVE 73°F / 23°C). CHAMBERS SHALL BE PRODUCED FROM REFLECTIVE (SOLID OR YELLOW COLORS.



MC-7200 ISOLATOR ROW PLUS DETAIL

PER GEOTECHNICAL RECOMMENDATIONS, INSTALL MIRAFI 180 N ON SIDE SLOPES AND BOTTOM.

INSPECTION & MAINTENANCE

STEP 1) INSPECT ISOLATOR ROW PLUS FOR SEDIMENT
- A. INSPECTION PORTS (IF PRESENT)
  - A.1. REMOVE/OPEN LID ON NYLOPLAST INLINE DRAIN
  - A.2. REMOVE AND CLEAN FLEXSTORM FILTER (IF INSTALLED)
  - A.3. USING A FLASHLIGHT AND STORM ROD, MEASURE DEPTH OF SEDIMENT AND RECORD ON MAINTENANCE LOG
  - A.4. LOWER A CAMERA INTO ISOLATOR ROW PLUS FOR VISUAL INSPECTION OF SEDIMENT LEVELS (OPTIONAL)
  - A.5. IF SEDIMENT IS AT OR ABOVE 3" (100 mm), PROCEED TO STEP 2. IF NOT, PROCEED TO STEP 3.
- B. ALL ISOLATOR PLUS ROWS
  - B.1. REMOVE COVER FROM STRUCTURE AT UPSTREAM END OF ISOLATOR ROW PLUS
  - B.2. USING A FLASHLIGHT, INSPECT DOWN THE ISOLATOR ROW PLUS THROUGH OUTLET PIPE
    - i) IMAGES ON POLES OR CAMERA MAY BE USED TO AVOID A CONFINED SPACE ENTRY
    - ii) FOLLOW OSHA REGULATIONS FOR CONFINED SPACE ENTRY IF ENTERING MANHOLE
  - B.3. IF SEDIMENT IS AT OR ABOVE 3" (100 mm), PROCEED TO STEP 2. IF NOT, PROCEED TO STEP 3.

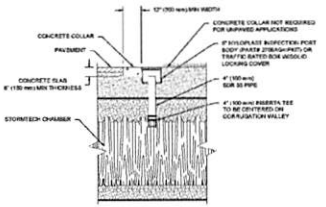
STEP 2) CLEAN OUT ISOLATOR ROW PLUS USING THE JETVAC PROCESS
- A. A FIXED CULVERT CLEANING NOZZLE WITH REAR FACING SPREAD OF 45° (1 rad) OR MORE IS PREFERRED
- B. APPLY MULTIPLE PASSES OF JETVAC UNTIL BACKFLUSH WATER IS CLEAN
- C. VACUUM STRUCTURE SUMP AS REQUIRED

STEP 3) REPLACE ALL COVERS, GRATES, FILTERS, AND LIDS; RECORD OBSERVATIONS AND ACTIONS.

STEP 4) INSPECT AND CLEAN BASINS AND MANHOLES UPSTREAM OF THE STORMTECH SYSTEM

NOTES

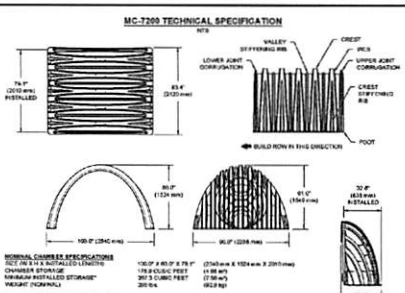
1. INSPECT EVERY 6 MONTHS DURING THE FIRST YEAR OF OPERATION. ADJUST THE INSPECTION INTERVAL BASED ON PREVIOUS OBSERVATIONS OF SEDIMENT ACCUMULATION AND HIGH WATER ELEVATIONS.
2. CONDUCT JETTING AND VACTORING ANNUALLY OR WHEN INSPECTION SHOWS THAT MAINTENANCE IS NECESSARY.



NOTE: INSPECTION PORTS MAY BE CONNECTED THROUGH ANY CHAMBER CORRUGATION VALLEY

4" PVC INSPECTION PORT DETAIL (MC SERIES CHAMBER)

MC-7200 TECHNICAL SPECIFICATION

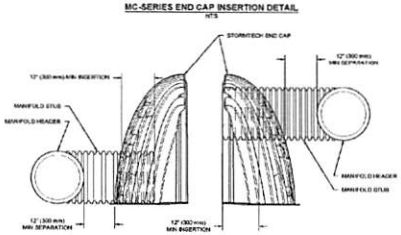


NOMINAL CHAMBER SPECIFICATIONS
SIZE (W x H x INSTALLED LENGTH): 130.0" X 90.0" X 79.1" (3340 mm X 1524 mm X 2010 mm)
CHAMBER STORAGE: 175.9 CUBIC FEET (4.98 m³)
MINIMUM INSTALLED STORAGE*: 207.3 CUBIC FEET (5.90 m³)
WEIGHT (NOMINAL): 200 lbs (90.9 kg)

NOMINAL END CAP SPECIFICATIONS
SIZE (W x H x INSTALLED LENGTH): 89.0" X 51.0" X 32.5" (2260 mm X 1740 mm X 835 mm)
END CAP STORAGE: 39.1 CUBIC FEET (1.12 m³)
MINIMUM INSTALLED STORAGE*: 115.3 CUBIC FEET (3.26 m³)
WEIGHT (NOMINAL): 99 lbs (45.6 kg)

*ASSUMES 12" (300 mm) STONE ABOVE, 9" (229 mm) STONE FOUNDATION AND BETWEEN CHAMBERS, 12" (305 mm) STONE PERIMETER IN FRONT OF END-CAPS AND 40% STONE POROSITY

MC-SERIES END CAP INSERTION DETAIL



NOTE: MANIFOLD STUB MUST BE LAID HORIZONTAL FOR A PROPER FIT IN END CAP OPENING.

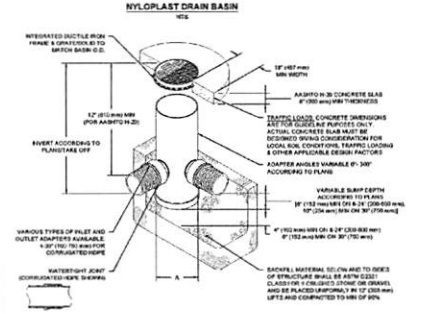
PARTIAL CUT HOLES AT BOTTOM OF END CAP FOR PART NUMBERS ENDING WITH "B"
PARTIAL CUT HOLES AT TOP OF END CAP FOR PART NUMBERS ENDING WITH "T"
END CAPS WITH A PREFABRICATED WELDED STUB END WITH "W"

PART #	STUB	B	C
MC7200EPP06T	6" (150 mm)	43.54" (1105 mm)	6.65" (17 mm)
MC7200EPP06B		40.50" (1029 mm)	
MC7200EPP08T	8" (200 mm)		1.23" (31 mm)
MC7200EPP08B		36.37" (875 mm)	
MC7200EPP10T	10" (250 mm)	—	1.57" (34 mm)
MC7200EPP10B		30.89" (807 mm)	
MC7200EPP12T	12" (300 mm)	—	1.91" (49 mm)
MC7200EPP12B		32.73" (831 mm)	
MC7200EPP15T	15" (375 mm)	—	1.70" (43 mm)
MC7200EPP15B		29.36" (746 mm)	
MC7200EPP18TW	18" (450 mm)	—	1.97" (50 mm)
MC7200EPP18B		23.98" (609 mm)	
MC7200EPP24TW	24" (600 mm)	—	2.20" (57 mm)
MC7200EPP24B		23.98" (609 mm)	
MC7200EPP30W	30" (750 mm)	—	3.90" (71 mm)
MC7200EPP36W	36" (900 mm)	—	3.20" (83 mm)
MC7200EPP42W	42" (1050 mm)	—	3.50" (90 mm)

NOTE: ALL DIMENSIONS ARE NOMINAL

CUSTOM PREFABRICATED INVERTS ARE AVAILABLE UPON REQUEST. INVERTS/MIDSPANS INCLUDE 12-24" (300-600 mm) SIZE ON SIZE AND 15-45° (375-1200 mm) ECCENTRIC MANIFOLDS. CUSTOM INVERT LOCATIONS ON THE MC-7200 END CAP CUT IN THE FIELD ARE NOT RECOMMENDED FOR PIPE SIZES GREATER THAN 18" (250 mm). THE INVERT LOCATION IN COLUMN 'B' ARE THE HIGHEST POSSIBLE FOR THE PIPE SIZE.

NYLOPLAST DRAIN BASIN



NOTES

1. 6-30" (150-750 mm) GRATES/SOLID COVERS SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05
2. 10-30" (250-750 mm) FRAMES SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05
3. DRAIN BASIN TO BE CUSTOM MANUFACTURED ACCORDING TO PLAN DETAILS
4. DRAINAGE CONNECTION STUB JOINT TIGHTNESS SHALL CONFORM TO ASTM D3212
5. FOR CORRUGATED HDPE (ADS & HANCOR DUAL WALL) & ADS 35 PVC
6. FOR COMPLETE DESIGN AND PRODUCT INFORMATION, VISIT WWW.NYLOPLAST-US.COM
7. TO ORDER CALL 800-821-6710

A	PART #	GRATE/SOLID COVER OPTIONS		
6" (150 mm)	2806AG	PEDESTRIAN LIGHT DUTY	STANDARD LIGHT DUTY	SOLID LIGHT DUTY
10" (250 mm)	2810AG	PEDESTRIAN LIGHT DUTY	STANDARD LIGHT DUTY	SOLID LIGHT DUTY
12" (300 mm)	2812AG	PEDESTRIAN AASHTO H-10	STANDARD AASHTO H-20	SOLID AASHTO H-20
15" (375 mm)	2815AG	PEDESTRIAN AASHTO H-10	STANDARD AASHTO H-20	SOLID AASHTO H-20
18" (450 mm)	2818AG	PEDESTRIAN AASHTO H-10	STANDARD AASHTO H-20	SOLID AASHTO H-20
24" (600 mm)	2824AG	PEDESTRIAN AASHTO H-10	STANDARD AASHTO H-20	SOLID AASHTO H-20
30" (750 mm)	2830AG	PEDESTRIAN AASHTO H-10	STANDARD AASHTO H-20	SOLID AASHTO H-20

1 / - MC-4500 CHAMBER STANDARD DETAILS
NO SCALE

0 1 2 INCHES 3

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whitsonengineers.com

Whitson ENGINEERS

REGISTERED PROFESSIONAL ENGINEER P. HUNTER No. 81121 CIVIL STATE OF CALIFORNIA

SUBMITAL / REVISION
5 04/13/2023 AGENCY RESUBMITTAL

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

APN: 031-251-073 & 074

STORMWATER CHAMBER DETAILS

SCALE: NONE
DRAWN: APH
JOB No.: 3140.35
SHEET 8 OF 23

MCWD STANDARD WATER NOTES

1. THE WATER SYSTEM AS SHOWN ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD PLANS AND SPECIFICATIONS OF THE MARINA COAST WATER DISTRICT, CONTRACTOR SHALL KEEP A COPY OF THE STANDARD SPECIFICATIONS AND DRAWINGS ON THE JOBSITE AT ALL TIMES.
2. THE MARINA COAST WATER DISTRICT SHALL BE NOTIFIED AT LEAST 48 HOURS PRIOR TO COMMENCING WORK ON THE WATER SYSTEM. PHONE (831) 384-6131 FOR INSPECTION. A PRECONSTRUCTION MEETING SHALL BE HELD AT LEAST 24 HOURS BEFORE STARTING CONSTRUCTION.
3. THE WATER SYSTEM IS TO BE INSTALLED BY THE APPLICANT. ALL WATER SYSTEM WORK SHALL CONFORM TO THE DISTRICT'S STANDARD PLANS AND SPECIFICATIONS, AS LAST REVISED. THE DISTRICT'S STANDARD PLANS AND SPECIFICATIONS SHALL GOVERN IN THE EVENT OF CONFLICT WITH THESE PLANS.
4. DOMESTIC WATER MAINS SHALL BE INSTALLED AFTER THE INSTALLATION OF CURB AND GUTTER AT 5% FEET OFF OF CURB FACE, BE NO STAKED BY THE APPLICANT'S SURVEYOR AT A MINIMUM 50-FOOT STATIONING, FHERE ARE NO EXISTING CURBS.
5. ALL PIPE FITTINGS SHALL BE WRAPPED WITH 10-MIL POLYETHYLENE SHEET.
6. ALL NUTS AND BOLTS, SHALL BE GRADE 316 STAINLESS STEEL. ALL BURIED FLANGES, VALVES AND FITTINGS SHALL BE WRAPPED WITH 8-MIL POLYETHYLENE SHEET.
7. ANY MAIN SERVICE OR MINOR DEVIATION TO BE MINOR IN NATURE SHALL BE RECORDED AT THE DISTRICT OFFICE BY THE APPLICANT'S ENGINEER OF SURVEYOR.
8. ALL MAIN VALVES SHALL BE MANUFACTURED BY AMERICAN DARLING OR EQUAL AND SHALL BE INSTALLED AT THE LOCATIONS SHOWN ON THE PLANS. ALL VALVE STEM EXTENSIONS SHALL BE EXTENDED TO WITHIN 36 INCHES OF FINISHED GRADE OR LESS AS PER MCWD STANDARD PLAN W-12.
9. THE TOP OF THE PIPE SHALL BE A MINIMUM OF 36 INCHES OF COVER FROM FINISHED GRADE IN THE DISTRICT EXCEPT OF UNUSUAL CONDITIONS. PIPE SHALL BE BEDDED AND BACKFILLED PER MCWD STANDARD PLAN W-11.
10. FIRE HYDRANTS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROPRIATE DETAIL HEREIN AND STANDARD DETAIL W-5, DATED 04/2017.
11. NO FACILITY IS TO BE BACKFILLED UNTIL INSPECTED BY THE DISTRICT.
12. SHUT DOWN OR TAPPING OF EXISTING DOMESTIC MATERIALS TO FACILITATE CONNECTION TO EXISTING FACILITIES SHALL BE COORDINATED WITH THE DISTRICT AT LEAST 24 HOURS IN ADVANCE. ANY RELOCATION OF EXISTING FACILITIES IS SUBJECT TO APPROVAL OF THE DISTRICT ENGINEER.
13. NO TAPS OR OTHER CONNECTIONS SHALL BE MADE TO EXISTING DISTRICT WATER MAINS PRIOR TO THE PRESSURE AND DISTRICT INSPECTION, PRIOR TO TAPPING MAIN LINE. TAPPING OF THE MAIN SHALL NOT PROCEED UNLESS A DISTRICT INSPECTOR IS PRESENT.
14. ALL SERVICES SHALL BE INSTALLED PER THE DISTRICTS STANDARD SPECIFICATIONS. ALL METERS SHALL BE LOCATED IN GRASS OR PLANTER AREAS OR UNASSIGNED BY VEHICLE. ANY DISTRICT APPROVAL FOR METERS LOCATED IN BANDS OF 4 SHALL BE WAIVED ONLY WHERE NO SERVICES LOCATED IN SIDEWALKS ARE SUBJECT TO THE APPROPRIATE COVERING AGENCY AND METERS AND METER BOXES. WATER SERVICES IN PLANTER AREAS OR PLANTER STRIPS SHALL BE INSTALLED PER MCWD STANDARD PLAN W-3. ALL METER BOXINGS TO BE LOCATED AT THE PROPERTY LINE ADJACENT TO THE STREET.
15. WATER LOW-FLOW DEVICES SHALL BE PROVIDED FOR ALL UNITS WITHIN THIS DEVELOPMENT AT ACCORDANCE WITH RULES AND REGULATIONS OF THE DISTRICT.
16. ALL VALVES SHALL BE LOCATED OFF OF THE TEE UNLESS OTHERWISE APPROVED BY THE DISTRICT AT INTERSECTIONS AND BLS STOPS WITH CONCRETE PADS. THE MAIN LINE SHALL BE ROPED TO AVOID CROSS GUTTER CONFLICT.
17. ALL PIPING PER STANDARDS AND APPROVED BY THE DISTRICT.
18. ALL WATER METERS WILL BE FURNISHED BY THE MARINA COAST WATER DISTRICT FOLLOWING RECEIPT OF APPLICATION AND DEPOSIT. THE DISTRICT WILL INSTALL WATER METERS UP TO 2 INCHES. THE CONTRACTOR SHALL INSTALL WATER METERS 3 INCHES AND GREATER. THE CONTRACTOR SHALL OBTAIN FROM THE DISTRICT.
19. ANY DISTRICT WATER USED FOR CONSTRUCTION SHALL BE METERED WITH A CONSTRUCTION METER TO INSTALLATION OF THE METERS BY THE DISTRICT.
20. AN ENCROACHMENT PERMIT FROM THE COUNTY OR CITY HAVING JURISDICTION OVER ANY WORK WITHIN PUBLIC RIGHT-OF-WAY OR EASEMENT.
21. ALL WORK AND MATERIALS SHALL CONFORM TO THE APPLICABLE PORTIONS OF THE LATEST EDITION OF THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS.
22. ANY DISTRICT WATER USED FOR CONSTRUCTION SHALL BE METERED WITH A CONSTRUCTION METER TO INSTALLATION OF THE METERS BY THE DISTRICT.
23. AN ENCROACHMENT PERMIT FROM THE COUNTY OR CITY HAVING JURISDICTION IS REQUIRED PRIOR TO START OF WORK.
24. THE DISTRICT DOES NOT WARRANTEE THE ACCURACY, COMPLETENESS, LOCATION, OR THE EXISTENCE OF NON-EXISTENCE OF ANY UTILITY PIPE OR STRUCTURE WITHIN THE LIMITS OF THIS PROJECT. THE CONTRACTOR IS REQUIRED TO TAKE ALL DUE PRECAUTIONARY MEANS NECESSARY TO PROTECT THOSE UTILITY LINES NOT SHOWN ON THESE PLANS.
25. THE APPLICANT SHALL REMOVE TO THE SATISFACTION OF THE MCWD INSPECTOR ALL UNUSED WATER STUBS AND/OR SERVICES THAT ARE REMOVED TO THE PROJECT SITE.

MCWD OFF-SITE RECYCLED WATER NOTES

1. RECYCLED WATER SYSTEMS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS OF THE DISTRICTS POTABLE WATER SYSTEM DESIGN REQUIREMENTS.
2. RECYCLED WATER PIPE SHALL BE PURPLE PVC C-900 PIPE, CLASS 150, WAIVED AS REQUIRED BY DISTRICT STANDARDS TO DENOTE IT AS RECYCLED WATER. DIR WAY BE USED WITH THE APPROVAL OF THE DISTRICT. WAIVED WITH PURPLE SLEEVE AND WARNING TAPE.
3. ALL 1-INCH AND 2-INCH COPPER OR POLYETHYLENE SERVICES SHALL BE MARKED CONTINUOUSLY WITH PIPELINE WARNING TAPE OR SLEEVE FROM END TO END.
4. CROSS-CONNECTION TEST FOR NEW RECYCLED WATER MAINS SHALL BE PERFORMED WITH A VISUAL INSPECTION OF PIPE IN OPEN TRENCH.

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

MCWD STANDARD WATER DETAILS

APN: 031-251-023 & 024

SUBMITTAL / REVISION
04/12/2023 — APPROVED/P.W.A.S

SCALE: NONE
DRAWN: AH
JOB NO.: 3140.35
SHEET 10 OF 24

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THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

MCWD STANDARD SANITARY SEWER DETAILS

APN: 031-251-073 & 074

SUBMITAL / REVISION
NO. DATE APPROVED BY
A 04/13/2023

SCALE: NONE
DRAWN: AH
JOB NO.: 31403S
SHEET 11 OF 23

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REGISTERED PROFESSIONAL ENGINEER
ANDREW P. HOLLEMAN
No. 82126
CIVIL
STATE OF CALIFORNIA

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0 1 2 3 INCHES

TRENCH COMPACTION NOTE

TRENCH BACKFILL ON ALL SEWER AND WATER TO BE DEDICATED TO THE DISTRICT, SHALL BE COMPACTED TO 95% RELATIVE COMPACTION AS DETERMINED BY TEST METHOD ASTM 1557. TESTS REQUIRED EVERY TWO HUNDRED (200') FEET OF TRENCH AND EVERY TWO (2) FEET OF RISE (BACKFILL). THE DEVELOPER SHALL SUBMIT WRITTEN RESULTS OF COMPACTION TESTING TO THE FOR AND THE DISTRICT PRIOR TO ACCEPTANCE. IF THE TRENCH LOCATION IS WITHIN DESIGNATED STREET OR FUTURE STREET ROAD-OF-WAY, COMPACTION SHALL BE AS REQUIRED BY THE LOCAL GOVERNMENTAL AGENCY HAVING JURISDICTION, BUT IN NO CASE SHALL THE COMPACTION FREQUENCY BE LESS STRICT THAN SPECIFIED ABOVE.

MCWD NOTE

ALL EXISTING SURFACE AND UNDERGROUND FACILITIES ARE TO REMAIN AND BE PROTECTED IN PLACE DURING GRADING AND CONSTRUCTION OPERATIONS UNLESS OTHERWISE NOTED ON THE DEMOLITION PLANS. PER THE INFRASTRUCTURE AGREEMENT, ALL EXISTING WATER AND SEWER LINES ARE TO BE REPAIRED, REPLACED, AND MAINTAINED AS NEEDED UNTIL THE PROJECT IS ACCEPTED BY MCWD.

MCWD SUBMITTALS

1. MATERIAL LIST: SOIL, CONCRETE, WATER, SEWER, RECYCLED WATER PIPE, HYDRANTS, FITTINGS, BOXES, AND VALVES. ALSO INCLUDES HOT WATER HEATER SPECIALS AND APPLIANCES PER MCWD STANDARD SPECIFICATIONS.
2. PRECAST STRUCTURE MANUFACTURED SHOP DRAWINGS AND TESTING RESULTS PER MCWD STANDARD SPECIFICATIONS.
3. MANUFACTURED TESTING CERTIFICATES PER MCWD STANDARD SPECIFICATIONS.
4. WATER TESTING SUBMITTALS, PRESSURE TEST AND DISINFECTION PLAN PER MCWD STANDARD SPECIFICATIONS AND AWWA.
5. SEWER TESTING SUBMITTALS, MANDREL TEST, LEAKAGE AND INFILTRATION TEST, AND CLOSED-CIRCUIT TELEVISION INSPECTIONS PER MCWD STANDARD SPECIFICATIONS.
6. AS-BUILT PLANS, CONTRACTOR TO PROVIDE AS-BUILT TO THE CDR FOR REVIEW AND APPROVAL.
7. CONSTRUCTION INSPECTION AND TESTING, CONTRACTOR TO PROVIDE ALL INSPECTION AND TESTING REPORTS FOR REVIEW AND ACCEPTANCE TO THE CDR.

WATER SHUTOFF SHOP DRAWING MINIMUM REQUIREMENTS

PROVIDE A MAP OF THE AREA, IDENTIFY AND FIELD VERIFY THE VALVE LOCATIONS, SHOW WATER CONNECTIONS AND PROCEDURES FOR CONNECTION, EACH SHOP DRAWING SHALL COMPLY WITH THE SPECIFIC LOCATION SUBJECT TO THE HYDROSTATIC TESTING AND DISINFECTION PLAN. PLEASE REFERENCE MCWD STANDARD SPECIFICATION 15041 AND 15042 AND PROVIDE TABS AND SCHEDULE TO INFORM CUSTOMERS OF A WATER SHUT-OFF. PROVIDE LIST OF CUSTOMERS THAT WILL BE IMPACTED BY A WATER SHUTOFF. IF ANY, PLEASE ALLOW MCWD 2 WEEKS TO REVIEW A COMPLETE SHOP DRAWING.

PLAN REVISIONS

THE CONTRACTOR SHALL PROVIDE A COPY OF REDLINES IN PAPER AND ELECTRONIC FORMAT TO THE ENGINEER OF RECORD FOR REVIEW AND ACCEPTANCE. ALL CHANGES TO THE PLANS MUST BE APPROVED BY THE ENGINEER OF RECORD.

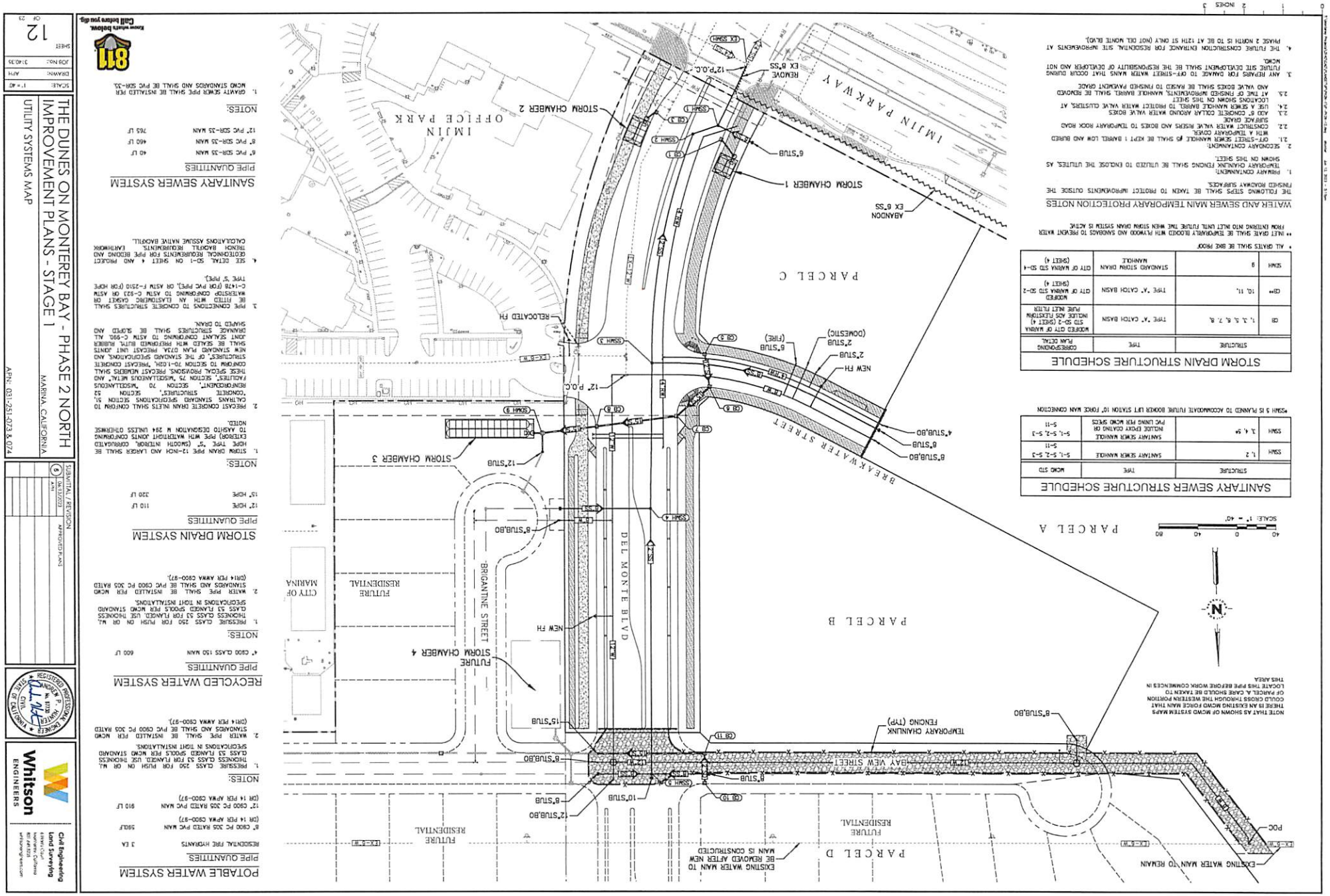
1. THE CONTRACTOR IS RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH CHANGES OR WATER MAIN LOCATIONS OR INVERTS SHALL BE DOCUMENTED ON RECORDS DRAWINGS WITH A CLOUD AND DELTA.
2. CONSTRUCTION TO PROVIDE SANITARY SEWER AS-BUILT RIM AND INVERT ELEVATIONS AND WATER MAIN AS-BUILT LOCATION AND ELEVATION OF ALL VALVES, BENDS, AND TEES TO ENGINEER.

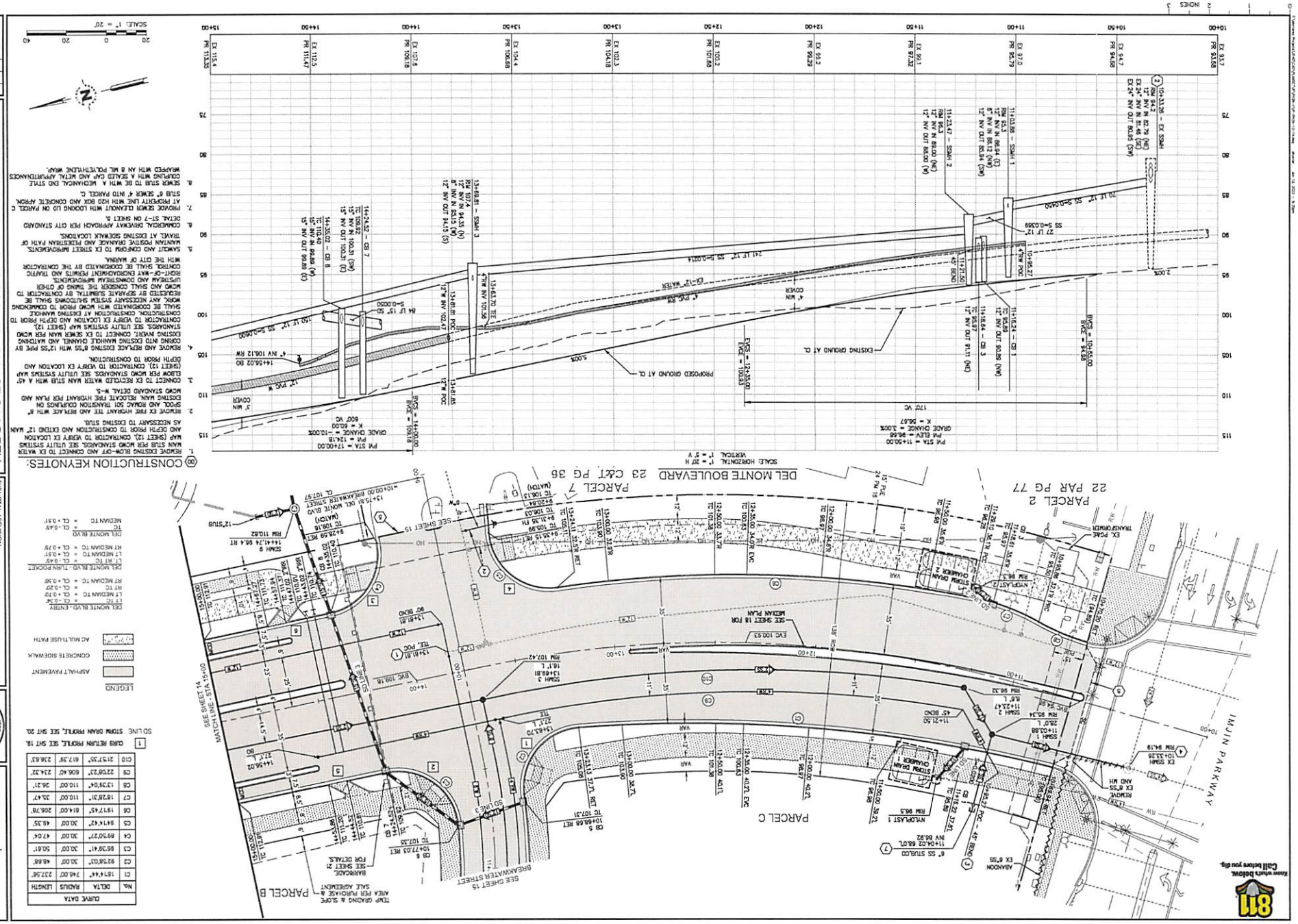
CONSTRUCTION WATER

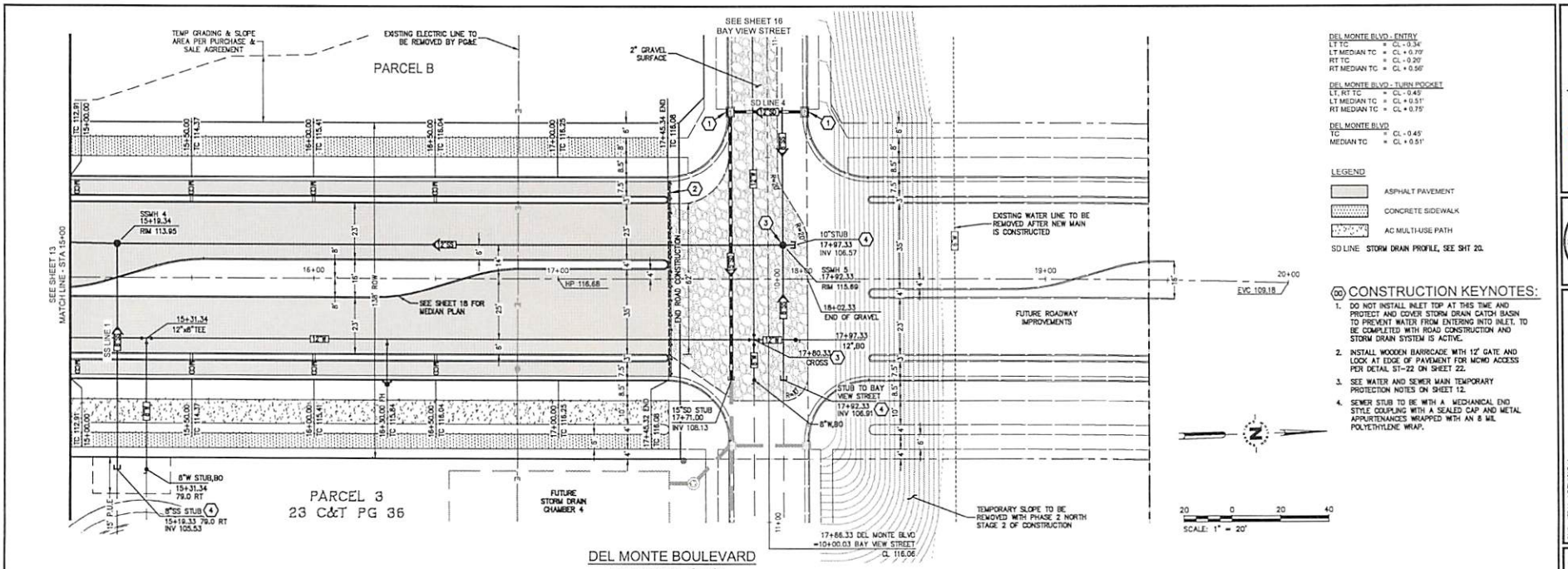
CONTRACTOR TO OBTAIN A CONSTRUCTION WATER METER FROM MCWD TO BE UTILIZED ON A FIRE HYDRANT FOR CONSTRUCTION WATER PURPOSES, INCLUDING DUST CONTROL.

MCWD STANDARD SEWER NOTES

1. THE SEWER SYSTEM AS SHOWN ON THESE PLANS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE STANDARD PLANS AND SPECIFICATIONS OF THE MARINA COAST WATER DISTRICT UNLESS OTHERWISE NOTED ON PLAN. CONTRACTOR SHALL KEEP A COPY OF THE STANDARD SPECIFICATIONS AND DRAWINGS ON THE JOBSITE AT ALL TIMES.
2. THE MARINA COAST WATER DISTRICT SHALL BE NOTIFIED AT LEAST 48 HOURS PRIOR TO COMMENCING WORK ON THE SEWERS. PHONE (831) 384-6131 FOR INSPECTION. A PRECONSTRUCTION MEETING SHALL BE HELD AT LEAST 24 HOURS BEFORE STARTING CONSTRUCTION.
3. SEWER CONNECTION: 4" HOUSE CONNECTION IS TO BE CONSTRUCTED FROM THE SEWER MAIN TO THE PROPERTY LINE FOR EACH LOT.
4. ALL SEWER HOUSE CONNECTIONS SHALL BE PLACED PRIOR TO SURFACING OF STREETS.
5. ALL SEWER LENGTHS ARE CALCULATED ON HORIZONTAL DISTANCES ALONG THE CENTERLINE OF THE SEWER.
6. PRESSURE TESTING OF SEWERS SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS OF 00410.00 SHOWN ON SEWER PROFILE DENOTES STATIONING ALONG CENTERLINE SEWER FROM DOWNSTREAM MANHOLE.
7. IN ORDER TO PREVENT ACCIDENTAL USE OF THE NEW SEWER PRIOR TO COMPLETION AND ACCEPTANCE, THE OUTLET OR INLET TO EXISTING TEE-IN MANHOLE(S) SHALL BE SEALED WITH BRICK AND MORTAR. INSTALLATION OF THESE PLUGS SHALL BE APPROVED BY THE DISTRICT. PLUGS SHALL BE REMOVED AT THE TIME OF FINAL ACCEPTANCE.
8. CONTRACTOR'S SURVEYOR SHALL STAKE THE LOCATION OF ALL MVE FITTINGS. ALL HOUSE LATERALS BEFORE CONSTRUCTING ANY SEWERS IN THIS PROJECT.
9. CONTRACTOR SHALL VERIFY THE HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITY CROSSINGS AND NOTIFY THE DISTRICT AND INSPECTOR OF ANY CONFLICTS PRIOR TO CONSTRUCTION.
10. A PROPERTY OWNER AS SHOWN ON THE PLANS, NOT NORMAL TO STREET SEWER TO HAVE END OF LATERAL AT PROPERTY LINE STAKED AND TIED TO THE MARINA COAST WATER DISTRICT WILL INSPECT AND MAINTAIN ALL MANHOLES AND MAIN LINE SEWERS. THE DISTRICT WILL INSPECT LATERALS FROM THE MAIN TO THE BUILDING LINE, BUT MAINTAIN ONLY TO THE PROPERTY LINE/CLEAN-OUT. THE LOCAL BUILDING DEPARTMENT OR APPROPRIATE GOVERNING AGENCY WILL INSPECT AND VERIFY BUILDING CONNECTIONS TO THE LATERALS.
11. ANY WORK TO BE PERFORMED INSIDE A LIVE MANHOLE SHALL BE DONE IN ACCORDANCE WITH CAL OSHA "CONFINED SPACES" AND DISTRICT MANHOLE ENTRY REGULATIONS. MANHOLE ENTRY WITHOUT DISTRICT PERSONNEL PRESENT IS NOT ALLOWED.
12. THE CONTRACTOR SHALL CONDUCT ALL TESTS AS REQUIRED IN THE PRESENCE OF THE DISTRICT REPRESENTATIVE.
13. ALL SEWER MANHOLE LIDS ARE TO HAVE "MCWD" CAST THEREON AS SHOWN IN STANDARD PLAN S-3 OF MARINA COAST WATER DISTRICTS "STANDARD PLANS AND SPECIFICATIONS FOR CONSTRUCTION OF DOMESTIC WATER, SEWER AND RECYCLED WATER FACILITIES".
14. THE APPLICANT IS TO PROVIDE THE MARINA COAST WATER DISTRICT WITH A RECORD DRAWINGS SET OF JOB PRINTS WITH TIE-DOWN MEASUREMENTS FOR ALL LATERALS AND MANHOLES.
15. CURB FACE SHALL BE INSCRIBED WITH AN "S" INDICATING LOCATION OF ALL SEWER LATERALS.

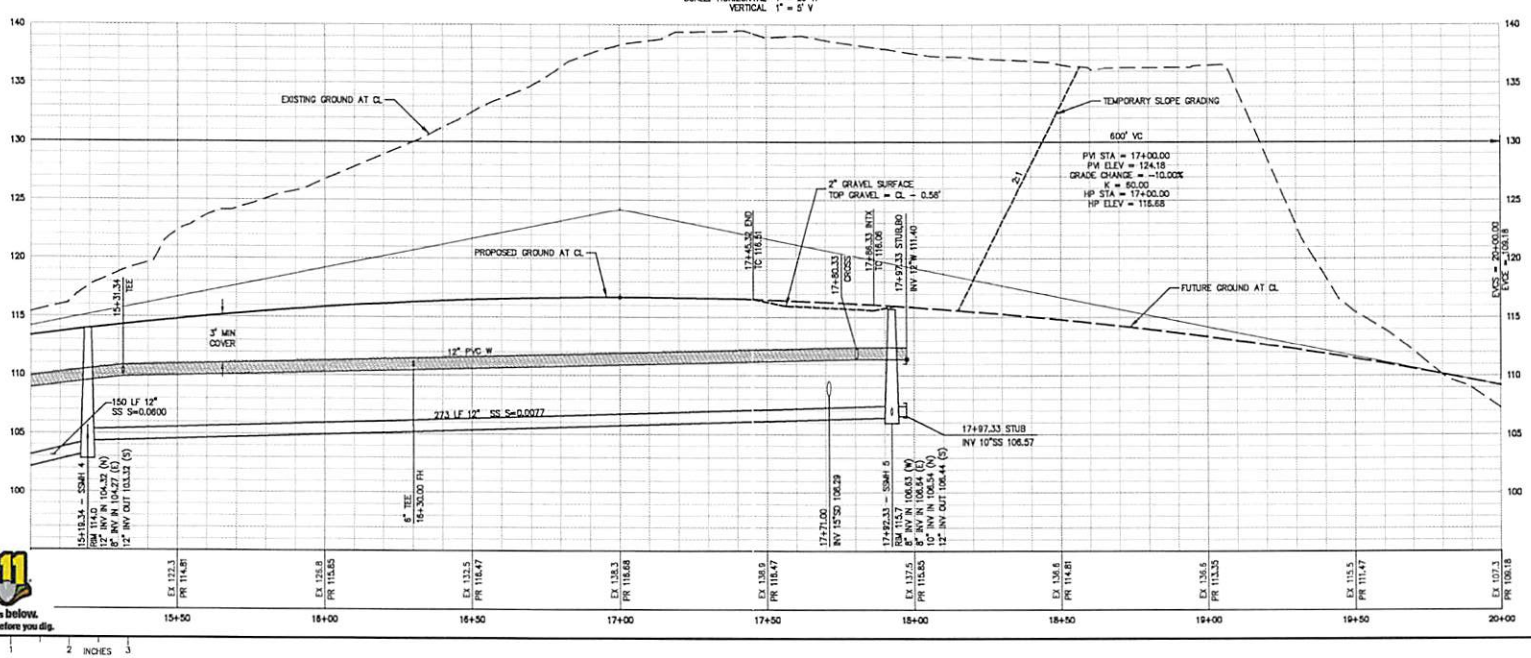

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA
UTILITY SYSTEMS MAP
APN: 031-251-073 & 074
Whitson ENGINEERS
Civil Engineering
Land Surveying
SUBMITTAL / REVISION
SCALE: 1" = 40'
DRAWN: AH
JOB NO.: 31-0135
SHEET 12 OF 23
Know what's below. Call before you dig.
POTABLE WATER SYSTEM
PIPE QUANTITIES
RESIDENTIAL FIRE HYDRANTS 3 EA
8" C900 PC 305 RATED PVC MAIN 580 LF
(OR 14 PER APWA C900-97)
12" C900 PC 305 RATED PVC MAIN 910 LF
(OR 14 PER APWA C900-97)
NOTES:
1. PRESSURE CLASS 250 FOR PUSH ON OR MJ. THICKNESS CLASS 53 FOR FLANGED. USE THICKNESS CLASS 53 FLANGED SPOOLS PER MCWD STANDARD SPECIFICATIONS IN TIGHT INSTALLATIONS.
2. WATER PIPE SHALL BE INSTALLED PER MCWD STANDARDS AND SHALL BE PVC C900 PC 305 RATED (DR14 PER AWWA C900-97).
RECYCLED WATER SYSTEM
PIPE QUANTITIES
6" C900 CLASS 150 MAIN 600 LF
NOTES:
1. PRESSURE CLASS 250 FOR PUSH ON OR MJ. THICKNESS CLASS 53 FLANGED. USE THICKNESS CLASS 53 FLANGED SPOOLS PER MCWD STANDARD SPECIFICATIONS IN TIGHT INSTALLATIONS.
2. WATER PIPE SHALL BE INSTALLED PER MCWD STANDARDS AND SHALL BE PVC C900 PC 305 RATED (DR14 PER AWWA C900-97).
STORM DRAIN SYSTEM
PIPE QUANTITIES
12" HDPE 110 LF
15" HDPE 320 LF
NOTES:
1. STORM DRAIN PIPE 12-INCH AND LARGER SHALL BE HDPE TYPE 'S' (SMOOTH INTERIOR, CORRUGATED EXTERIOR) PIPE WITH WATERTIGHT JOINTS CONFORMING TO AASHTO DESIGNATION M 294 UNLESS OTHERWISE NOTED.
2. PRECAST CONCRETE DRAIN INLETS SHALL CONFORM TO CALTRANS STANDARD SPECIFICATIONS SECTION 51, "CONCRETE STRUCTURES", SECTION 52 REINFORCEMENT", SECTION 70 "MISCELLANEOUS FACILITIES", SECTION 75 "MISCELLANEOUS METAL" AND THESE SPECIAL PROVISIONS. PRECAST MEMBERS SHALL CONFORM TO SECTION 70-1.02H, "PRECAST CONCRETE NEW STANDARD PLAN D73A. PRECAST LID/ JOINTS STRUCTURES", OF THE STANDARD SPECIFICATIONS, AND SHALL BE SEALED WITH PREFORMED BUTYL RUBBER JOINT SEALANT CONFORMING TO ASTM C-990. ALL DRAINAGE STRUCTURES SHALL BE SLOPED TO DRAIN.
3. PIPE CONNECTIONS TO CONCRETE STRUCTURES SHALL BE FITTED WITH AN ELASTOMERIC GASKET OR WATERSTOP CONFORMING TO ASTM C-923 OR ASTM C-1478 (FOR PVC PIPE), OR ASTM F-2510 (FOR HDPE TYPE 'S' PIPE).
4. SEE DETAIL SD-1 ON SHEET 4 AND PRODUCT CUTSHEETS FOR PIPE BEDDING AND TRENCH BACKFILL REQUIREMENTS. EARTHWORK CALCULATIONS ASSUME NATIVE BACKFILL.
SANITARY SEWER SYSTEM
PIPE QUANTITIES
6" PVC SDR-35 MAIN 40 LF
8" PVC SDR-35 MAIN 460 LF
12" PVC SDR-35 MAIN 765 LF
NOTES:
1. GRAVITY SEWER PIPE SHALL BE INSTALLED PER MCWD STANDARDS AND SHALL BE PVC SDR-35.
STORM DRAIN STRUCTURE SCHEDULE
STRUCTURE | TYPE | CORRESPONDING PLAN DETAIL
CB | 1, 3, 5, 6, 7, 8, | TYPE "A" CATCH BASIN | MODIFIED CITY OF MARINA STD SD-2 (SHEET 4) INCLUDE ADS FLEXSTORM PIPE INLET FILTER
CB** | 10, 11, | TYPE "A" CATCH BASIN | MODIFIED CITY OF MARINA STD SD-2 (SHEET 4)
SDMH | 9 | STANDARD STORM DRAIN MANHOLE | CITY OF MARINA STD SD-4 (SHEET 4)
* ALL GRATES SHALL BE BIKE PROOF.
** INLET GRATE SHALL BE TEMPORARILY BLOCKED WITH PLYWOOD AND SANDBAGS TO PREVENT WATER FROM ENTERING INTO INLET UNTIL FUTURE TIME WHEN STORM DRAIN SYSTEM IS ACTIVE
WATER AND SEWER MAIN TEMPORARY PROTECTION NOTES
THE FOLLOWING STEPS SHALL BE TAKEN TO PROTECT IMPROVEMENTS OUTSIDE THE FINISHED ROADWAY SURFACES.
1. PRIMARY CONTAINMENT:
TEMPORARY CHAINLINK FENCING SHALL BE UTILIZED TO ENCLOSE THE UTILITIES, AS SHOWN ON THIS SHEET.
2. SECONDARY CONTAINMENT:
2.1. OFF-STREET SEWER MANHOLE #5 SHALL BE KEPT 1 BARREL LOW AND BURIED WITH A TEMPORARY COVER.
2.2. CONSTRUCT WATER VALVE RISERS AND BOXES TO TEMPORARY ROCK ROAD SURFACE GRADE
2.3. ADD 6" CONCRETE COLLAR AROUND WATER VALVE BOXES
2.4. USE A SEWER MANHOLE BARREL TO PROTECT WATER VALVE CUSTERS, AT LOCATIONS SHOWN ON THIS SHEET.
2.5. AT TIME OF FINISHED IMPROVEMENTS, MANHOLE BARREL SHALL BE REMOVED AND VALVE BOXES SHALL BE RAISED TO FINISHED PAVEMENT GRADE
3. ANY REPAIRS FOR DAMAGE TO OFF-STREET WATER MAINS THAT OCCUR DURING FUTURE SITE DEVELOPMENT SHALL BE THE RESPONSIBILITY OF DEVELOPER AND NOT MCWD.
4. THE FUTURE CONSTRUCTION ENTRANCE FOR RESIDENTIAL SITE IMPROVEMENTS AT PHASE 2 NORTH IS TO BE AT 12TH ST ONLY (NOT DEL MONTE BLVD).
SANITARY SEWER STRUCTURE SCHEDULE
STRUCTURE | TYPE | MCWD STD
SSMH | 1, 2 | SANITARY SEWER MANHOLE | S-1, S-2, S-3
SSMH | 3, 4, 5* | SANITARY SEWER MANHOLE NEUCLE EPOXY COATING OR PVC LINING PER MCWD SPECS | S-1, S-2, S-3 S-11
*SSMH 5 IS PLANNED TO ACCOMMODATE FUTURE BOOSTER LIFT STATION 10' FORCE MAIN CONNECTION
NOTE THAT AS SHOWN OF MCWD SYSTEM MAPS THERE IS AN EXISTING MCWD FORCE MAIN THAT COULD CROSS THROUGH THE WESTERN PORTION OF PARCEL A. CARE SHOULD BE TAKEN TO LOCATE THIS PIPE BEFORE WORK COMMENCES IN THIS AREA
SCALE: 1" = 40'
PARCEL A
PARCEL B
PARCEL C
PARCEL D
IMJIN PARKWAY
IMJIN OFFICE PARK
BREAKWATER STREET
DEL MONTE BLVD
BRIGANTINE STREET
BAY VIEW STREET
CITY OF MARINA
FUTURE RESIDENTIAL
STORM CHAMBER 1
STORM CHAMBER 2
STORM CHAMBER 3
FUTURE STORM CHAMBER 4
ABANDON EX 8"SS
REMOVE EX 8"SS
RELOCATED FH
NEW FH
TEMPORARY CHAINLINK FENCING (TYP)
EXISTING WATER MAIN TO REMAIN
EXISTING WATER MAIN TO BE REMOVED AFTER NEW MAIN IS CONSTRUCTED
POC
N


THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
PLAN & PROFILE
DEL MONTE BOULEVARD - STA 10+00 TO 15+00
MARINA, CALIFORNIA
APN: 031-251-073 & 074
SHEET 13 OF 23
JOB NO.: 3103.15
DRAWN: AHH
SCALE: 1" = 20'
Whitson ENGINEERS
Civil Engineering
Land Surveying
SUBMITTAL / REVISION
06/13/2023
APPROVED PLANS
CONSTRUCTION KEYNOTES:
LEGEND
ASPHALT PAVEMENT
CONCRETE SIDEWALK
AC MULTI-USE PATH
CURVE DATA
DEL MONTE BOULEVARD
PARCEL 7
PARCEL 2
PARCEL C
PARCEL B
IMJIN PARKWAY
BREAKWATER STREET
811
Know what's below. Call before you dig.



DEL MONTE BOULEVARD

SCALE: HORIZONTAL 1" = 20' H
VERTICAL 1" = 5' V



Know what's below. Call before you dig.

0 1 2 INCHES 3

Civil Engineering Land Surveying
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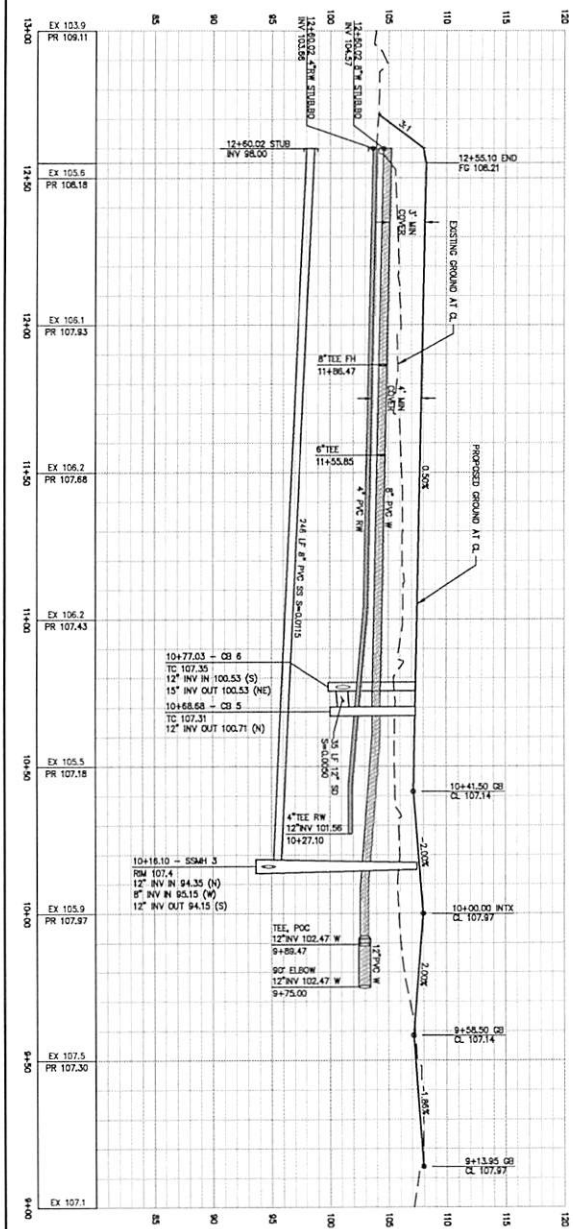
6 06/17/2023 APPROVED PLANS

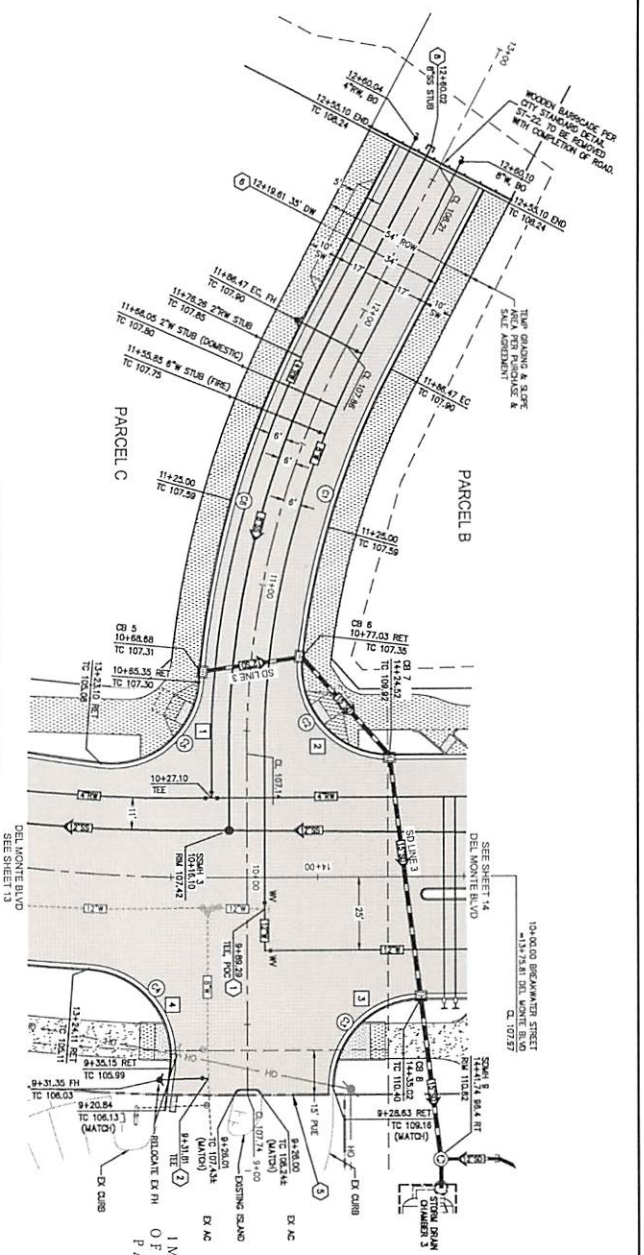
THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

PLAN & PROFILE
DEL MONTE BOULEVARD - STA 15+00 TO 20+00

APN: 031-251-073 & 074

SCALE: 1" = 20'
DRAWN: APH
JOB No.: 3140.35
SHEET 14 OF 23





CONSTRUCTION KEYNOTES:

1. REMOVE EXISTING BLOW-OFF AND CONNECT TO EX WATER MAIN AS SHOWN. CONTRACTOR TO VERIFY LOCATION AND DEPTH PRIOR TO CONSTRUCTION AND EXTEND 12" MAIN AS NECESSARY TO EXISTING STUB.
2. REMOVE EX FIRE HYDRANT TEE AND REPLACE WITH 8" SPOOL AND 8"MJ X 6"MJ RESTRAINED JOINT FITTING ON DOMESTIC WATER TRANSITION OUTSIDE OF PAVING PER MCWD STANDARD DETAIL W-5.
3. CONNECT TO EX RECYCLED WATER MAIN STUB WITH A 45° ELBOW PER MCWD STANDARDS. SEE UTILITY SYSTEMS MAP (SHEET 12). CONTRACTOR TO VERIFY EX LOCATION AND DEPTH PRIOR TO CONSTRUCTION.
4. INSTALL 8" PVC SEWER MAIN WITH 1"ISS PIPE BY CORING INTO EXISTING MANHOLE CHANNEL AND MATCHING EXISTING INVERT. CONNECT TO EX SEWER MAIN PER MCWD STANDARDS. SEE UTILITY SYSTEMS MAP (SHEET 12). CONTRACTOR TO POTHOLE EXISTING MANHOLE TO VERIFY PIPE SIZE AND INVERT PRIOR TO CONSTRUCTION. CONSTRUCTION AT EXISTING MANHOLE SHALL BE COORDINATED WITH MCWD PRIOR TO COMMENCING WORK. CONTRACTOR IS RESPONSIBLE FOR SUBMITTING REQUESTED BY SEPARATE SUBMITTAL BY CONTRACTOR TO MCWD AND SHALL CONSIDER THE TIMING OF OTHER IMPROVEMENTS. ENCROACHMENT PERMIT AND TRAFFIC CONTROL SHALL BE COORDINATED BY THE CONTRACTOR WITH THE CITY OF MARINA.
5. SAWCUT AND CONFORM TO EX STREET IMPROVEMENTS. INSTALL ACCESSIBLE CURB RAMP AND CROSSWALK TRAVEL AT EXISTING SIDEWALK LOCATIONS.
6. COMMERCIAL DRIVEWAY APPROACH PER CITY STANDARD DETAIL ST-7 ON SHEET 5.
7. PROVIDE SEWER CLEANOUT WITH LOCKING LID ON PARCEL C AT PROPERTY LINE WITH HDD BOX AND CONCRETE APRON.
8. SEWER STUB TO BE WITH A MECHANICAL END STYLE COUPLING AND BLIND FLANGE WITH APPURTENANCES WRAPPED WITH AN 8 MIL POLYETHYLENE WRAP.

CURVE DATA			
No.	DELTA	RADIUS	LENGTH
C1	270°41'00"	283.00'	133.23'
C2	90°39'41"	30.00'	50.81'
C3	89°57'07"	30.00'	47.04'
C4	54°14'42"	30.00'	48.35'
C5	92°56'53"	30.00'	48.68'
C6	233°33'51"	317.00'	177.98'

[1] CURB RETURN PROFILE SEE SHT 18.
SD LINE STORM DRAIN PROFILE SEE SHT 20.

LEGEND
ASPHALT PAVEMENT
CONCRETE SIDEWALK
AC MULTI-USE PATH

SCALE: 1" = 20'

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

PLAN & PROFILE
BREAKWATER STREET - STA 9+00 TO 13+00
APN: 031-251-073 & 074

SUBMITTAL / REVISION
6 | 04/13/2023 | APPROVED PLANS
APN

REGISTERED PROFESSIONAL ENGINEER
ANDREW P. HUNTER
No. 87138
CIVIL
STATE OF CALIFORNIA

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Civil Engineering
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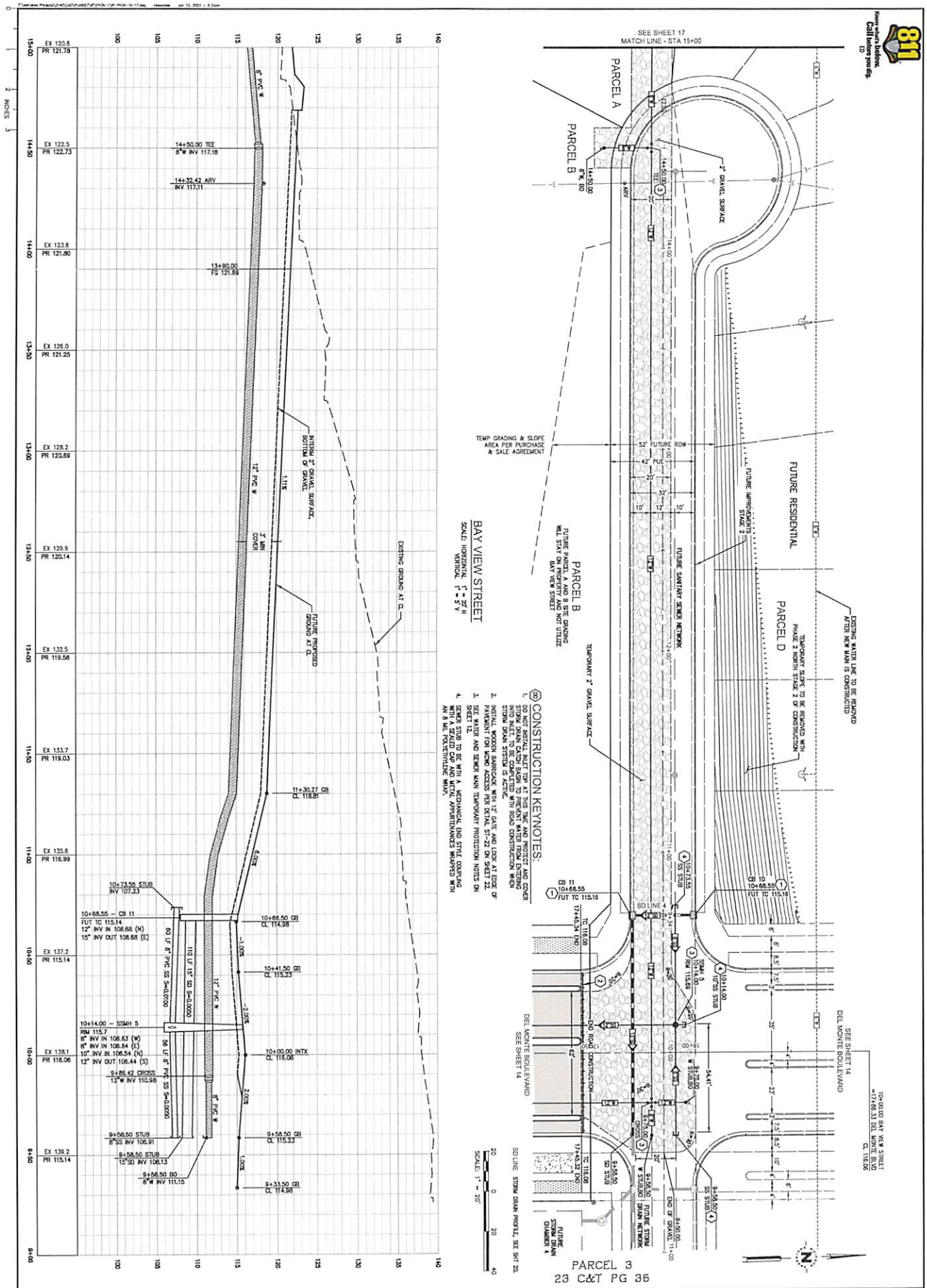
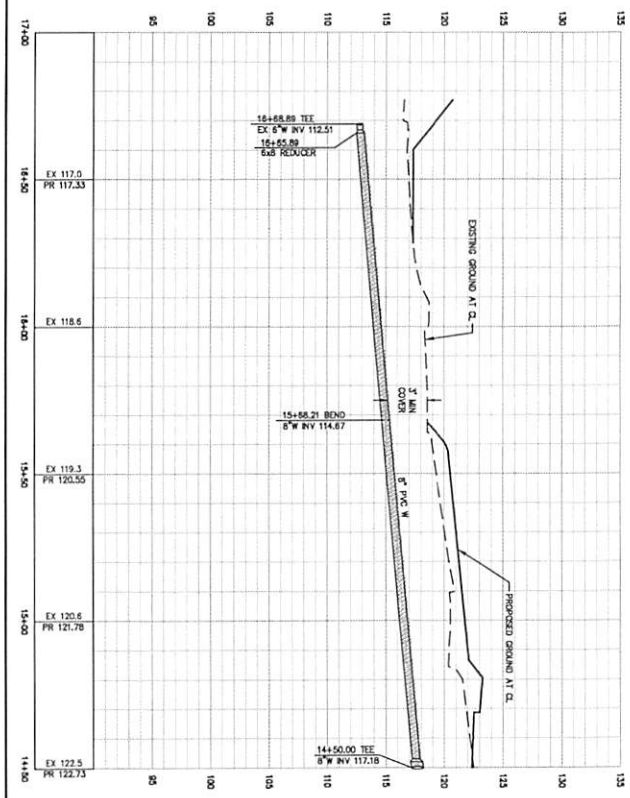
Monterey, California
831.649.8315
whitsonengineers.com

SHEET 15 OF 23
SCALE: 1" = 20'
DRAWN: APH
JOB NO.: 3140.35

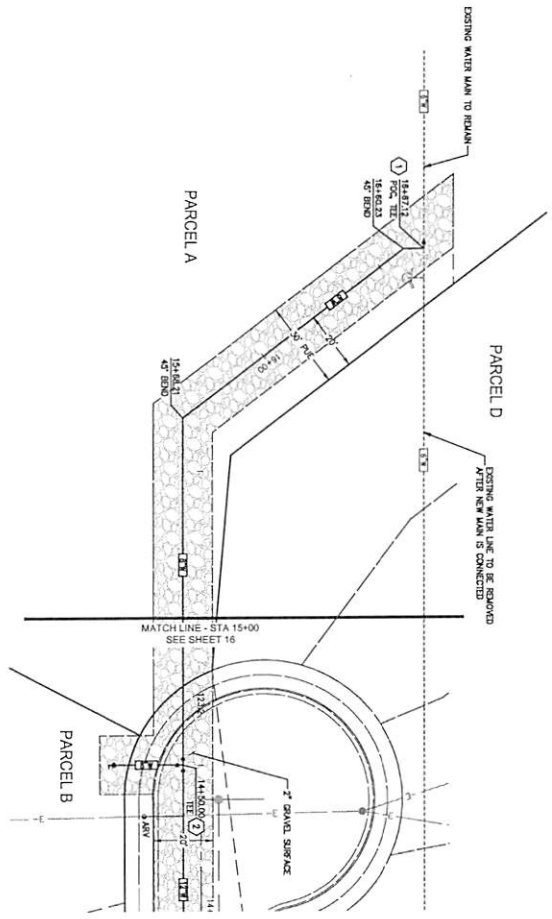


SHEET 16 OF 23	THE DUNES ON MONTEREY BAY - PHASE 2 NORTH IMPROVEMENT PLANS - STAGE 1 — MARINA, CALIFORNIA	SUBMITTAL / REVISION: 6 — 04/13/2023 — APPROVED PLANS — APH	Civil Engineering Land Surveying — Whitson ENGINEERS — 6 Harris Court, Monterey, California, 831.649.5225, whitsonengineers.com
JOB NO.: 3140.35 — DRAWN: APH — SCALE: 1" = 20'	PLAN & PROFILE — BAY VIEW STREET - STA 9+26 TO 15+00 — APN: 031-251-073 & 074		REGISTERED PROFESSIONAL ENGINEER — ANDREW P. HUNTER — No. 87730 — CIVIL — STATE OF CALIFORNIA



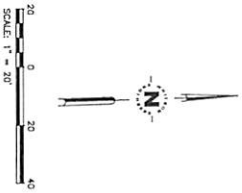
WATER CONNECTION

SCALE: HORIZONTAL 1" = 20' H
VERTICAL 1" = 5' V



CONSTRUCTION KEYNOTES:

1. CONNECT TO EX WATER MAIN PER MCWD STANDARDS WITH NEW CUT-IN ELBOW AND VALVE. SEE UTILITY SYSTEMS MAP SHEET 11. VERIFY EX LOCATION AND DEPTH PRIOR TO CONSTRUCTION.
2. SEE WATER AND SEWER MAIN TEMPORARY PROTECTION NOTES ON SHEET 12.



THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

PLAN & PROFILE
WATER CONNECTION - STA 15+00 TO 17+00
APN: 031-251-073 & 074

SUBMITTAL / REVISION
6 04/13/2023 APPROVED PLANS
APN

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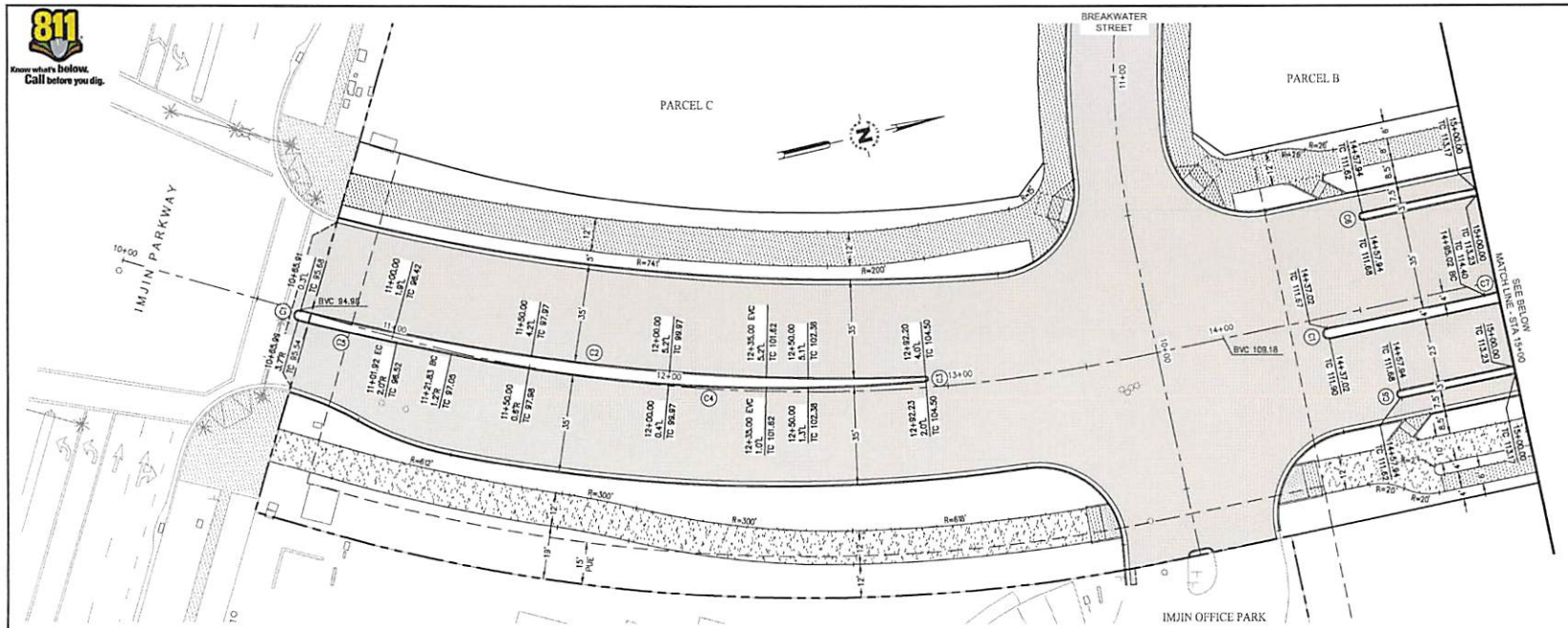
SHEET 17 OF 23
SCALE: 1" = 20'
DRAWN: APH
JOB NO.: 3140.35



MEDIAN CURVE DATA			
No.	DELTA	RADIUS	LENGTH
C1	180°00'00"	2.00'	6.28'
C2	16°30'03"	781.00'	224.92'
C3	174°02'54"	1.00'	3.04'
C4	16°51'10"	579.00'	170.30'
C5	2°37'45"	785.00'	36.02'
C6	180°00'00"	1.50'	4.71'
C7	16°41'57"	68.00'	19.82'

LEGEND

- ASPHALT PAVEMENT
- CONCRETE SIDEWALK
- AC MULTI-USE PATH

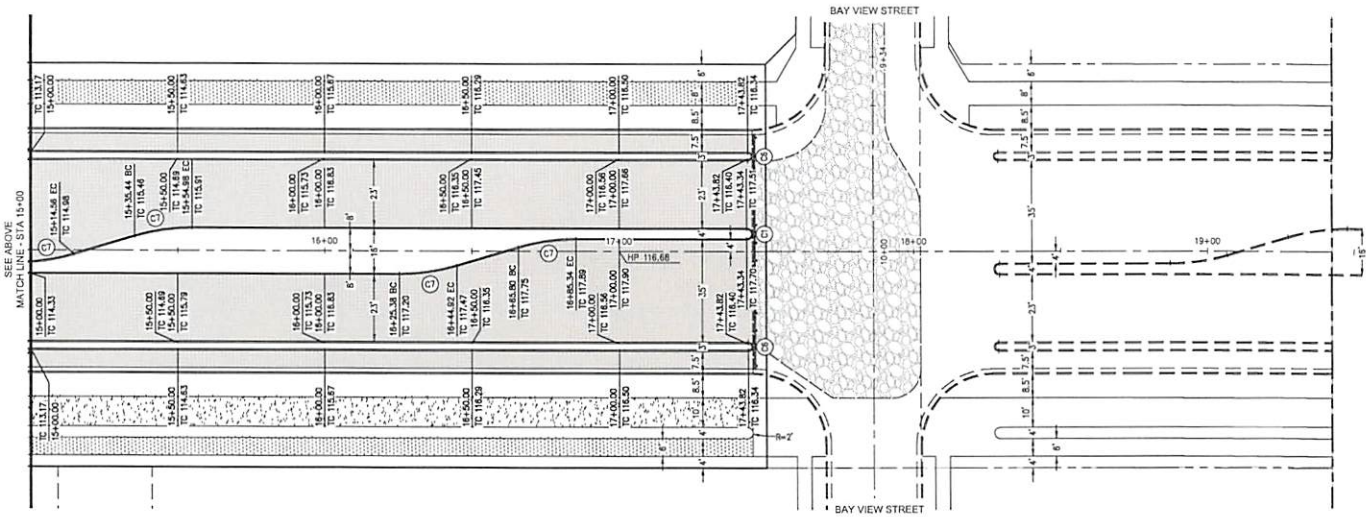
SEE SHEETS 13-14 FOR MEDIAN CURB DRAIN LOCATIONS

DEL MONTE BLVD - TURN POCKET
LT, RT TC = CL - 0.45'
LT MEDIAN TC = CL + 0.51'
RT MEDIAN TC = CL + 0.75'

DEL MONTE BLVD
TC = CL - 0.45'
MEDIAN TC = CL + 0.51'

DEL MONTE BOULEVARD

SCALE: HORIZONTAL 1" = 20'



SCALE: 1" = 20'

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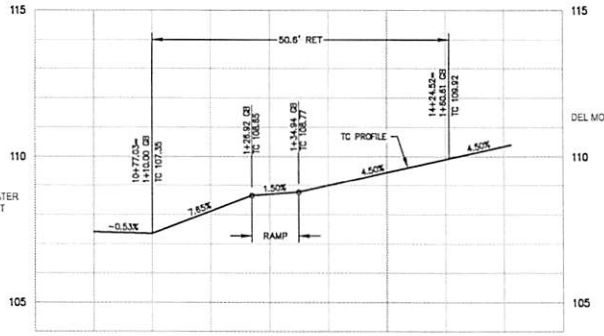
6 04/17/2023 APPROVED PLANS

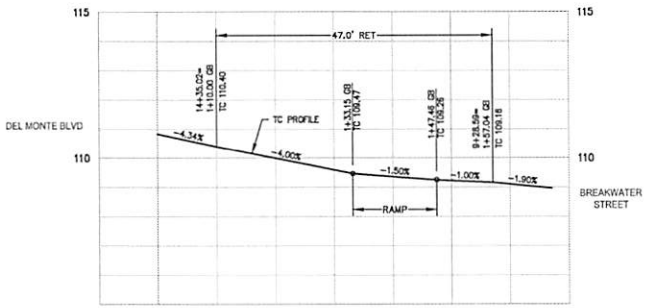
THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA
APN: 031-251-073 & 074

MEDIAN PLAN

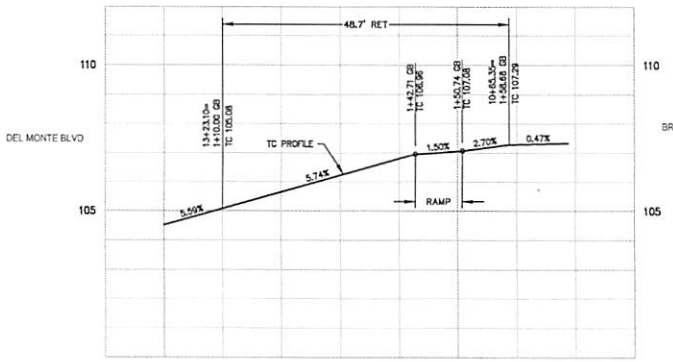
SCALE: 1" = 20'
DRAWN: APH
JOB No.: 3140.35
SHEET 18 OF 23



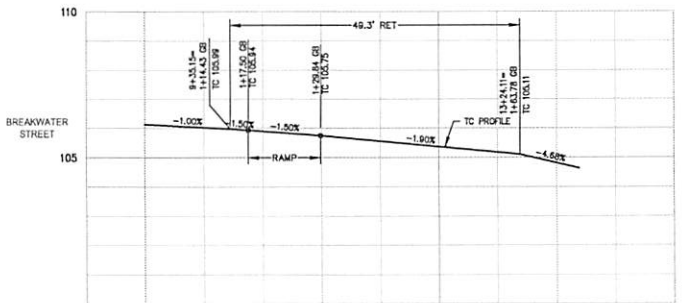
#2: NORTHWEST CORNER OF BREAKWATER STREET AND DEL MONTE BOULEVARD
(SEE SHEET 13)



#3: NORTHEAST CORNER OF BREAKWATER STREET AND DEL MONTE BOULEVARD
(SEE SHEET 13)

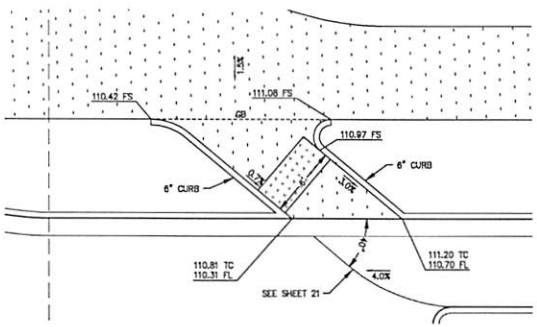


#1: SOUTHWEST CORNER OF BREAKWATER STREET AND DEL MONTE BOULEVARD
(SEE SHEET 13)

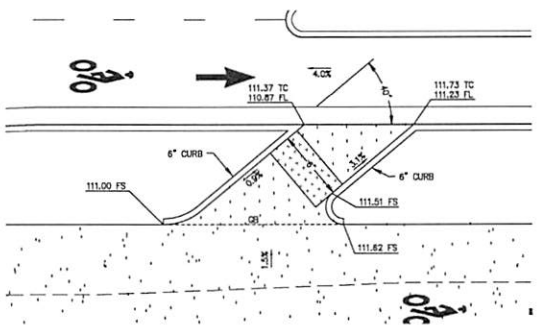


#4: SOUTHEAST CORNER OF BREAKWATER STREET AND DEL MONTE BOULEVARD
(SEE SHEET 13)

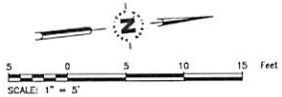
SCALE: H:1"=10'
V:1"=2'



#5: WEST BIKE RAMP
SCALE: 1"=5'
(SEE SHEET 13)



#6: EAST BIKE RAMP
SCALE: 1"=5'
(SEE SHEET 13)



811 Know what's below. Call before you dig.

0 1 2 INCHES 3

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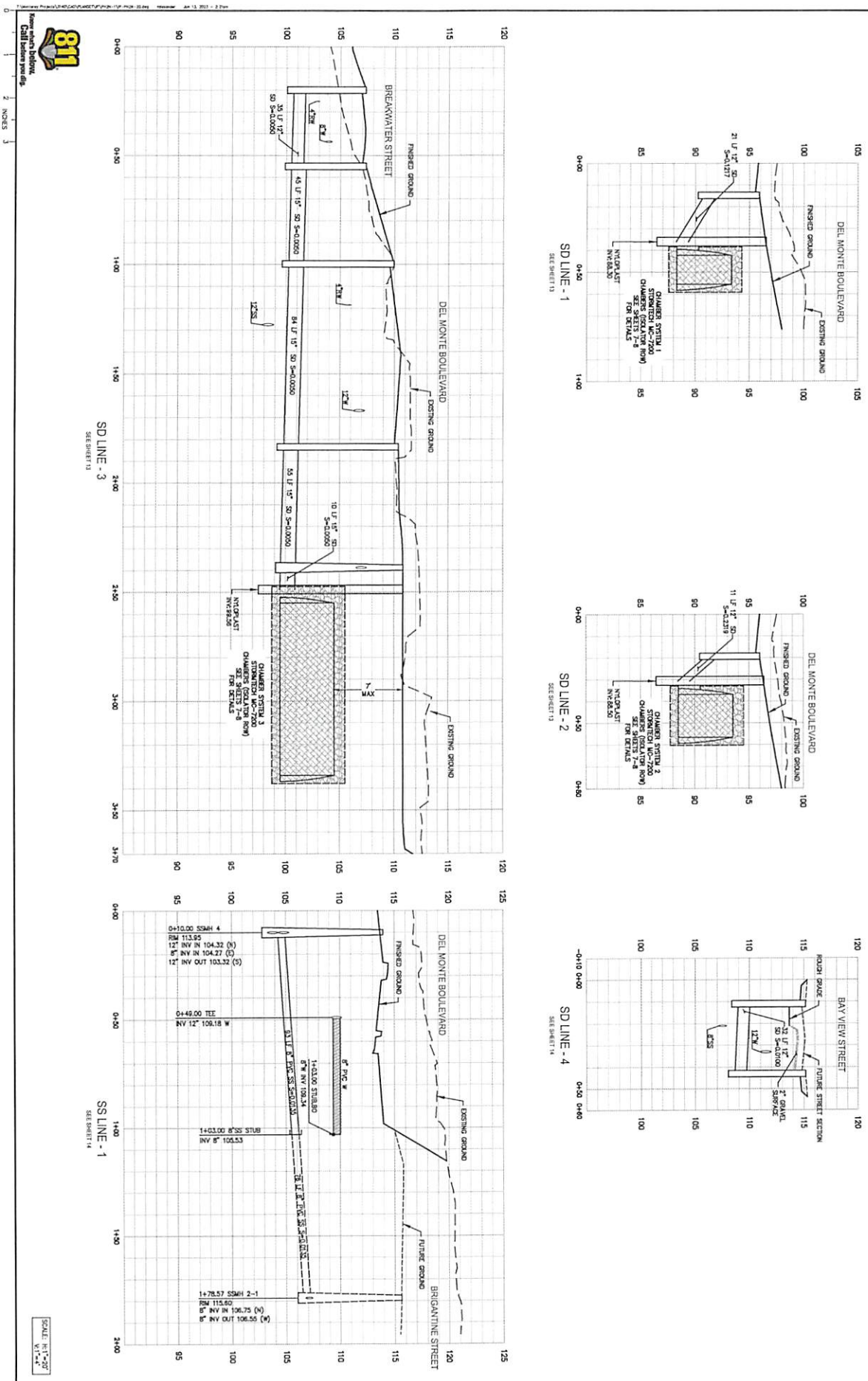
SUBMITTAL / REVISION
B 03/17/2023 AS-BUILTS

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

APN: 031-251-073 & 074

CURB RETURN PROFILES

SCALE: AS NOTED
DRAWN: A/PH
JOB No.: 3140.35
SHEET 19 OF 23



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THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS - STAGE 1
MARINA, CALIFORNIA

STORM DRAIN AND SEWER PROFILES
APN: 031-251-073 & 074

SUBMITTAL / REVISION
5 04/13/2023 APPROVED PLANS
APN

ANDREW P. HUNTER
No. 87736
REGISTERED PROFESSIONAL ENGINEER
CIVIL
STATE OF CALIFORNIA

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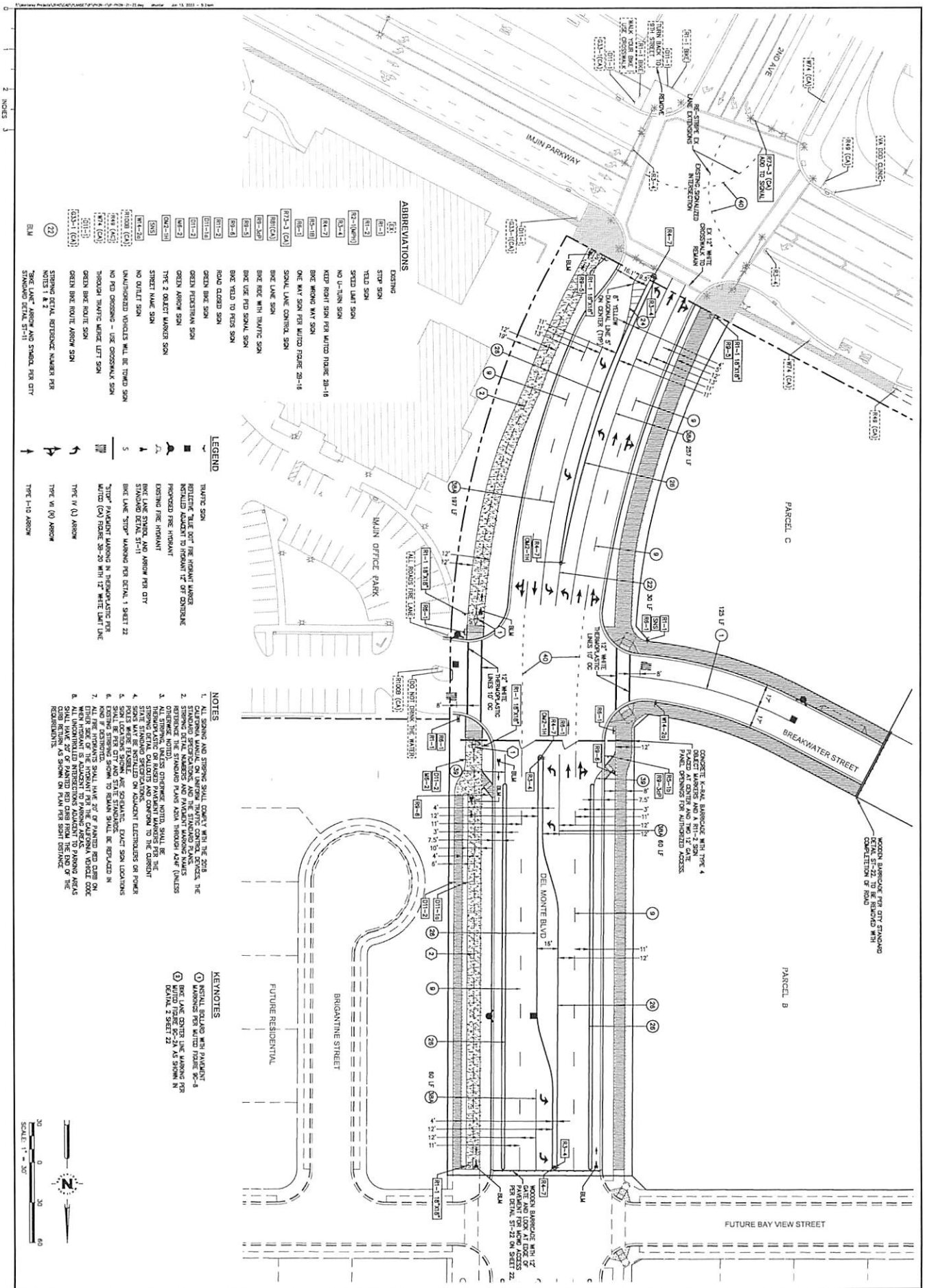
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

SHEET 20 OF 23
SCALE: 1"=20'
DRAWN:
JOB No.: 3140.35
APN



THE DUNES ON MONTEREY BAY - PHASE 2 NORTH
IMPROVEMENT PLANS
MARINA, CALIFORNIA

SIGNING AND STRIPING PLAN
APN: 031-251-073 & 074

SUBMITTAL / REVISION
6 06/13/2023 APPROVED PLANS

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Monterey, California
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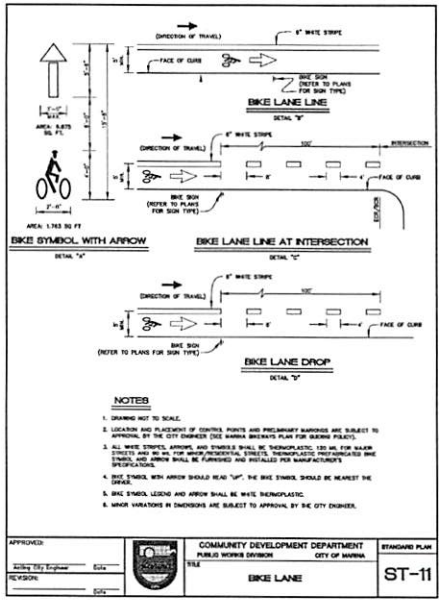
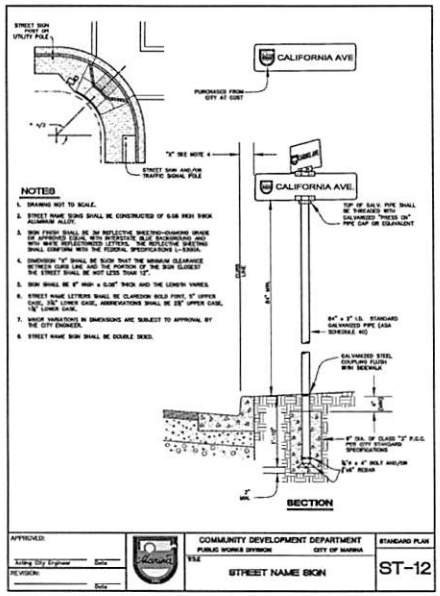
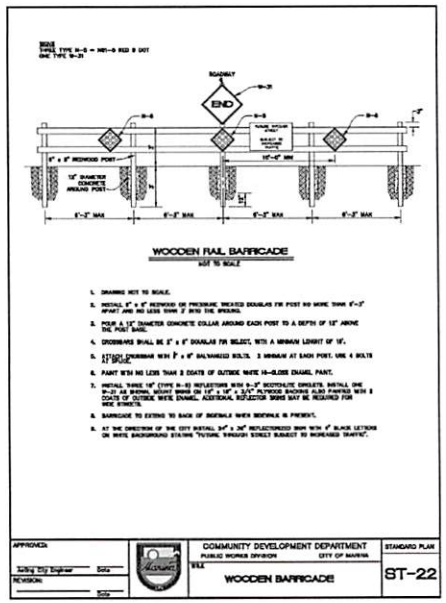
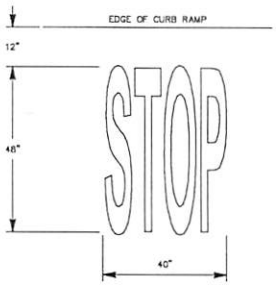
SCALE: 1"=30'
DRAWN: APM
JOB NO.: 31425
SHEET 21 OF 23

EXHIBIT A









1 BIKE PATH "STOP" MARKING
NO SCALE

2 BIKE PATH YELLOW CENTERLINE
NO SCALE

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0 1 2 INCHES 3

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PROFESSIONAL ENGINEER * ANDREW P. HUNTER * 87128 * CIVIL * STATE OF CALIFORNIA

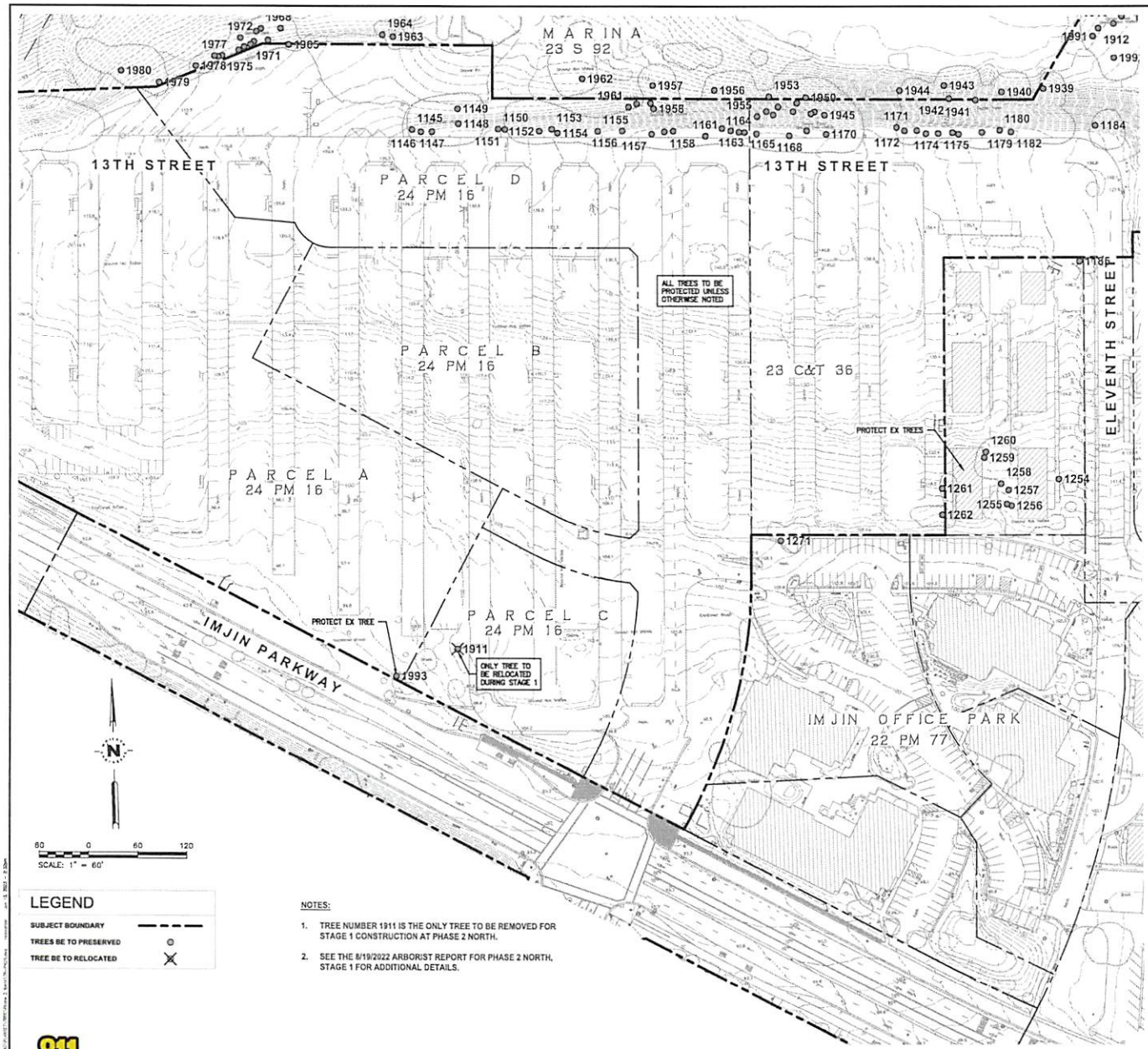
SUBMITTAL / REVISION
05/17/2023 APPROVED PLANS

THE DUNES ON MONTEREY BAY - PHASE 2 NORTH IMPROVEMENT PLANS
MARINA, CALIFORNIA

SIGNING AND STRIPING PLAN - NOTES

APN: 031-251-073 & 074

SCALE: NONE
DRAWN: APH
JOB No.: 3140.35
SHEET 22 OF 23



LEGEND

- SUBJECT BOUNDARY
- TREES BE TO PRESERVED
- TREE BE TO RELOCATED

NOTES:

1. TREE NUMBER 1911 IS THE ONLY TREE TO BE REMOVED FOR STAGE 1 CONSTRUCTION AT PHASE 2 NORTH.
2. SEE THE 8/19/2022 ARBORIST REPORT FOR PHASE 2 NORTH, STAGE 1 FOR ADDITIONAL DETAILS.

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TREE REMOVAL AND PROTECTION MEASURES

RECOMMENDED BEST MANAGEMENT PRACTICES FOR TREE PRESERVATION PER DENISE DUFFY & ASSOCIATES, INC.

TREE PROTECTION: FENCING AND BARRICADES

1. ALL TREES IN THE PROJECT AREA WHICH ARE SCHEDULED FOR PRESERVATION SHALL BE TEMPORARILY FENCED PRIOR TO ALL PROJECT- RELATED ACTIVITIES. FENCING SHALL BE INSTALLED AT THE EDGE OF THE ROOT ZONE (THE AREA LOCATED WITHIN 15 TIMES THE TRUNK DIAMETER IN ALL DIRECTIONS) UNLESS AN ALTERNATE LOCATION IS DETERMINED ESSENTIAL TO THE CONSTRUCTION OF THE PROJECT. FENCING SHALL CONSIST OF CHAIN LINK OR PLASTIC LINK FENCE WHICH IS MAINTAINED AT A MINIMUM HEIGHT OF FOUR FEET ABOVE GRADE DURING ALL PHASES OF CONSTRUCTION.
2. FENCED AREAS SHALL NOT BE USED FOR MATERIAL STOCKPILE, STORAGE, OR VEHICLE PARKING. DUMPING OF MATERIALS, CHEMICALS, OR GARBAGE SHALL BE PROHIBITED WITHIN FENCED AREAS. FENCED AREAS SHALL BE MAINTAINED IN NATURAL CONDITION AT NATURAL OR EXISTING GRADE AND SHALL NOT BE COMPACTED.
3. ALL APPROVED CONSTRUCTION WITHIN THE ROOT ZONE SHALL INCLUDE CONSTRUCTION BARRICADES. BARRICADES SHALL BE UPRIGHT AND BE CONSTRUCTED FROM TWO-INCH BY FOUR-INCH PLANKS STANDING A MINIMUM OF EIGHT FEET VERTICALLY, CONFORMING TO THE TREE, AND SHALL BE TIED WITH WIRE OR ROPE FORMING A MAXIMUM OF ONE-INCH SPACE BETWEEN THE PLANKS. IF THE TREE'S CONFIGURATION OR SITE CONDITIONS DO NOT LEND THEMSELVES TO THE INSTALLATION OF THIS TYPE BARRICADE, A CERTIFIED ARBORIST OR CITY FORESTER SHALL DESIGNATE ALTERNATE TREE PROTECTION METHODS. UNDER CERTAIN CONDITIONS WHERE SOIL COMPACTION IS PROBABLE, FENCES MAY ALSO BE REQUIRED AROUND A TREE OR GROUPING OF TREES. THE USE OF RECYCLED LUMBER, SYNTHETIC LUMBER, OR SIMILAR MATERIALS APPROVED BY A CERTIFIED ARBORIST OR CITY FORESTER IS ENCOURAGED.

TREE PRUNING

1. TREE PRUNING SHALL BE MINIMAL BUT, WHEN NECESSARY, SHALL BE PERFORMED IN ACCORDANCE WITH AMERICAN NATIONAL SAFETY INSTITUTE (ANSI) A300 PRUNING STANDARDS. PRUNING MAY INCLUDE THE LARGER CANOPIED TREES THAT HAVE DEADWOOD OR ARE EXHIBITING SOME MINOR STRUCTURAL DEFECT OR MINOR DISEASE THAT MUST BE COMPENSATED. SHOULD THE HEALTH AND VIGOR OF ANY TREE DECLINE, IT SHALL BE TREATED AS APPROPRIATELY RECOMMENDED BY A CERTIFIED ARBORIST OR QUALIFIED FORESTER. IN GENERAL, TREES SHALL BE ASSESSED THEN PRUNED FIRST FOR SAFETY (E.G., BROKEN AND CRACKED LIMBS SHALL BE REMOVED IN HIGH-TRAFFIC AREAS OF CONCERN), NEXT FOR HEALTH, AND FINALLY FOR AESTHETICS. NO MORE THAN 25% OF THE OVERALL TREE CROWN SHALL BE PRUNED IN ONE SEASON.
2. TREE PRUNING MAY INCLUDE CROWN THINNING, CROWN RAISING, CROWN REDUCTION, OR CROWN RESTORATION, AS DESCRIBED BELOW.
   - A. CROWN THINNING IS THE CLEANING OUT OF OR REMOVAL OF DEAD, DISEASED, WEAKLY ATTACHED, OR LOW VIGOR BRANCHES FROM A TREE CROWN. CROWN THINNING SHALL BE CONDUCTED AS FOLLOWS:
     - ALL TREES SHALL BE PRE-ASSESSED ON HOW THE TREE WILL BE PRUNED FROM THE TOP DOWN.
     - TREE TRIMMERS SHALL FAVOR BRANCHES WITH STRONG, U-SHAPED ANGLES OF ATTACHMENT AND, WHERE POSSIBLE, REMOVE BRANCHES WITH WEAK, V-SHAPED ANGLES OF ATTACHMENT AND/OR INCLUDED BARK.
     - LATERAL BRANCHES SHALL BE EVENLY SPACED ON THE MAIN STEM OF YOUNG TREES AND AREAS OF FINE PRUNING.
     - BRANCHES THAT RUB OR CROSS ANOTHER BRANCH SHALL BE REMOVED WHERE POSSIBLE.
     - LATERAL BRANCHES SHALL BE NO MORE THAN ONE-HALF TO THREE-QUARTERS OF THE DIAMETER OF THE STEM TO DISCOURAGE THE DEVELOPMENT OF CO-DOMINANT STEMS WHERE FEASIBLE.
     - IN MOST CASES, TRIMMERS SHALL NOT REMOVE MORE THAN ONE-QUARTER OF THE LIVING CROWN OF A TREE AT ONE TIME. IF IT IS NECESSARY TO REMOVE MORE, IT SHALL BE DONE OVER SUCCESSIVE YEARS.
   - B. CROWN RAISING REMOVES THE LOWER BRANCHES OF A TREE TO PROVIDE CLEARANCE FOR BUILDINGS, VEHICLES, PEDESTRIANS, AND VISTAS. CROWN RAISING SHALL BE CONDUCTED AS FOLLOWS:
     - LIVE BRANCHES ON AT LEAST TWO-THIRDS OF A TREE'S TOTAL HEIGHT SHALL BE MAINTAINED WHEREVER POSSIBLE. THE REMOVAL OF TOO MANY LOWER BRANCHES WOULD HINDER THE DEVELOPMENT OF A STRONG STEM.
     - ALL BASAL SPROUTS AND VIGOROUS EPICORMIC SPROUTS SHALL BE REMOVED WHERE FEASIBLE.
   - C. CROWN REDUCTION IS USED TO REDUCE THE HEIGHT AND/OR SPREAD OF TREES AND IS USED FOR MAINTAINING THE STRUCTURAL INTEGRITY AND NATURAL FORM OF A TREE. CROWN REDUCTION SHALL BE CONDUCTED ONLY WHEN ABSOLUTELY NECESSARY, AS FOLLOWS:
     - PRUNING CUTS SHALL BE AT A LATERAL BRANCH THAT IS AT LEAST ONE-THIRD THE DIAMETER OF THE STEM TO BE REMOVED WHEREVER POSSIBLE.
     - WHEN IT IS NECESSARY TO REMOVE MORE THAN HALF OF THE FOLIAGE FROM A BRANCH, IT MAY BE NECESSARY REMOVE THE ENTIRE BRANCH.
   - D. CROWN RESTORATION IS USED TO IMPROVE THE STRUCTURE AND APPEARANCE OF TREES THAT HAVE BEEN TOPPED OR SEVERELY PRUNED USING HEADING CUTS. ONE OF THREE SPROUTS ON MAIN BRANCH STUBS SHOULD BE SELECTED TO REFORM A NATURAL APPEARING CROWN. SELECTED VIGOROUS SPROUTS MAY NEED TO BE THINNED TO ENSURE ADEQUATE ATTACHMENT FOR THE SIZE OF THE SPROUT. RESTORATION MAY REQUIRE SEVERAL YEARS OF PRUNING.

ROOT PRUNING

1. WHERE ALTERNATIVE ROUTES ARE NOT AVAILABLE, ANY SUBSURFACE CONSTRUCTION RELATED ACTIVITIES FOR THE PROJECT SHALL AVOID CUTTING MAJOR ROOTS WITH A DIAMETER OF TWO INCHES OR MORE, UNLESS NECESSARY. ALL APPROVED CONSTRUCTION WITHIN THE ROOT ZONE SHALL CONFORM TO THE FOLLOWING CONSTRUCTION PRACTICES:
   - HAND TRENCHING AT POINT OR LINE OF GRADE CUTS CLOSEST TO THE TRUNK TO EXPOSE MAJOR ROOTS TWO INCHES OR MORE IN DIAMETER.
   - IN CASES WHERE ROCK OR UNUSUALLY DENSE SOIL PREVENTS HAND TRENCHING, MECHANICAL TRENCHING MAY BE PERMITTED PROVIDED THAT WORK INSIDE THE DRIPLINE IS CLOSELY SUPERVISED TO PREVENT TEARING OR OTHER DAMAGE TO MAJOR ROOTS.
   - EXPOSED MAJOR ROOTS SHALL BE CUT WITH A SAW TO FORM A SMOOTH SURFACE AND AVOID TEARING OR JAGGED EDGES.
   - ABSORBENT TARP OR HEAVY CLOTH FABRIC SHALL BE PLACED OVER GRADE CUTS WHERE ROOTS ARE EXPOSED AND SECURED WITH STAKES AND TWO TO FOUR INCHES OF COMPOST OR WOOD CHIPS SPREAD OVER THE TARP TO PREVENT MOISTURE LOSS. CARE SHALL BE TAKEN THAT MOISTURE LEVELS BENEATH TARPED AREAS REMAIN COMPARABLE TO SURROUNDING AREAS UNTIL BACKFILLING OCCURS. SOME WATERING OF THESE AREAS MAY BE NECESSARY TO MAINTAIN MOISTURE LEVELS, AND SUCH MEASURES SHALL REMAIN IN EFFECT THROUGH ALL PHASES OF CONSTRUCTION, INCLUDING ALL DELAYS AND OTHER PERIODS OF INACTIVITY.

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PROFESSIONAL ENGINEER P. HUNTER No. 87701 REGISTERED CIVIL STATE OF CALIFORNIA

SUBMITTAL / REVISION		
5	4/13/2023	APPROVED P.A.H.3

THE DUNES ON MONTEREY BAY
PHASE 2 NORTH - STAGE 1
MARINA, CALIFORNIA
APN: 031-251-073, & 074

TREE REMOVAL AND PRESERVATION PLAN

SCALE:	1" = 60'
DRAWN:	APH
JOB No.:	3140.33

SHEET TR-1

EXHIBIT B

Whitson ENGINEERS

Civil Engineering + Land Surveying
6 Harris Court, Monterey, CA 93940 | 831.649.5225
whitsonengineers.com

January 17, 2023
Job No.: 3140.35

ENGINEER'S BOND ESTIMATE
CITY OF MARINA
THE DUNES ON MONTEREY BAY - PHASE 2 NORTH STAGE 1
MARINA, CALIFORNIA

Item	Description	Quantity	Unit	Unit Price	Amount
	STREET WORK				
1	Street Fine Grading	104,600	SF	$ 0.46	$ 48,116
2	4.0" HMA *(Commercial Streets, Type A, TI=7)*	160	TONS	$ 150.00	$ 24,000
3	5.5" HMA *(Del Monte Blvd, Type A)*	1640	TONS	$ 150.00	$ 246,000
4	2.0" Gravel Rock *(Temporary Rock Access Road)*	240	TONS	$ 35.00	$ 8,400
5	7.0" Aggregrate Base *(Commercial Streets, Class II)*	280	TONS	$ 35.00	$ 9,800
6	7.5" Aggregrate Base *(Del Monte Blvd, Class II)*	2,240	TONS	$ 35.00	$ 78,400
7	Street Driveway Approaches	1	EA	$ 3,000.00	$ 3,000
8	Conform to Existing Street	2	EA	$ 2,500.00	$ 5,000
9	6" Vertical Curb City Std ST-1 (Includes 6" AB)	1,575	LF	$ 30.00	$ 47,250
10	8" Vertical Curb City Std ST-1 (Includes 6" AB)	1,185	LF	$ 35.00	$ 41,475
11	6" Vertical Curb & Gutter (City Std ST-1) *(Includes 6" AB)*	1,710	LF	$ 24.00	$ 41,040
12	Concrete Sidewalk *(City Std ST-2)*	11,050	SF	$ 7.50	$ 82,875
13	12' AC Bike Path *(along north bound Del Monte Blvd)*	6,950	SF	$ 5.00	$ 34,750
14	Curb Ramps	4	EA	$ 1,300.00	$ 5,200
15	Bike Ramp	2	EA	$ 1,300.00	$ 2,600
16	Street Centerline Monuments	6	EA	$ 750.00	$ 4,500
17	Street Lights	6	EA	$ 8,000.00	$ 48,000
18	Striping *(Thermoplastic)*	2,680	LF	$ 5.00	$ 13,400
19	Pavement Markings *(Thermoplastic)*	27	EA	$ 600.00	$ 16,200
20	Traffic / Street Name Signs	46	EA	$ 750.00	$ 34,500
21	Bollard	6	EA	$ 1,500.00	$ 9,000
	Subtotal Street Work				**$ 803,506**

Item	Description	Quantity	Unit		Unit Price		Amount
	STORM DRAIN						
1	Catch Basins	8	EA	$	3,500.00	$	28,000
2	Storm Drain Manholes	3	EA	$	5,000.00	$	15,000
3	MC-7200 Stormtech Infiltration Chambers	2,700	SF	$	64.00	$	172,800
4	12" HDPE Storm Drain Pipe	110	LF	$	65.00	$	7,150
5	15" HDPE Storm Drain Pipe	320	LF	$	75.00	$	24,000
6	Median Curb Drain	10	EA	$	750.00	$	7,500
	Subtotal Storm Drain					**$**	**254,450**
	TOTAL PHASE 2 NORTH CITY OF MARINA BOND AMOUNT ***(to nearest $1,000)***					**$**	**1,057,956**

May 09, 2026 Item No. **10j(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2026

Honorable Chairperson and Members
of the Successor Agency to Marina Redevelopment Agency

Successor Agency Meeting
of May 19, 2026

Chair and Board Members of
Preston Park Sustainable Community Non-Profit Corporation

Corporation Meeting
of May 19, 2026

CITY COUNCIL OF THE CITY OF MARINA, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY BOARD, AND PRESTON PARK SUSTAINABLE COMMUNITY NPC BOARD TO RECEIVE INVESTMENT REPORTS FOR THE CITY OF MARINA, CITY OF MARINA AS SUCCESSOR AGENCY TO THE MARINA REDEVELOPMENT AGENCY, AND PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION AND ABRAMS B NON-PROFIT CORPORATION FOR THE QUARTER ENDED MARCH 2026

REQUEST:

It is requested that the City Council and Boards:

1. Consider receiving Investment Reports for the City of Marina, City of Marina as Successor Agency to the Marina Redevelopment Agency, Preston Park Sustainable Community Non-Profit Corporation (PPSC-NPC), and Abrams B Non-Profit Corporation for the quarter ended March 31, 2026.

BACKGROUND:

Cash Management

At the end of the third quarter, the City's aggregate cash and investments were $171.3 million. This represents a decrease of $2.6 million when compared to the prior quarter. The variance is attributed to high dollar expenditures which include, but is not limited to remitting to Monterey Peninsula Engineering $2.3 million and net of the difference between ongoing revenues and expenditures.

The City's fiduciary funds, which consist of the Successor Agency to the Marina Redevelopment Agency and the Fort Ord Reuse Authority (FORA) bond reserve account, were $8.4 million and $2.7 million, respectively. The $1.0 million increase over previous quarter primarily reflects the receipt of pledged tax revenues for $3.9 million, remitting $1.8 million in payment to the Marina Community Partners for tax increment reimbursement payment, remitting $0.7 million in interest debt service for Successor Agency Bonds 2018, 2020, and 2023.

The combined Preston and Abrams cash and investment balances were $13.5 million. The quarterly decrease of approximately $5.8 million was primarily the result of paying $6.3 million to partially pay down the principal of the Preston Park loan and the associated refinancing costs; and the net difference between ongoing revenues and expenditures.

Consistent with the City's investment strategy of capital preservation, the City has continued to maintain significant cash with the Local Agency Investment Fund (LAIF), US Treasury Bills, US Agency Bonds, and Municipal Bonds. The city has also recently invested in Certificates of Deposit which are secured by the Federal Deposit Insurance Corporation (FDIC).

An overview of City investments is presented on the subsequent page, with detailed information included in the attached reports.

Table I: Cash and Investments

Summary of Cash and Investments

Amounts in Millions

Quarter Ended March 31, 2026

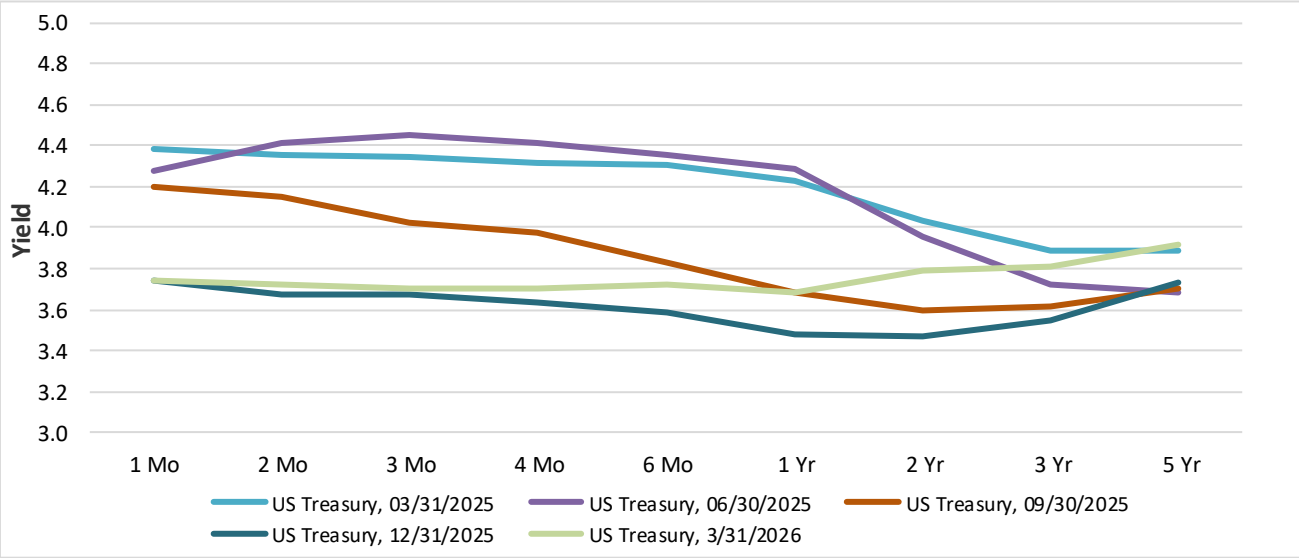
	December		March		Change (Curr - Prev)	
City	Yield	Amount	Yield	Amount	Yield	Amount
Non Interest Earning Cash	0.00%	13.02	0.00%	3.81	0.00%	(9.21)
Interest Earning Cash	1.74%	7.22	1.74%	0.00	0.00%	(7.22)
LAIF	4.09%	70.26	3.88%	64.02	-0.21%	(6.25)
Certificates of Deposit	3.78%	6.68	3.78%	8.14	0.00%	1.46
US Treasury Bills	3.98%	56.68	3.81%	68.31	-0.17%	11.63
US Agency Bonds	3.93%	6.58	3.80%	14.46	-0.13%	7.87
Municipal Bonds	4.24%	8.28	4.24%	8.20	0.00%	(0.07)
Restricted Money Market - Bond Proceeds/Reserves	3.31%	5.24	3.21%	4.40	-0.10%	(0.84)
Subtotal		173.95		171.32		(2.63)
Fiduciary						
Cash	0.00%	0.08	0.00%	0.04	0.00%	(0.04)
LAIF	4.09%	3.30	3.88%	4.94	-0.21%	1.63
Restricted Money Market - Bond Proceeds/Reserves	3.32%	6.58	3.23%	6.08	-0.09%	(0.50)
Subtotal		9.97		11.06		1.09
Preston						
Cash	1.70%	15.89	1.54%	10.06	-0.16%	(5.83)
Money Market	0.65%	0.25	0.65%	0.25	0.00%	-
Subtotal		16.14		10.31		(5.83)
Abrams						
Cash	0.00%	0.20	0.00%	0.22	0.00%	0.02
Money Market	0.83%	3.02	0.83%	3.03	0.00%	0.01
Subtotal		3.22		3.25		0.03
Total Cash		**203.28**		**195.94**		**(7.34)**

Interest Rate / Economy

The Federal Open Committee (FOMC) is the monetary policy making body of the Federal Reserve. Their goal is to achieve maximum employment, with a targeted 2% inflation rate. Interest rates for this quarter ranged between 3.50% and 3.75%. The FOMC did not raise or decrease the interest rate during this quarter. Due to recent economic uncertainty, the FOMC is maintaining their expectations of somewhat elevated inflation through the third quarter of calendar year 2026.

The following chart shows the treasury yield curve and its shift from March 2025 to March 2026, as well as a slight increase in interest rates compared to the previous quarter. This was prevalent among all investment options presented in the chart, with the greatest increases noted in investments with maturities between one and three years.

Chart 1 Treasury Yield Curve



Investment Performance

The quarterly LAIF interest rate was 3.88%, which represents a 0.21% decrease from the previous quarter. Changes in LAIF rates typically follow or are in close alignment with the federal funds lending rate. Chart I shows that the six-month and one-year treasury bill had a yield of 3.72% and 3.68%, respectively at March 31, 2026. A history of how LAIF closely tracks with the upper federal funds limit is provided in Chart II. The City's investment portfolio includes US treasuries, US Agency Bond, US Municipal Bonds with maturity dates of one year or more, and Certificates of Deposit. Their current combined market yield is close to 3.78%, which is just below the LAIF rate. The lesser return on the City's investment portfolio is the result of purchasing longer-term investments at the current higher interest rates. This is anticipated to benefit the City, if the shorter-term interest rates continue to decline.

Chart II: LAIF Compared to Federal Funds Upper Limit Interest Rates

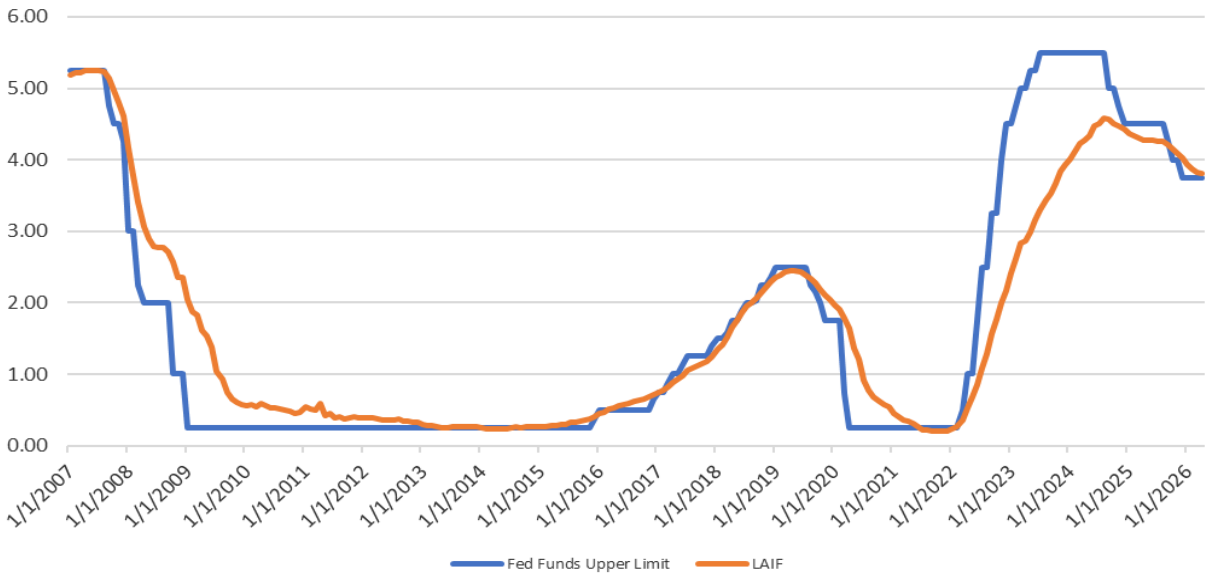


Chart provided by Time Value Investments, with source data from the Federal Reserve and the California State Treasury, Presentation dated April 30, 2026

Portfolio Strategy

The prior fiscal year investment goal was to match or outperform LAIF. While this goal continues, staff also plan to evaluate cash flow needs to determine if it is prudent to purchase approved investments with terms of two to five years. This could allow the City to lock-in higher interest rates for a greater time horizon. This could be beneficial if there are continuing signs that interest rates will fall in the current fiscal year.

ANALYSIS:

The attached investment reports include the City of Marina's and the City of Marina as Successor Agency to the Marina Redevelopment Agency's and Preston & Abrams Non-Profit Corporation reports ("**EXHIBIT A**"). These include balances of City, Successor Agency and Preston Park / Abrams Park, and restricted FORA bond reserves that are held by financial institutions, as reported in their monthly statements.

FISCAL IMPACT:

There is no fiscal impact. This report is for informational purposes.

CONCLUSION:

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

Roger Sattoof
Financial Analyst
City of Marina

Tori Hannah
Finance Director
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina

To: Honorable Mayor and City Council Members

From: Roger Sattoof, Financial Analyst

RE: Investment Report for **City of Marina** Funds
Quarter Ended March 31, 2026

Cash and Investment Summery:

	Market Value
Cash	$ 3,808,073
Local Agency Investment Fund (LAIF)	64,015,334
Certificates of Deposit - FDIC Insured	8,135,873
US Treasury Bills	68,306,111
US Agency Bonds	14,455,589
Municipal Bonds	8,202,680
Restricted Money Market Account Bond Proceeds or Bond Reserves	4,398,966
	$ 171,322,624

Cash not earning interest	$ 3,806,379
Non earning interest cash as a percentage of total cash	2.22%

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)

Tori Hannah, Finance Director

Roger Sattoof, Financial Analyst

CITY OF MARINA
INVESTMENT REPORT
Quarter Ended March 31, 2026

Institution/Type of Investment	Additional Identifiers	CUSIP #	Purchase Date	Maturity	Rate (%)	Face Value	Market Value	Cost Basis	Unrealized Gain/Loss
Cash									
Petty Cash	-		-	-	-	$ 3,700	$ 3,700	$ 3,700	-
Chase Checking Account	-		-	-	-	3,683,868	3,683,868	3,683,868	-
Total Cash						**$ 3,687,568**	**$ 3,687,568**	**$ 3,687,568**	**-**
Investments									
Local Agency Investment Fund (LAIF)									
Pooled money investment	-		-	-	3.88%	**$ 64,015,334**	**$ 64,015,334**	**$ 64,015,334**	**$ -**
JP Morgan Investments									
US Treasury Bill	US Treasury Bill	912797TN7	01/21/26	07/16/26	3.57%	$ 5,085,000	$ 5,031,266	$ 4,999,059	$ 32,207
US Treasury Bill	US Treasury Bill	912797UD7	03/19/26	03/18/27	3.59%	$ 10,360,000	$ 10,003,783	$ 9,998,923	$ 4,860
US Treasury Bill	US Treasury Bill	912797RG4	08/08/25	08/06/26	3.85%	$ 3,000,000	$ 2,962,008	$ 2,889,081	$ 72,928
US Treasury Bill	US Treasury Bill	912797SA6	10/14/25	10/01/26	3.51%	$ 3,102,000	$ 3,045,391	$ 2,999,290	$ 46,101
US Treasury Bill	US Treasury Bill	91282CMH1	02/03/25	01/31/27	4.20%	$ 5,000,000	$ 5,015,430	$ 4,992,383	$ 23,047
US Treasury Bill	US Treasury Bill	91282CLY5	12/20/24	11/30/26	4.26%	$ 2,500,000	$ 2,508,325	$ 2,499,414	$ 8,911
US Treasury Bill	US Treasury Bill	91282CMB4	12/20/24	12/15/27	4.26%	$ 2,500,000	$ 2,506,738	$ 2,489,370	$ 17,368
Total JP Morgan Investments						**$ 31,547,000**	**$ 31,072,942**	**$ 30,867,520**	**$ 205,422**
Citizens Bank LPL									
Cash	-	-	-	-	1.74%	$ 1,694	$ 1,694	$ 1,694	$ -
US Treasury Bill	US Treasury Bill	912797SA6	10/02/25	10/01/26	3.61%	$ 5,554,000	$ 5,452,501	$ 5,362,016	$ 90,484
US Treasury Bill	US Treasury Bill	912797TV9	03/03/26	02/18/27	3.50%	$ 5,435,000	$ 5,262,618	$ 5,255,947	$ 6,671
US Agency Bond	Federal Home Loan Banks	3133EWFR6	03/02/26	03/02/28	3.57%	$ 5,250,000	$ 5,211,812	$ 5,250,005	$ (38,193)
Total Citizens Bank LPL						**$ 16,240,694**	**$ 15,928,624**	**$ 15,869,662**	**$ 58,962**

CITY OF MARINA
INVESTMENT REPORT
Quarter Ended March 31, 2026

Institution/Type of Investment	Additional Identifiers	CUSIP #	Purchase Date	Maturity	Rate (%)	Face Value	Market Value	Cost Basis	Unrealized Gain/Loss
Time Value Investments									
Cash - Bank Deposits	-	-	-	-	NA	$ -	$ -	$ -	$ -
Money Market	-	-	-	-	NA	$ 118,811	$ 118,811	$ 118,811	$ -
Ally Bank Sandy Utah CTF	Certificate of Deposit	02007QAC5	11/28/2025	11/27/2026	3.70%	$ 240,000	$ 239,678	$ 240,000	$ (322)
American Comm Bank CTF	Certificate of Deposit	02519TBQ8	2/24/2026	2/24/2028	3.60%	$ 249,000	$ 247,633	$ 249,000	$ (1,367)
Anderson Bros Bank CTF	Certificate of Deposit	033537CH2	2/27/2026	2/28/2028	3.65%	$ 249,000	$ 247,877	$ 249,000	$ (1,123)
Austin Telco Federal Credit	Certificate of Deposit	052392EY9	11/28/2025	11/27/2026	3.90%	$ 249,000	$ 248,988	$ 249,000	$ (12)
BMW Bank of North America	Certificate of Deposit	05612LFR8	8/15/2025	8/16/2027	3.85%	$ 245,000	$ 244,873	$ 245,000	$ (127)
Bank of California	Certificate of Deposit	05890QFD1	8/13/2025	8/13/2027	3.85%	$ 245,000	$ 244,848	$ 245,000	$ (152)
Bank of America NA/Charlotte NC	Certificate of Deposit	06051XS94	12/3/2025	12/3/2026	3.75%	$ 240,000	$ 239,755	$ 240,000	$ (245)
Bank of Deerfield - Wisconsin	Certificate of Deposit	061785GE5	10/16/2025	10/18/2027	3.50%	$ 249,000	$ 247,523	$ 249,000	$ (1,477)
Cadence Bank	Certificate of Deposit	12739UCS3	9/11/2025	1/11/2027	3.90%	$ 245,000	$ 245,002	$ 245,000	$ 2
Carson Bank	Certificate of Deposit	14575YAE1	9/25/2025	9/27/2027	3.65%	$ 245,000	$ 244,152	$ 245,000	$ (848)
Enterprise Bank and Trust	Certificate of Deposit	29367SMM3	8/20/2025	2/22/2027	3.85%	$ 249,000	$ 248,955	$ 249,000	$ (45)
First Bank of the Lake - Osage Beach	Certificate of Deposit	31925YDP4	11/28/2025	11/27/2026	3.70%	$ 249,000	$ 248,666	$ 249,000	$ (334)
First Commercial Bank	Certificate of Deposit	31986HAJ4	8/15/2025	5/17/2027	3.85%	$ 249,000	$ 248,885	$ 249,000	$ (115)
Goldman Sachs Bank - New York	Certificate of Deposit	38151PBA8	10/21/2025	10/21/2027	3.65%	$ 245,000	$ 244,069	$ 245,000	$ (931)
Hope Federal Credit Union	Certificate of Deposit	43942MAQ5	8/21/2025	8/23/2027	3.85%	$ 245,000	$ 244,870	$ 245,000	$ (130)
Institution for Savings - Newbury Port	Certificate of Deposit	45780PDJ1	10/28/2025	10/28/2027	3.60%	$ 249,000	$ 247,875	$ 249,000	$ (1,125)
Investar Bank Website Baton Rouge	Certificate of Deposit	46091MDT8	12/5/2025	12/4/2026	3.65%	$ 249,000	$ 248,582	$ 249,000	$ (418)
Kemba Gahanna Credit Union	Certificate of Deposit	48836LCV2	10/23/2025	10/25/2027	3.65%	$ 249,000	$ 248,071	$ 249,000	$ (929)
Luana SVGS Bank CTF	Certificate of Deposit	549104U39	2/25/2026	2/25/2028	3.50%	$ 245,000	$ 243,209	$ 245,000	$ (1,791)
M1 Bank	Certificate of Deposit	55316CDT0	9/10/2025	9/10/2027	3.70%	$ 245,000	$ 244,253	$ 245,000	$ (747)
Manufacturers & Traders CTF	Certificate of Deposit	564759SZ2	3/31/2026	3/31/2028	3.90%	$ 245,000	$ 245,017	$ 245,000	$ 17
Merrick Bank	Certificate of Deposit	59013LDK7	9/17/2025	3/17/2027	3.75%	$ 249,000	$ 248,679	$ 249,000	$ (321)
Morgan Stanley Bank	Certificate of Deposit	61690D7H5	6/30/2025	6/30/2028	4.25%	$ 244,000	$ 245,715	$ 244,000	$ 1,715
Morgan Stanley Bank	Certificate of Deposit	61776NTS2	6/30/2025	6/30/2028	4.25%	$ 244,000	$ 245,715	$ 244,000	$ 1,715
Pilgrim Bank - Pittsburg, Texas	Certificate of Deposit	72143HAM1	10/22/2025	10/22/2027	3.55%	$ 249,000	$ 247,698	$ 249,000	$ (1,302)
The Pioneer Savings Bank Cleveland	Certificate of Deposit	72387JAU4	12/2/2025	12/2/2026	3.75%	$ 249,000	$ 248,746	$ 249,000	$ (254)
Tompkins Community Bank CTF	Certificate of Deposit	88990AAR5	2/27/2026	2/28/2028	3.65%	$ 249,000	$ 247,877	$ 249,000	$ (1,123)
Toyota Financial Savings Bank	Certificate of Deposit	89235MSU6	8/14/2025	8/16/2027	3.85%	$ 245,000	$ 244,873	$ 245,000	$ (127)
Tucson Federal Credit Union	Certificate of Deposit	898812AP7	7/11/2025	7/12/2027	4.00%	$ 249,000	$ 249,331	$ 249,000	$ 331
United Bankers' Bank - Bloomington	Certificate of Deposit	909557LY4	10/31/2025	10/29/2027	3.55%	$ 249,000	$ 247,730	$ 249,000	$ (1,270)
Veridian Credit Union	Certificate of Deposit	92348DAG4	7/18/2025	10/18/2027	4.00%	$ 249,000	$ 249,403	$ 249,000	$ 403
Vibrant Credit Union	Certificate of Deposit	92559TAT5	10/27/2025	10/27/2027	3.65%	$ 249,000	$ 248,066	$ 249,000	$ (934)
Wells Fargo Bank CTF	Certificate of Deposit	949764VB7	3/31/2026	3/31/2028	3.95%	$ 249,000	$ 249,256	$ 249,000	$ 256

Institution/Type of Investment	Additional Identifiers	CUSIP #	Purchase Date	Maturity	Rate (%)	Face Value	Market Value	Cost Basis	Unrealized Gain/Loss
US Treasury Bill	US Treasury Bill	912797SL2	10/9/2025	4/9/2026	3.70%	$ 1,250,000	$ 1,249,000	$ 1,228,213	$ 20,788
US Treasury Bill	US Treasury Bill	912797TS6	1/20/2026	5/19/2026	3.55%	$ 2,500,000	$ 2,487,875	$ 2,471,625	$ 16,250
US Treasury Bill	US Treasury Bill	91282CFZ9	11/12/2024	11/30/2027	4.15%	$ 1,500,000	$ 1,500,765	$ 1,488,272	$ 12,494
US Treasury Bill	US Treasury Bill	91282CGT2	12/15/2025	3/31/2028	3.40%	$ 3,000,000	$ 2,988,990	$ 3,012,867	$ (23,877)
US Treasury Bill	US Treasury Bill	91282CGT2	2/18/2026	3/31/2028	3.32%	$ 1,100,000	$ 1,095,963	$ 1,106,408	$ (10,445)
US Treasury Bill	US Treasury Bill	91282CHA2	3/31/2026	4/30/2028	3.88%	$ 5,000,000	$ 4,968,350	$ 4,962,250	$ 6,100
US Treasury Bill	US Treasury Bill	91282CJR3	1/13/2025	12/31/2028	4.43%	$ 2,610,000	$ 2,604,597	$ 2,546,073	$ 58,524
US Treasury Bill	US Treasury Bill	91282CMP3	3/31/2026	2/28/2027	3.70%	$ 3,200,000	$ 3,210,560	$ 3,212,000	$ (1,440)
US Treasury Bill	US Treasury Bill	912828YQ7	3/31/2026	10/31/2026	3.70%	$ 5,000,000	$ 4,938,200	$ 4,940,650	$ (2,450)
US Treasury Bill	US Treasury Bill	9128285M8	11/12/2024	11/15/2028	4.16%	$ 1,500,000	$ 1,473,750	$ 1,443,222	$ 30,528
US Agency Bond	Federal Home Loan Banks	3133ETGB7	5/30/2025	5/12/2027	4.00%	$ 2,000,000	$ 1,998,540	$ 1,999,220	$ (680)
US Agency Bond	Federal Home Loan Banks	3133ETVK0	9/9/2025	8/25/2026	3.60%	$ 1,075,000	$ 1,075,398	$ 1,076,170	$ (772)
US Agency Bond	Federal Home Loan Banks	3133ETW52	11/28/2025	1/19/2026	3.54%	$ 1,500,000	$ 1,498,380	$ 1,500,788	$ (2,408)
US Agency Bond	Federal Home Loan Banks	3133ET4Y0	1/21/2026	9/22/2028	3.55%	$ 2,192,256	$ 2,177,660	$ 2,192,256	$ (14,597)
US Agency Bond	Federal Home Loan Banks	3133ET5R4	1/21/2026	3/26/2027	3.50%	$ 2,500,000	$ 2,493,800	$ 2,500,000	$ (6,200)
Municipal Bonds	California State GO Bonds	13063EGT7	11/07/24	08/01/29	4.24%	$ 4,000,000	$ 4,070,520	$ 4,031,856	$ 38,664
Municipal Bonds	California State GO Const. Bonds	13063EHU3	11/10/25	09/01/30	3.77%	$ 4,000,000	$ 4,132,160	$ 4,178,177	$ (46,017)
Total Time Value Investments						**$ 52,195,068**	**$ 52,219,192**	**$ 52,157,857**	**$ 61,334**

Institution/Type of Investment	Additional Identifiers	CUSIP #	Purchase Dat	Maturity	Rate (%)	Face Value	Market Value	Cost Basis	Unrealized Gain/Loss
Restricted Bond Reserve Accounts									
US Bank									
Money Market	Abrams B Debt Service		-	-	3.30%	$ 500,071	$ 500,071	$ 500,071	-
Money Market	2022 COPS - Transportation Improvements		-	-	3.12%	$ 3,898,894	$ 3,898,894	$ 3,898,894	-
Total Bond Reserve Accounts						**$ 4,398,966**	**$ 4,398,966**	**$ 4,398,966**	**-**

To: Honorable Mayor and City Council Members

From: Roger Sattoof, Financial Analyst

RE: Investment Report for **Fiduciary** Funds: **Successor Agency and the FORA Bond Reserve Account**
Quarter Ended March 31, 2026

Cash and Investment Summery:

		Market Value
Cash	$	44,243
Local Agency Investment Fund (LAIF)	$	4,935,572
Restricted Money Market - Bond Proceeds/Bond	$	6,078,809
Total	**$**	**11,058,624**

Cash not earning interest	$	44,243
Non interest earning cash as a percentage of total cash		0%

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

Tori Hannah, Finance Director

Roger Sattoof, Financial Analyst

City of Marina
Investment Report for **Fiduciary** Funds
Quarter Ended March 31, 2026

Successor Agency

Institution/Type of Investment	Additional Identifiers/CUSIP#	Purchase Date	Maturity	Rate (%)	Face Value	Market Value	Cost Basis	Unrealized Gain /Loss
Cash								
Checking Account	Chase Bank		-	0.00%	$ 44,243	$ 44,243	$ 44,243	-
Investments								
Local Agency Investment Fund (LAIF)								
Pooled money investment				3.88%	$ 4,935,572	$ 4,935,572	$ 4,935,572	-
Restricted Bond Reserve Accounts								
US Bank								
Money Market	2018 Housing Tax Allocation Bonds	-	-	3.32%	$ 1,087,682	$ 1,087,682	$ 1,087,682	-
Money Market	2020 Housing Tax Allocation Bonds	-	-	3.34%	$ 975,033	$ 975,033	$ 975,033	-
Money Market	2023 Housing Tax Allocation Bonds	-	-	3.14%	$ 1,308,000	$ 1,308,000	$ 1,308,000	-
Total Bond Reserve Accounts					**$ 3,370,715**	**$ 3,370,715**	**$ 3,370,715**	-
Total Successor Agency					**$ 8,350,530**	**$ 8,350,530**	**$ 8,350,530**	-

FORA

Institution/Type of Investment	Additional Identifiers/CUSIP#	Purchase Date	Maturity	Rate (%)	Face Value	Market Value	Cost Basis	Unrealized Gain/Loss
Restricted Bond Reserve Accounts								
US Bank								
Money Market	2020 Tax Allocation Bonds	-	-	3.12%	$ 2,708,094	$ 2,708,094	$ 2,708,094	-

Total Cash and Investme **$ 11,058,624**

To: Honorable Mayor and City Council Members

From: Roger Sattoof, Financial Analyst

RE: Investment Report for **Abrams and Preston** Funds
Preston Park Sustainable Community Non-Profit Corporation & Abrams B Non-Profit Corporation
Quarter Ended March 31, 2026

Cash and Investment Summery:

	Market Value
Cash	$ 10,276,359
Money Market	3,279,932
Total	**$ 13,556,291**

Cash not earning interest	$ 802,970
Non earning interest cash as a percentage of total cash	6%

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)

Tori Hannah, Finance Director

Roger Sattoof, Financial Analyst

CITY OF MARINA
INVESTMENT REPORT
Quarter Ended March 31, 2026

Preston Park

Institution/Type of Investment	Additional Identifiers /CUSIP#	Purchase Date	Maturity	Rate (%)	Face Value	Market Value	Cost Basis	Unrealized Gain /Loss
Cash								
Chase Bank								
Checking Account	Operations	-	-	1.72%	$ 651,899	$ 651,899	$ 651,899	-
Checking Account	Security Deposit	-	-	0.00%	$ 583,076	$ 583,076	$ 583,076	-
Western Alliance Bank								
High-Yield Checking Account	Capital Reserve Account	-	-	2.90%	$ 8,821,490	$ 8,821,490	$ 8,821,490	-
Total Cash					$ 10,056,465	$ 10,056,465	$ 10,056,465	-
Investments								
Western Alliance Bank								
Money Market	Capital Reserve Account	-	-	0.65%	$ 250,138	$ 250,138	$ 250,138	-
Total Investments					$ 250,138	$ 250,138	$ 250,138	-
Total Cash and Investments - Preston Park					**$ 10,306,603**	**$ 10,306,603**	**$ 10,306,603**	**-**

Abrams Park

Institution/Type of Investment	Additional Identifiers /CUSIP#	Purchase Date	Maturity	Rate (%)	Face Value	Market Value	Cost Basis	Unrealized Gain /Loss
Cash								
Western Alliance Bank								
Checking Account	Operations	-	-	0.00%	$ 219,894	$ 219,894	$ 219,894	-
Total Cash					$ 219,894	$ 219,894	$ 219,894	-
Investments								
Western Alliance Bank								
Money Market	Trust - Securty Deposits	-	-	0.65%	$ 278,401	$ 278,401	$ 278,401	-
Money Market	Trust - Reserves	-	-	1.00%	$ 2,751,393	$ 2,751,393	$ 2,751,393	-
Total Investments					$ 3,029,794	$ 3,029,794	$ 3,029,794	-
Total Cash and Investments - Abrams Park					**$ 3,249,688**	**$ 3,249,688**	**$ 3,249,688**	**-**

Total Cash and Investments **$ 13,556,291**

May 8, 2026 Item No. **10j(2)**

Honorable Mayor and Members
of the Marina City Council
City Council Meeting
of May 19, 2026

Honorable Chairperson and Members
of the Successor Agency to Marina Redevelopment Agency
Successor Agency Meeting
of May 19, 2026

Chair and Board Members of
Preston Park Sustainable Community Non-Profit Corporation
Corporation Meeting
of May 19, 2026

CITY COUNCIL OF THE CITY OF MARINA RECEIVE THE THIRD QUARTER BUDGET REPORT FOR FISCAL YEAR 2025-26 AND THE HDL CITY OF MARINA SALES TAX UPDATE

REQUEST:

It is requested that the City Council and Boards:

1. Consider receiving the City of Marina Third Quarter Budget Report – Fiscal Year 2025-26, which represents the quarter ended March 31, 2026.

2. Consider receiving the HdL City of Marina Sales Tax Update for the period from October – December 2025.

BACKGROUND:

In February 2025, the Finance Department introduced interim budget reporting to provide updates on the City's fiscal condition and assist with financial planning. This included a Quarterly Budget Report and a City of Marina HdL Sales Tax Update. The Quarterly Budget Report provides information on the City's General Fund, Municipal Airport Fund, FORA Dissolution Fund, and the Public Facilities Impact Fee Fund. The HdL report includes information on local and state sales tax performance; the top 25 sales tax producers in the City, and sales tax activity by business type.

ANALYSIS:

The City's Third Quarter Budget Report and the most recent HdL Sales Tax Update are included in **EXHIBITS A and B**. The reporting intervals on the HdL report differ from the City's records due to the City's use of accrual accounting; however, the information is a good indicator of the current local economic environment and sales tax performance.

Detailed information can be found within each report.

FISCAL IMPACT:

There is no fiscal impact. This report is for informational purposes.

CONCLUSION:

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

_____
Tori Hannah
Finance Director
City of Marina

REVIEWED/CONCUR:

_____
Layne P. Long
City Manager
City of Marina

City of Marina

Third Quarter Budget Report – Fiscal Year 2025-26

The following sections provide an overview of current revenues and expenditures for the General Fund, Airport Fund, and two key funds that relate to capital project allocations. These funds include the FORA Dissolution Fund and Public Impact Fees Fund.

When reviewing this report, it should be noted that there could be variances between the percentage of the year elapsed and the amount expended or received. This results from some revenues having uneven receipting patterns, and expenditures that may vary with the procurement of goods and services. The City continually monitors the budget on a regular basis. If any significant budgetary variances are identified, a budget amendment will be requested as part of the mid-cycle budget process; or through a separate budget amendment during the year.

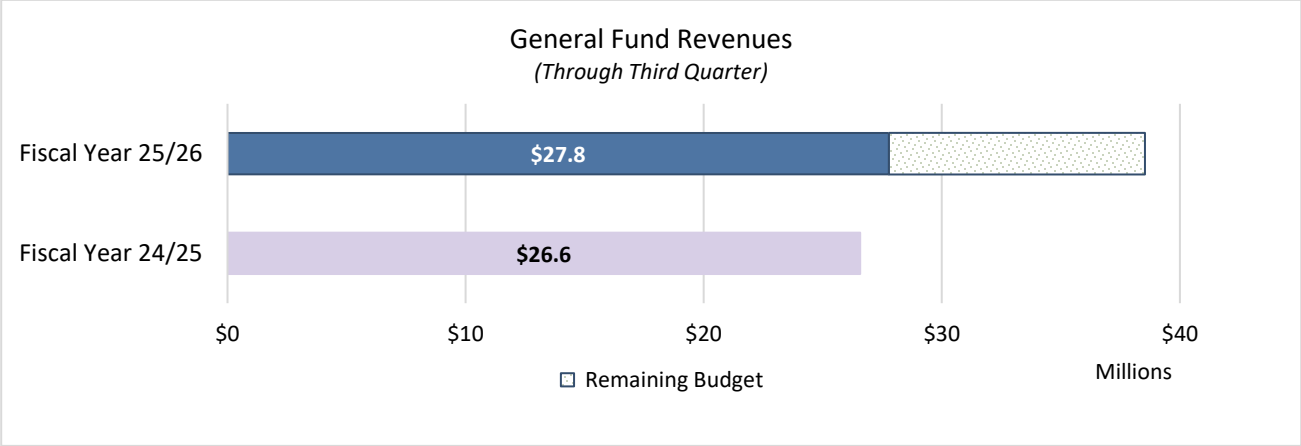
An overview of each fund is presented in the subsequent sections.

General Fund Overview

General fund revenues and expenditures were $27.8 million and $40.0 million, respectively at the close of the third quarter. While expenditures exceeded revenues by approximately $12.2 million, this trend is consistent with the prior year. Factors that contribute to this temporary deficit include receipting patterns associated with property tax, sales tax, and transient occupancy tax; and the transfer of $11.5 million in capital project funding that takes place at the beginning of the year. These capital improvements are funded through an appropriation of the unallocated General Fund balance, rather than supported through on-going revenues.

Revenues

The overall General Fund revenues are trending relatively consistent with the budget and prior year receipting trends. The chart below provides a comparative overview of the revenues received to date with prior year amounts, as well as a budgetary comparison. In the Fiscal Year 2025-26 Adopted Budget, it was projected that the combined General Fund revenues would be $38.5 million. Through the third quarter, the City has received $27.8 million or 72.1% the budgeted amount. This is approximately $1.2 million or 4.5% greater than the prior year.



An overview of revenues by major categories is provided in the following table, with a brief narrative describing any key variances.

	Fiscal Year 25/26			Prior Year	Annual
	Amended	Qtr to Date	% Received	Qtr to Date	Difference
Revenues					
Property tax	$ 10,790,000	$ 5,983,978	55.5%	$ 5,391,797	$ 592,181
Sales tax	10,355,000	6,528,601	63.0%	6,142,193	386,408
Transient occupancy tax	6,490,000	3,948,509	60.8%	3,901,155	47,353
Other taxes	3,671,000	2,892,721	78.8%	2,372,650	520,071
Subtotal Taxes	$ 31,306,000	$ 19,353,809	61.8%	$ 17,807,796	$ 1,546,014
Licenses, permits, and fees	832,000	1,106,335	133.0%	682,622	423,713
Fines and penalties	83,000	62,153	74.9%	64,181	(2,028)
Intergovernmental	488,500	338,565	69.3%	533,979	(195,414)
Charges for services	1,420,654	1,285,123	90.5%	1,519,067	(233,944)
Use of money and property	3,766,600	4,790,914	127.2%	5,122,354	(331,440)
Other revenues	88,000	288,601	328.0%	207,656	80,946
Subtotal Operating	$ 37,984,754	$ 27,225,501	71.7%	$ 25,937,655	$ 1,287,846
Non-Operating Revenes					
Land Sales	-	-	-	-	-
Transfers	550,166	550,166	100.0%	633,337	(83,171)
Total Revenues	$ 38,534,920	$ 27,775,667	72.1%	$ 26,570,992	$ 1,204,675

Property Taxes

The City primarily receives property tax in April and December, with a minor payment in June. The revenues to date include a $259,952 payment for Fort Ord Reuse Authority (FORA) surplus property taxes.

Sales Tax

The City records sales tax in the period in which it is earned. Due to receipting patterns, the amount of the year elapsed is not reflective of the performance. The Fiscal Year 2025-26 revenues were $6.5 million at the end of third quarter. This is $386,408 greater than the prior year. The amount received in both fiscal years reflects the receipt of seven payments. The current year totals include three quarters of revenues from Trader Joe's and Ross for Dress for Less, while the prior year includes only one quarter of receipts from these two new businesses.

Transient Occupancy Tax (TOT)

At the close of the third quarter, transient occupancy tax receipts were $4.0 million or 60.8% of the budget. Due to timing of revenue accruals, there are only seven payments recorded in each fiscal year.

Other Tax

This revenue category includes business license, franchise, cardroom, and cannabis taxes. At the end of the third quarter, these revenues contributed $2.9 million to the General Fund, which represents 78.8% of their annual budgeted amount. The majority of the year-to-date receipts can be attributed to business license taxes that were paid in the first quarter, with other taxes and minor business license receipts contributing to the current and future periods. The annual difference is related to changing accrual patterns for business licenses.

Licenses, Permits, and Fees

Revenues within this category were $1.1 million or 133.0% of the budgeted amount. This was also $423,713 greater than the prior year. The budgetary and annual variance can be largely attributed to an increase of $398,374 in residential construction permits and engineering permits.

Intergovernmental Revenues

This revenue category includes grants, Supplemental Law Enforcement Services Fund (SLESF), and fire mutual reimbursements. This amount may vary annually based on the amount of grants awarded and the timing of grant expenditures; as well as the number of mutual aid calls.

Charges for Services

The Fiscal Year 2025-26 year-to-date revenues were $1.3 million or 90.5% of the annual budget; however this was $233,944 less than the prior year. This annual difference is primarily related to a reduction in engineering inspection fees; and engineering and planning reimbursements funded through developer agreements. These revenues vary with development activities.

Use of Money and Property

Revenues were $4.8 million or 127.2% of the budgeted amount. This variance reflects greater than anticipated interest earnings. While there was a projected decline in interest rates, the Federal Reserve lowered interest rates at a slower pace. This allowed the City to continue receiving higher investment returns. This gradual reduction primarily accounts for the $331,440 annual decline within this category.

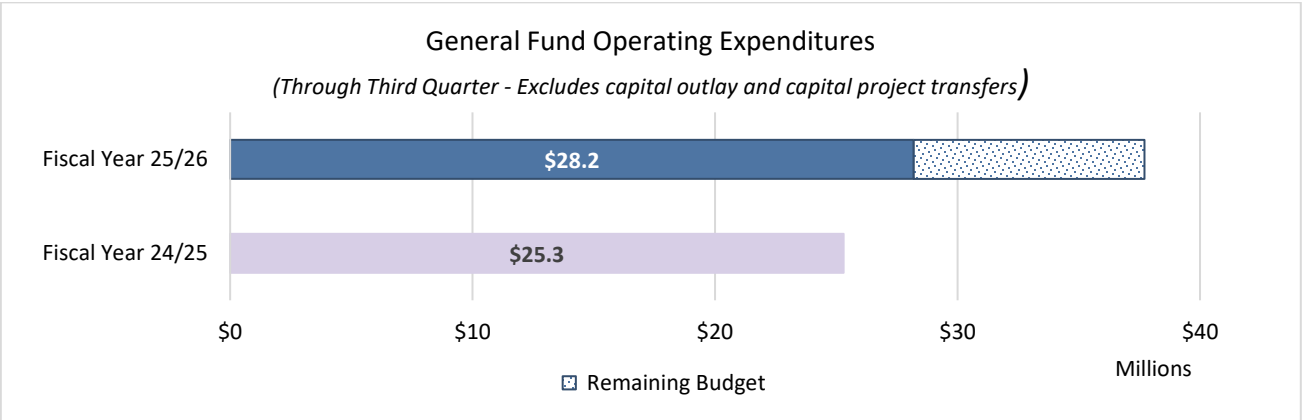
Other Revenues

Revenues within this category are likely to vary with each year. In the first three quarters of Fiscal Year 2025-26, Other Revenues exceeded the annual budget by $200,601. This includes one-time receipts of $34,733 from an opioid settlement, $65,600 for a utility easement at Glorya Jean Tate Park; $50,000 in in-lieu tree revenues; and $97,000 in insurance reimbursements

Expenditures

At the end of the third quarter, the City expended approximately $40.0 million or 77.6% of the budgeted amount. This includes $11.8 million in capital outlay expenditures and capital project transfers. The total amount of expenditures that are applicable to on-going operations was $28.2 million or 74.8% of the budgeted amount.

The chart below provides a comparative overview of the operating costs for the first three quarters of each fiscal year, as well as the Fiscal Year 2025-26 percentage of budgetary funds expended.



An overview of expenditures by department is provided in the following table, with a brief narrative describing any significant variances.

	Fiscal Year 25/26				
General Fund Expenditures	Amended	Qtr to Date	% Received	Prior Year Qtr to Date	Annual Difference
Departments					
City Council	$ 182,689	$ 122,437	67.0%	$ 40,299	82,138
City Manager	2,907,893	2,884,149	99.2%	1,632,638	1,251,511
HR/Risk Management	670,545	500,897	74.7%	-	500,897
Information Technology	583,241	459,808	78.8%	182,240	277,568
Finance	1,201,758	794,011	66.1%	874,763	(80,752)
City Attorney	824,000	776,928	94.3%	776,300	628
Police	10,727,741	7,337,578	68.4%	7,146,118	191,460
Fire	6,096,812	4,355,794	71.4%	4,396,959	(41,165)
Public Works/Engineering	5,012,863	3,754,096	74.9%	3,085,080	669,016
Community Development	2,167,401	1,370,241	63.2%	1,404,157	(33,916)
Economic Development	345,364	125,074	36.2%	101,061	24,013
Recreation & Culture	1,692,037	1,039,669	61.4%	1,102,861	(63,191)
Citywide Non-Department	5,296,187	4,668,841	88.2%	4,557,650	111,191
Subtotal Operating	$ 37,708,531	$ 28,189,524	74.8%	$ 25,300,126	$ 2,889,398
Non-Operating Expenditures					
Capital Outlay	$ 2,292,482	$ 289,763	12.6%	$ 825,486	$ (535,723)
Citywide Transfers Out	11,524,246	11,506,068	99.8%	3,408,768	8,097,300
Subtotal Non-Operating	$ 13,816,728	$ 11,795,831	85.4%	$ 4,234,254	$ 7,561,577
Total Expenditures	$ 51,525,259	$ 39,985,355	77.6%	$ 29,534,380	$ 10,450,975

City Manager

The expenditures through the third quarter reached $2.9 million or 99.2% of the budgeted amount. This includes $2.2 million in groundwater stabilization litigation costs, which were in excess of their projected amount by approximately $690,000. At this same time last year, these specialized litigation costs were approximately $795,738, or $1.4 million less than the current year. These increased costs, along with planned additional professional services; net of a reallocation of HR and Risk Management expenditures to a new department, contribute to the $1.3 million annual difference.

Human Resources/Risk Management

In Fiscal Year 2024-25, the costs associated with HR and Risk Management functions were included in the City Manager Department budget. In Fiscal Year 2025-26, a new department was established to support these expenditures. At the close of the third quarter, this department incurred $500,897 in expenditures, which represented 74.7% of the budget amount.

Information Technology

Operating expenditures through the third quarter were $459,808 or 78.8% of the budgeted amount. The annual increase of $277,568 can be primarily attributed to unique one-time costs of $168,933, with most of these expenditures subject to reimbursement.

Police Department

The Police Department expenditures were $7.3 million, which is just below the percentage of the year that has elapsed. The annual increase of $191,460 includes $160,300 in additional salary and benefit costs due to increased staffing levels; and $31,160 in various other expenditures.

Public Works/Engineering

The Public Works/Engineering department expenditures were $3.8 million or 74.9% of the budgeted amount. The annual difference of $669,016 can primarily be attributed to a $221,000 increase in salary and benefit costs associated with filling vacant positions in the public works and engineering functions; a $289,016 in additional facility maintenance, small tools and equipment, and $159,000 in rising utility costs.

Citywide Non-Department

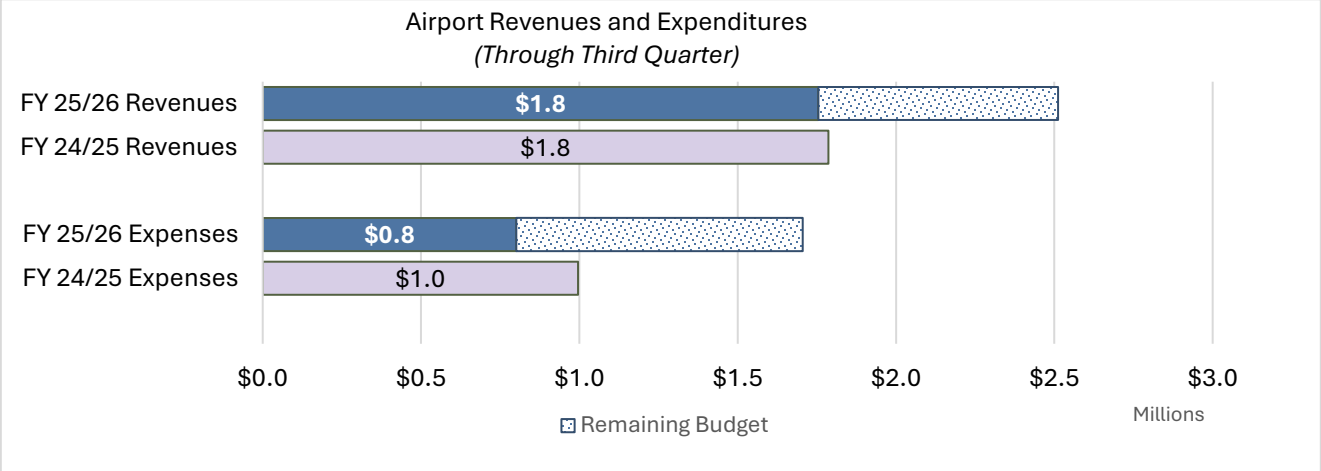
The Citywide non-department costs were $4.7 million at the end of the third quarter, which represents 88.2% of the annual budget. This was also $111,191 greater than the prior year. Costs within this department include annual property, workers compensation, and liability insurance premiums; and the PERS unfunded liability which are typically paid in the first half of the fiscal year. The annual net difference primarily reflects a $355,047 increase in the PERS unfunded liability payment, net of a reduction in claims, judgement, and damages expenditures; as well as other costs.

Other Funds

Municipal Airport

In Fiscal Year 2025-26, the Airport budget projected $2.5 million in revenues. During the first three quarters of the fiscal year, $1.8 million or 69.9% of the budgeted revenues were received. While the revenues were $31,886 less than the prior year, the Fiscal Year 2024-25 revenues included a $81,898 interfund transfer. If this one-time transfer is excluded, the year-to-date increase in on-going revenues would be $50,012.

The expenditures through the third quarter were $801,357 or 47.0% of the annual budget. This budgetary difference reflects salary savings from the partially vacant Assistant City Manager position, reductions in fuel expenditures, and spending patterns that may not align with the percentage of the year elapsed. In Fiscal Year 2024-25, the expenditures through the third quarter included non-operating and capital transfers of $279,940. This expenditure, net of an increase in various operational costs, contributes to the difference between the two fiscal years.

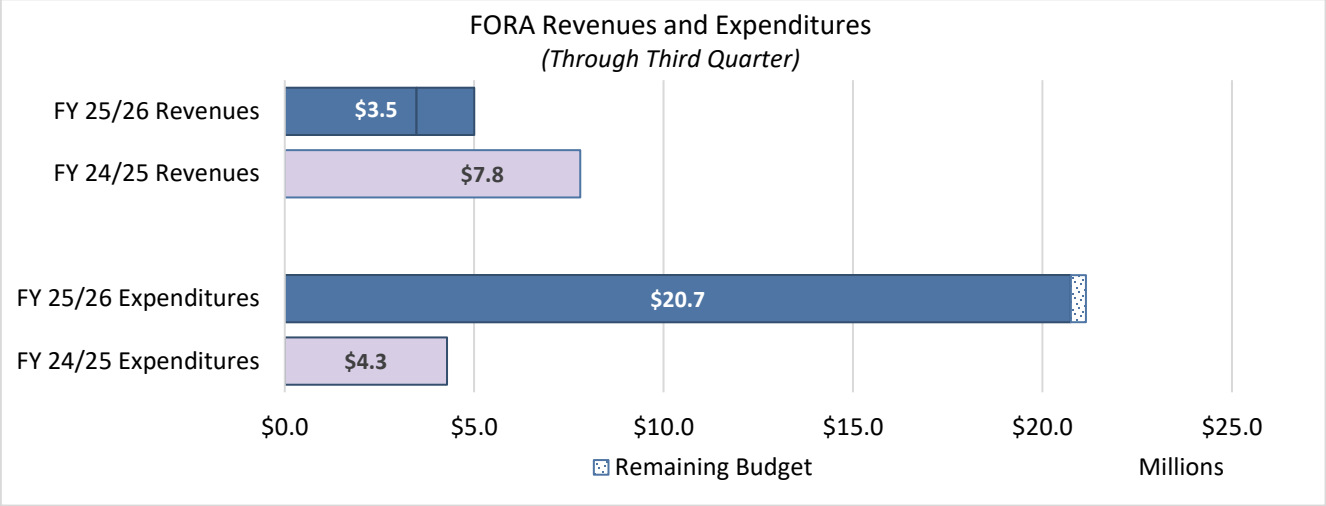


FORA Dissolution Fund

The FORA Dissolution Fund includes bond proceeds and on-going development fees for residential and commercial projects within the former Fort Ord area. Funds can only be spent on blight removal, capital projects, or habitat management in the stated FORA boundaries.

As part of the Fiscal Year 2025-26 budget, the City conservatively projected revenue receipts of $2.0 million. In the first three quarters of the fiscal year, development activities were strong. The FORA revenues of $3.5 million exceeded the annual budget amount by $1.5 million. These receipts included $3.3 million in FORA fees and $157,793 in interest earnings. In Fiscal Year 2024-25, the FORA Fund received $7.8 million, which included a one-time receipt of $4.4 million for development-related fees that were held in escrow. The comparative prior year on-going revenues included approximately $2.5 million in FORA fees and $918,059 in interest earnings. The interest earnings in Fiscal Year 2025-26, will continue to be less than the prior year due to a significant transfer of the unallocated fund balance to support capital improvements.

The expenditures within this fund reflect capital transfers, as well as capital projects and habit management activities. The Fiscal Year 2025-26 expenditures include a $20.7 million contribution towards the construction of a new $41.7 million Aquatic and Sports Center.



Public Impact Fees

The City receives public impact fees from new developments. The related receipts can only be spent on capital projects or purchases that align with the impact from the new growth.

Through the third quarter of the fiscal year, development activities were strong. This resulted in the receipt of $6.1 million in revenues or 150.1% of the budgeted amount. This included approximately $4.6 million in development impact fees, $686,701 in interest earnings; and an $800,000 transfer related to a project reconciliation. This can be contrasted with the prior year, which included approximately $3.1 million in development impact fees and $671,113 in interest earnings.

Development impact fees vary with construction activity over different periods of time. Over the last five years, the annual impact fees have averaged $5.9 million. In Fiscal Year 2024-25, the annual impact fee revenues were $4.4 million. Based on current performance, it is anticipated that the Fiscal Year 2025-26 impact fee receipts may meet or exceed the five-year average.

The expenditures within this fund reflect transfers to the capital improvement fund. The Fiscal Year 2025-26 transfers included funding for approximately $3.2 million in park-related projects and $500,000 for street intersection improvements.

An overview of the annual and comparative budgets is provided in the following table.

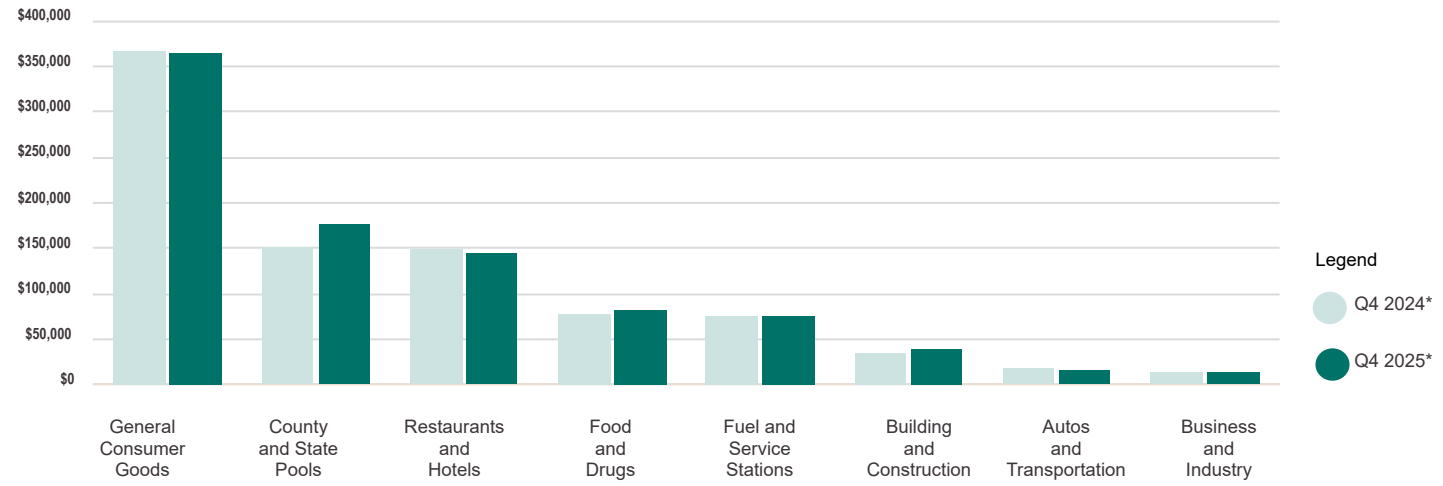
	Fiscal Year 25/26				Annual
	Amended	Quarter to Date	% Received	Quarter to Date	Difference
Revenues					
Interest Income	$ 450,000	$ 686,701	152.6%	$ 671,113	$ 15,588
Intersections Fee	406,000	531,420	130.9%	351,613	179,807
Roadways Fee	827,000	1,599,541	193.4%	1,005,479	594,062
Public Safety Fee	123,000	258,912	210.5%	126,211	132,701
Public Building Fee	387,000	583,216	150.7%	454,190	129,026
Parks Fee	1,086,000	1,661,312	153.0%	1,180,982	480,330
Transfers In-Parks Fee	800,000	800,000	100.0%	-	800,000
Total Revenues	$ 4,079,000	$ 6,121,102	150.1%	$ 3,789,589	$ 2,331,513
Expenditures					
Capital Transfers	$ 3,680,530	$ 3,680,530	100.0%	$ 5,000,000	$ (1,319,470)
Total expenditures	3,680,530	3,680,530	100.00%	5,000,000	(1,319,470)
Net operating difference	$ 398,470	$ 2,440,572	612.49%	$(1,210,411)	$ (3,650,983)

CITY OF MARINA
SALES TAX UPDATE
4Q 2025 (OCTOBER - DECEMBER)

MARINA				
TOTAL: $ 910,653	2.8% 4Q2025	0.9% COUNTY	1.1% STATE

*Allocation aberrations have been adjusted to reflect sales activity

SALES TAX BY MAJOR BUSINESS GROUP



Measure N
TOTAL: $1,996,597
-0.2%

CITY OF MARINA HIGHLIGHTS

Marina's receipts from October through December were 8.6% above the fourth sales period in 2024. Excluding reporting issues, including late payments, total receipts for the period were up 2.8%.

The growth this period came from the change in the use tax pool which grew nearly 9%. This came from higher demand for supplies and equipment needed to complete several building and infrastructure projects.

Total tax receipts from local retail and industry were 0.2% lower this period. Construction was the one group which showed resilience this quarter as it turned in its 4th straight period of growth. Fortunately for the rest of the retailers any loss of sales tended to be minor.

Measure N saw the same 0.2% drop in receipts despite having the volume of new cars purchased by residents increase by 6% and taxes generated from e-commerce rising 11%. B-T-B sales of supplies and equipment were down this period, however.

Net of aberrations, taxable sales for all of Monterey County grew 0.9% over the comparable period while those of the Central Coast region were flat.

TOP 25 PRODUCERS

7 Eleven
Best Buy
Brass Tap
Catalyst
Chipotle
Five Below
Grocery Outlet
Jack in the Box
Kohls
Las Animas Concrete
Marina
Luckys
Marina Chevron
Marina Fast Fill Market
McDonald's
Michaels Arts & Crafts
Old Navy
REI
Ross
Sanctuary Beach Resort
Shell
Stiizy
Taco Bell
Target
Trader Joe's
Walmart Supercenter

STATEWIDE RESULTS

California's local one cent sales and use tax receipts posted moderate growth during the fourth quarter, reflecting resilient consumer behavior despite persistent economic headwinds. For the months of October through December, revenues increased 1.2% from the year ago quarter after adjusting for accounting anomalies. This performance capped an overall improvement for calendar year 2025 of 1.2%, marking a welcomed annual increase after two consecutive years of decline.

Consumer spending patterns during the holiday season played a central role in the fourth-quarter results. Fulfillment centers and countywide use tax pools generated strong returns, driven by sustained demand for online shopping as cost-conscious consumers prioritized convenience and price comparison. This e-commerce momentum persisted throughout the 2025 year. Traditional brick-and-mortar retailers, particularly apparel and jewelry stores, also realized modest seasonal gains, benefiting from holiday purchasing activity.

Restaurant sales taxes rose again, although operators reported continual pressure from rising costs that influenced customer behavior. Diners reduced visit frequency and alcohol purchases, reflecting heightened price sensitivity. While upcoming national and global sporting events in California could support localized growth, broader restaurant sector expansion is expected to remain constrained and concentrated primarily in tourism-heavy and event-focused regions.

Energy-related initiatives produced solid returns; however, revenue allocation mechanisms shifted, with proceeds previously reported directly to local agencies now distributed through county pools during the current period.

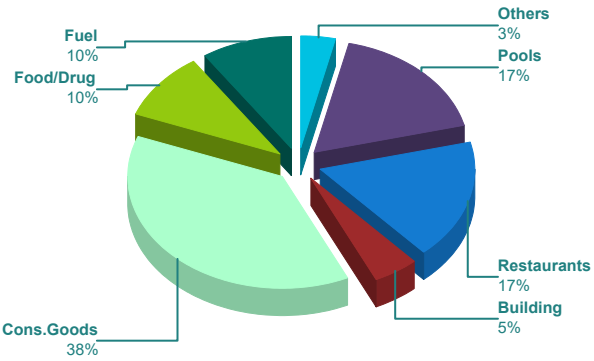
In contrast, the autos-transportation and building-construction sectors remained subdued. Elevated interest rates, seasonal purchasing patterns, and winter weather limited activity, particularly in high-value purchases such as vehicles and home improvement projects. Contractors in roofing and concrete experienced reduced productivity, reinforcing expectations of continued stagnation in these industries. With minimal interest rate relief projected for 2026, significant near-term recovery remains unlikely.

Looking ahead, emerging global risks present growing uncertainty. While not reflected in current results, escalating tensions in the Middle East have driven West Texas Intermediate crude oil prices above $100 per barrel, translating into sharply higher gasoline prices exceeding $6 per gallon locally. Refinery closures across Northern and Southern California further amplify supply pressures. Prolonged energy price volatility could force consumers to redirect spending toward fuel costs, reducing discretionary expenditures in other sectors.

Prior to these developments, short-term economic expectations were cautiously optimistic. However, renewed inflationary pressure has led the Federal Reserve to delay anticipated interest rate reductions, limiting consumer flexibility. Stubbornly high fuel prices may also dampen travel and tourism through summer, leaving little room for broad-based sales tax growth in the year.

REVENUE BY BUSINESS GROUP

Marina This Calendar Year*



*ADJUSTED FOR ECONOMIC DATA

TOP NON-CONFIDENTIAL BUSINESS TYPES

Business Type	Q4 '25	Marina Change	County Change	HdL State Change
Service Stations	68,432	-2.4%	-4.2%	-2.1%
Casual Dining	50,862	8.2%	0.1%	2.3%
Quick-Service Restaurants	49,907	1.5%	1.5%	0.1%
Family Apparel	35,892	-13.5%	3.5%	6.5%
Contractors	34,853	13.8%	-0.7%	-0.8%
Grocery Stores	34,347	-5.4%	-1.6%	0.7%
Fast-Casual Restaurants	24,424	1.0%	12.9%	0.7%
Convenience Stores/Liquor	12,834	-11.2%	-3.3%	-2.2%
Leisure/Entertainment	6,584	59.8%	4.8%	-0.7%
Light Industrial/Printers	5,415	-1.6%	38.5%	-6.1%

**Allocation aberrations have been adjusted to reflect sales activity*

May 12, 2026 Item No. **10j(3)**

Honorable Mayor and Members of the Marina City Council — City Council Meeting of May 19, 2026

Chair and Board Members of Abrams B Non-Profit Corporation (NPC) — Abrams B NPC Meeting of May 19, 2026

Chair and Board Members of Preston Park Sustainable Community Non-Profit Corporation (SCNPC) — Preston Park SCNPC Meeting of May 19, 2026

CITY COUNCIL OF THE CITY OF MARINA; AND THE BOARD MEMBERS OF THE ABRAMS B NON-PROFIT CORPORATION AND THE PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION RECEIVE THE ABRAMS PARK AND PRESTON PARK THIRD QUARTER INFORMATIONAL REPORT FOR FISCAL YEAR 2025-26

REQUEST:

It is requested that the City Council and Boards:

1. Consider receiving the Abrams Park and Preston Park Third Quarter Informational Report for Fiscal Year 2025-26, which represents the quarter ended March 31, 2026.

BACKGROUND:

The attached report represents the Third Quarter Information Report for both housing units.

This report may be modified based on feedback from the City Council and Board Members. Additional enhancements may be implemented once the new Assistant City Manager becomes more familiar with the properties.

ANALYSIS:

The attached report presents the activities of the Abrams Park and Preston Park housing units through the third quarter **(EXHIBIT A)**.

Detailed information can be found in the attached report.

FISCAL IMPACT:

There is no fiscal impact. This report is for informational purposes.

CONCLUSION:

This report is submitted for City Council and Board Member consideration and possible action.

Respectfully Submitted,

Tori Hannah
Finance Director
City of Marina

REVIEWED/CONCUR:

Layne Long
City Manager
City of Marina

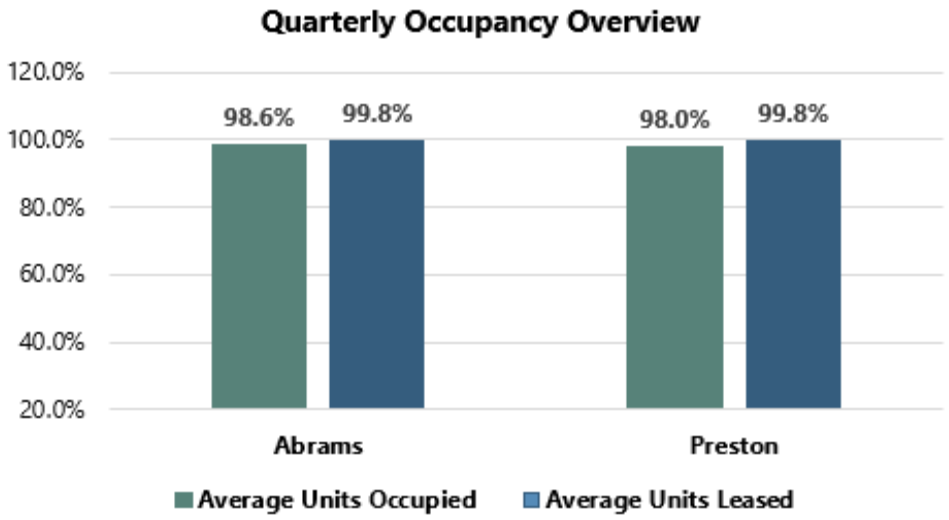
CITY OF MARINA – PRESTON PARK / ABRAMS PARK

Third Quarter Informational Report: Fiscal Year 2025-26

1. Occupancy Overview

Occupancy & Leasing

The lease and occupancy rates provide details on the percentage of units within each property that are occupied and those that have active lease agreements. These amounts may vary based on the timing of make-ready improvements and the signing of new lease agreements.



Overall: Portfolio achieved an overall high quarterly occupancy with 99.8% leased and 0.2% availability.

2. Renovation & Unit Status

Status	Abrams	Preston	Notes
Units on Hold for Renovations	2	1	Units renovated during the quarter.
Fire Damaged Units	-	3	Units down due to 10/28/25 fire. The insurance claim, final scope, and contract were in progress at quarter end.

CITY OF MARINA – PRESTON PARK / ABRAMS PARK

3. Risk Management, Administrative, and Legal Activities

- The following table represents the number of actions taken by Greystar to prevent rental revenue loss.

Property	Initiated	In Process	Resolved/Completed
Abrams	-	-	1
Preston	-	-	-

- Greystar has implemented a requirement for all new tenants to purchase renter's insurance. A draft letter to initiate this same requirement for in-place tenants was provided to the City Manager. A suggested revision to the letter is pending review.

- Nationwide Insurance estimated that the rental loss from the three fire-damaged units at Preston Park is $79,809. Greystar and City staff agree that this estimate represents the estimated loss and offsetting expenses through October 30, 2026. These payments commenced in the third quarter. Nationwide initially estimated the building repairs at $523,000; however, the construction bids came in at just over $1.1 million due to prevailing wage and other factors. This information was submitted to Nationwide for further review and approval; however, they provided written confirmation that they will provide reimbursements at the higher amount. Greystar has selected a contractor and is in the final stages of the permitting process.

4. Preventive Maintenance (PM) & Inspections

PM Projects (FY 25/26 – Ongoing all quarter)

- Tree trimming (completed)
- Roof preventative planned maintenance (completed)
- Termite inspections (pending in Q4)
- Dryer vent cleaning (pending in Q4)
- Gutter cleaning (completed)

Unit-by-Unit Inspections

- Abrams Park: 2026 cycle began March 1 2026 and is targeted for completion by end of June.
- Preston Park: 2026 cycle began March 1 2026 and is targeted for completion by end of June.

SB721 Balcony Inspections

- Completed for Abrams Park through 2029; no issues (all months)
-

5. Capital Projects

Completed

- **Abrams Park Exterior Painting** – Completed by October 2025
- **Concrete Walkways & Driveways** – Completed by December 2025

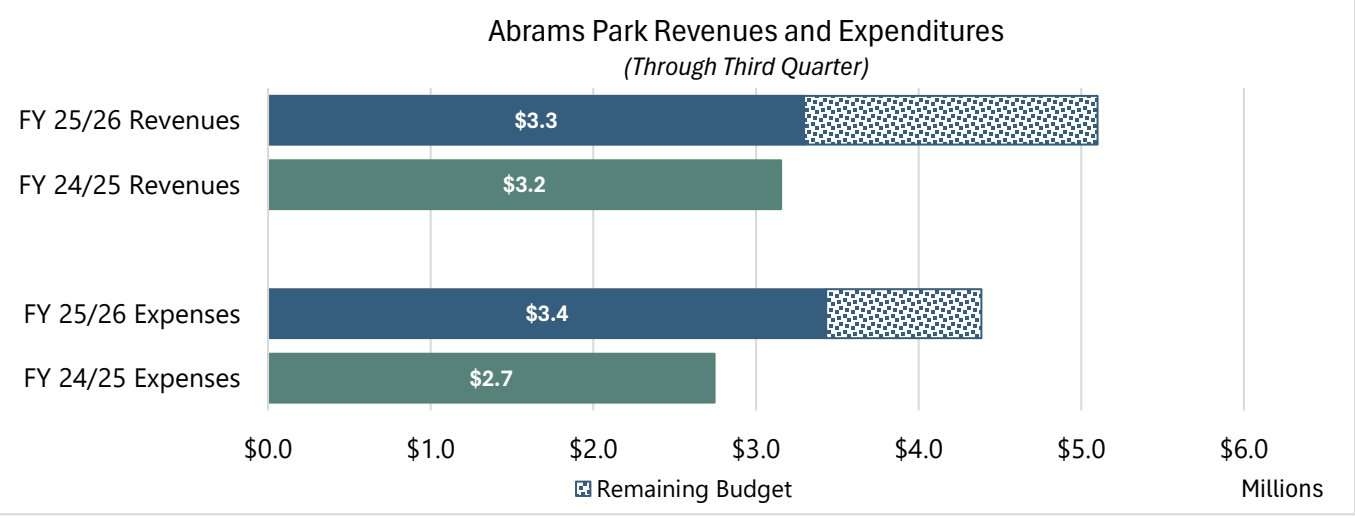
In Progress

- HVAC replacements (ongoing)
- Irrigation Valve & routine irrigation repairs and replacements (ongoing)
- Abrams Park Project Capital Needs Assessment (PCNA) Subpanel Replacement Project - This new project was approved by the City. Bids have been collected, and permits are now pending.

6. Fiscal Information

Abrams Park

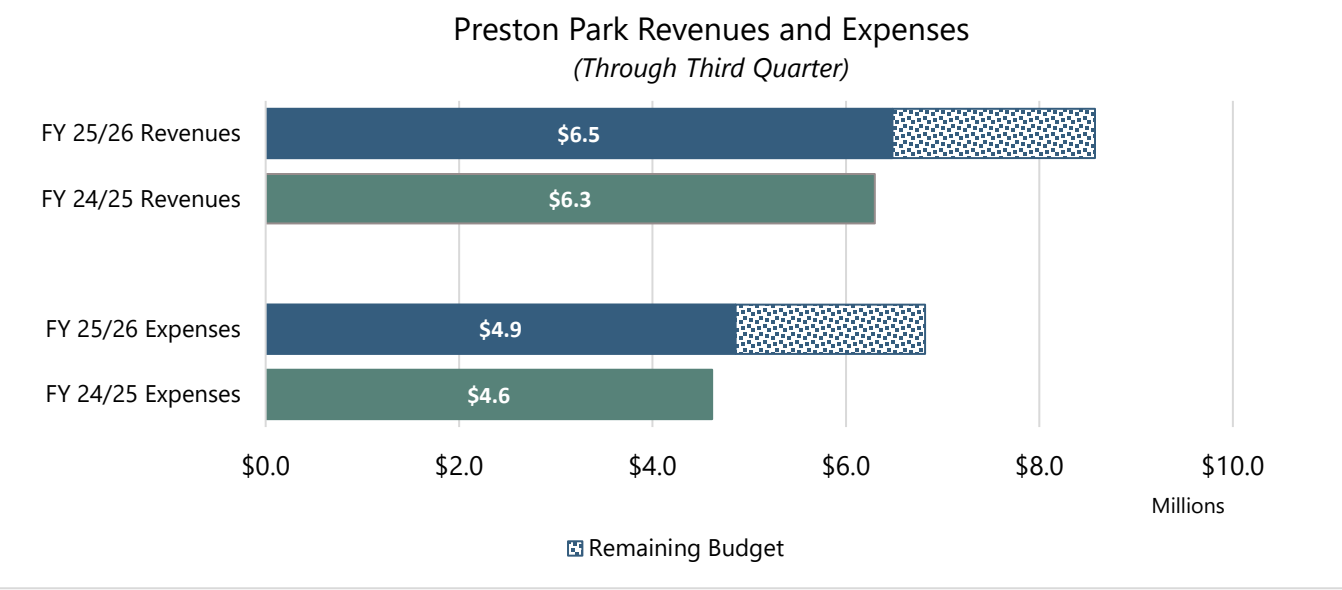
The year-to-date operating revenues for Abrams Park were $3.0 million, which represents 73.9% of the budgeted amount. This was $33,334 or 1.1 % greater than the prior year. These revenues are trending just below the percentage of the year that elapsed due to unanticipated vacancies during the period. A one-time transfer from capital reserves of $316,737 was also initiated in the third quarter. The remaining $755,855 in reserve transfers is anticipated to occur prior to year end and align with capital improvement costs. In Fiscal Year 2025-26, overall expenses were $3.4 million or 78.2% of the annual budgeted amount. The annual increase in expenses of approximately $686,126 can largely be attributed to $507,750 in additional capital/renovation projects; planned insurance increases of $80,735; and $97,641 in additional costs, including make ready/decorating expenditures associated with unit turnovers.



CITY OF MARINA – PRESTON PARK / ABRAMS PARK

Preston Park

The year-to-date revenues for Preston Park were $6.5 million or 75.6% of the budgeted amount. Rental income increased by approximately $203,430 or 3.5% when compared to the prior year; however, this was offset by a $22,577 reduction in investment earnings due to lower interest rates. In Fiscal Year 2025-26, overall expenses were $4.9 million or 71.3% of the annual budgeted amount. This included a $1.5 million ownership distribution to the City, which is on par with the prior year. The annual increase in expenses of approximately $242,265 or 5.2% can largely be attributed to $334,532 in additional capital/renovation projects; $69,763 in increased operating expenses, net of debt service refinancing costs that may be adjusted as part of the year-end merger of the City and Greystar accounting records.



6. Community Engagement

Community engagement momentum continues with seasonal events and strong participation.

Events Held

- October 31: Halloween treats at Leasing Office
- December 5: Toys for Tots Toy Drive with Coffee and Pastries at the Community Center

Upcoming

- April 30: Coffee and Donuts in our Office.
- May 8: Free Plant Pickup, donations courtesy of Colorscapes.
- June 15: Spring Cleaning, free Curbside pick-up/hauling event.

MST HIGHLIGHTS
Board of Directors Meeting
May 11, 2026

RECOGNIZED MAY MST EMPLOYEE OF THE MONTH
The MST Board adopted Resolution 2026-17 recognizing Greg Burchell, Operations Supervisor as Employee of the Month for May 2026 and for his outstanding contribution to MST and the entire community.

ADOPTED MOBILITY ADVIOSRY COMMIITTEE SB707 TELECONFERENCE EXEMPTION
The MST Board adopted Resolution 2026-18 making findings pursuant to Senate Bill 707 authorizing the Mobility Advisory Committee (MAC) to pursue remote participation.

ADOPTED FREE FARE DAY ON JUNE 2, 2026
The MST Board of Directors adopted a free fare day on June 2, 2026 for the Statewide Direct Primary Election Day to ensure equitable access to polling locations per a request by Monterey County Elections.

RECEIVED UPDATE ON THE STATUS OF MST VACANT BUDGETED POSTIONS
The MST Board received an update on the status of vacant budgeted positions at the Monterey-Salinas Transit District, conducted a public hearing to receive Union comments on open positions within their bargaining units. The ATU Local 1225 president praised the collaborative working relationship between MST and the ATU.

RECEIVED UPDATE ON PROPOSED MST OPEPRATIONS AND MAINTENANCE FACILITY AT 139 SUN STREET
The MST Board received a presentation on planning and design of the proposed MST Operations and Maintenance Facility at 139 Sun Street, Salinas

ADHOC NOMINATING COMMITTEE
The Adhoc Nominating Committee in-person meeting convened following the adjournment of the regular board meeting.

NEXT MST BOARD MEETING
The next regular MST Board meeting is scheduled for June 8, 2026.

ORDINANCE NO. 2026-05

AN ORDINANCE AMENDING THE MARINA MUNICIPAL CODE (MMC), CHAPTER 17, ARTICLE 4, BY AMENDING SECTION 17.42.170 SHORT-TERM RENTALS. THE PROPOSED ORDINANCE IS EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO SECTION 15061(b)(3) OF THE CEQA GUIDELINES.

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THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

1. On November 5, 2019, the City Council of the City of Marina (City) adopted Ordinance 2019-02 amending to the Zoning Ordinance to include 17.42.170 entitled "Short-term rentals" which establishes a permitting process and appropriate standards for whole dwelling units or portions of the same for a period of 29 consecutive days or less, along with associated regulations to mitigate negative impacts.
2. On August 6, 2025, the City Council initiated a discussion on strengthening the City's Short-Term Rental Program to better protect neighborhood integrity and directed Community Development Dept. (CDD) to identify ordinance amendments that would improve the effectiveness of the program.
3. On October 23, 2025, the Marina Planning Commission held a public hearing at which staff presented and received input from the Commission on the proposed amendments to Title 17, Article 4, by amending Section 17.42.170 Short-term rentals.
4. On December 18, 2025, the Marina Planning Commission held a public hearing at which staff presented a study session for short-term rentals and received input from the Commission on the proposed amendments.
5. On February 12, 2026, the Planning Commission held a public hearing and recommended approval of the draft Ordinance with changes that have been incorporated below.
6. The proposed amendments include:
    a. Clarifying acceptable forms of documentation demonstrating that a property owner resides at the property to verify "Primary Residence";
    b. Defining "Advertising" to include all forms of representation, such as signage, print media, digital communications, and mobile applications, and prohibiting the advertising of unpermitted short-term rental units;
    c. Establishing parking requirements consistent with the capacity of the property;

d. Clarifying permit application requirements to ensure that plot plans and floor plans are submitted in a timely manner and that permit numbers are displayed on all short-term rental listing platforms;
e. Implementing the requirements of Senate Bill SB 346 by requiring short-term rental facilitators to submit quarterly reporting information, including local license and tax certification numbers on listings, and to comply with City enforcement measures;
f. Establishing enforcement provisions to hold owners, agents, property managers, and other responsible parties accountable for violations, including the issuance of daily infractions and escalating civil penalties;
g. Establishing a two-year period of ineligibility for short-term rental operations if a permit holder is found to be in violation of the ordinance;
h. Establishing a 55-foot separation requirement for new short-term rental permits, measured from parcel boundaries, with implementation for existing permit holders beginning June 30, 2027;
i. Requiring the preparation of a nuisance response plan and the installation of decibel monitoring devices to address noise and neighborhood compatibility concerns; and
j. Requiring review of the short-term rental program three years after adoption, including a staff evaluation and report to the Planning Commission to assess effectiveness and consider potential amendments.

7. The proposed amendments to Chapter 17 of the MMC are consistent with Section 17.72 (Amendments) in that the amendments are consistent with public necessity and convenience and the general welfare requires such amendments.

8. Environmental. The proposed Ordinance amendments are not subject to environmental review pursuant to the State CEQA Guidelines, California Code of Regulations, Title 14, Article 5, Section 15061(b)(3) because the proposed procedural changes would not result in a direct or a reasonably foreseeable indirect physical change in the environment and the proposed ordinance is covered by the general rule that CEQA applies only to projects which have potential for causing significant effect on the environment. Therefore, the adoption of this ordinance is exempt from CEQA, and no further environmental review is necessary.

9. Effective Date. This Ordinance shall be in full force and effect on thirty (30) days after its final passage and adoption.

10. Severability. If any portion of this Ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.

11. Posting of Ordinance. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause it to be posted in the three (3) public places designated by resolution of the City Council.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on May 5, 2026, and was passed and adopted at a regular meeting duly held on May 19, 2026, 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

Exhibit A

(New text is indicated with underlining, and deleted text is indicated with strikethrough, items added by the City Council on April 21, 2026 are identified in red)

…

Chapter 17.42.170

SHORT-TERM RENTALS

Sections:

…

17.42.170 Short-term rentals.

…

17.42.170 Short-term rentals.

A. *Purpose.* The purpose of this section is to establish a permitting process and appropriate standards for the short-term rental of a whole dwelling unit, or portion of the same, for a period of twenty-nine consecutive days or less.

B. *Definitions.* For the purposes of this section, the following definitions shall apply:

1. "Hosting platform" means a marketplace in whatever form or format which facilitates home-sharing or vacation rental, through advertising or other means, using any medium of facilitation, and from which the operator of the housing platform derives revenues, including booking fees or advertising revenues, from providing or maintaining the marketplace.

2. "Primary residence" means an owner's permanent residence or usual place of return for housing as documented by evidence of a Monterey County Assessor's Homeowners Exemption and at least two forms of identification in the owner's name: motor vehicle registration, driver's license, state and federal tax returns, a bank account statement, voter registration, or a utility bill from within the past sixty (60) days. An owner may only have one (1) primary residence at any given time. A primary residence is a "one-family ~~may be a duplex or~~ dwelling" as defined in Section ~~17.04.260~~, ~~17.04.265~~, ~~17.04.270~~, ~~17.04.280~~, ~~or~~ 17.04.290.

3. "Registry" or "city registry" is the list of STR permits issued in a calendar year. The city shall bear responsibility for keeping the registry up to date with current permits.

4. "STR guest(s)" or "guest(s)" means any person or group of persons staying at an STR for no more than twenty-nine consecutive days.

5. "STR owner" or "owner" means the person, or persons, individually, jointly, in common, or a living trust whereby the trustor and trustee are the same person whereby such property is under single or unified control holding fee title which rents a dwelling operated and used as an STR.

6. "Short-term rental" or "STR" means a primary residence, or any portion thereof, rented for occupancy for lodging or sleeping purposes for a period of twenty-nine consecutive days or less.

7. "Transient occupancy tax" or "TOT" means local transient tax as set forth in Chapter 3.12. The tax is paid by the guest when paying for their rental. The collected TOT is then remitted to the city.

8. “Advertising” means signs, circulars, cards, telephone books, newspapers, magazines, posters, email, mobile applications, television, radio, or any other representation implying or stating the property is available for short-term rental use.

C. *Short-Term Rental Requirements and Conditions.*

1. *Compliance with Applicable Laws.* The owner must comply with all applicable laws, rules, and regulations pertaining to the use and occupancy of the STR.

2. *Short-Term Rental Permit Required.* A permit from the city (hereinafter referred to as an “STR permit”) is required for all STRs~~. No person shall rent, offer to rent, or advertise for rent any STR for a term~~ shorter than twenty-nine consecutive days. ~~without a valid STR permit, which may be issued by the city in the manner provided for by this section.~~

3. *Validity Period.* An STR permit shall expire on June 30th of each calendar year and may be renewed upon reissuance of a business license and proof of timely payment of transient occupancy tax (TOT) during the time period of operation of the STR. An STR permit is only valid for up to one year, subject to renewal, and does not run with the land. Therefore, the issuance of an STR permit for a period of up to one year does not create a fundamentally vested right. As such, the city reserves the right to deny renewal of an STR permit for any reason, without the applicant having a right to hearing or other due process rights. During the application renewal submission, the owner must resubmit proof of “primary residence” as listed in section (B)(2) of this section.

4. *Change in Ownership.* The STR permit shall be invalidated by a change in owner of an STR, except when a spouse or domestic partner is added to the title of the property or the property is converted to a trust, which is principally under the same ownership. If the STR permit is invalidated by a change in ownership, the owner must complete the reapplication process within forty days or the right to the STR permit will be lost.

5. *Noise and Disturbances.* Guests are subject to the requirements of Chapter 9.24, Noise Regulations.

6. *Revocation of STR Permit.* An STR permit may be revoked by the city due to the failure to meet the requirements set forth in this code and state law, subject to the discretion of the city. Any applicant or permit holder whose request for permit has been denied, or whose permit has been revoked, shall be ineligible for a two-year period from applying for a new permit. Such period shall run from the date of any final determination of denial or revocation. No person whose permit has been revoked shall continue to engage in, or carry on, the activity for which the permit was granted unless and until such permit has been reinstated or reissued.

7. *Appeal Process.* Revocation of an STR permit may be appealed pursuant to Section 17.70.020. The appeal shall be accompanied by a filing fee, if any, as established by city council resolution.

8. *Good Neighbor Brochure.* A good neighbor brochure, the contents of which shall be set by resolution of the planning commission, shall be required on the premises of any STR.

9. *Occupancy Limitations.* The maximum number of guests permitted in an STR is two per bedroom, plus two additional guests per unit (as shown in the following table). No more than twelve guests shall be permitted to stay in an STR.

Number of Bedrooms	Number of Guests Allowed
0 (studio)	2
1	4
2	6
3	8
4	10
5+	12

10. *Transient Occupancy Tax.* Transient occupancy tax (TOT) shall be collected on all short-term rentals. STR owners are solely responsible for the collection of all applicable TOT and remittance of the collected tax to the city on a monthly basis. If a hosting platform collects payment for short-term rentals, then it and the STR owner shall both have legal responsibility for the collection and remittance of TOT.

11. *Advertising STR without STR permit.* No owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise shall post, publish, circulate, broadcast or maintain any advertisement of an STR property if that property does not operate pursuant to a valid STR permit.

12. *Parking.* Each designated on-site parking space at a transient use site shall be made available for use by overnight occupants of that site and any on-site driveway must be available for the use of the guests of the site. Each private contract or tenancy shall specify what the maximum number of tenant vehicles to be parked at or in proximity to a transient use site (whether on street or off street), which shall not exceed the number of bedrooms included in the contract or tenancy.

13. *Contact Information*. The owner shall maintain a clearly visible on-site placard, accessible from the public right-of-way, displaying the name and 24-hour contact information of the owner or designated local contact person authorized to respond to complaints. The owner shall include the property address and contact information in all advertisements and online listings for the short-term rental.

14. *Specific prohibitions.* The owner is responsible for ensuring the property does not become a nuisance due to any short-term rental occupant activities. The activities prohibited for short-term rentals are examples that include, but are not limited to, the following:

a. Senior housing units and below market rate units may not be used for short-term rental purposes.

b. An owner may not have a short-term rental permit on more than one (1) parcel for short-term rental use in the City's jurisdiction. In addition, the parcel listed on the permit must be owner occupied as defined by primary residence.

c. Commercial or assembly uses, such as weddings, corporate events, and parties, are prohibited in short-term rentals.

d. Short-term rental to unaccompanied minors is prohibited.

e. Short-term rentals are prohibited in Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) that received approval on or after January 1, 2020. ADUs and JADUs that received approval prior to January 1, 2020 are exempt from this prohibition and may be used as short-term rentals, provided the owner obtains a valid STR permit.

f. Parcels that have an ADU or JADU that received approval on or after January 1, 2020 are prohibited from obtaining a short-term rental permit. Parcels with an ADU or JADU that received approval prior to January 1, 2020 are exempt from this prohibition

g. Short-term rentals are prohibited in recreational vehicles (RVs), tents, and other non-permanent structures.

15. *Density limits.* Upon the effective date of the ordinance codified in this chapter, all new STR permits shall be subject to a 55-foot zone of exclusion. The 55-foot zone of exclusion shall be drawn from the STR parcel boundary. A property shall be ineligible to hold an STR license if any part of its parcel boundary is within the 55-foot zone of exclusion of an existing STR. Subject to the city manager or his/her designee's discretion, a property may be eligible for an STR permit if its parcel boundary is outside the zone of exclusion but an associated legal easement is within the 55-foot range (i.e., a reverse ingress or egress easement creates a flag lot). Implementation of this section for existing permit holders will be deferred until June 30, 2027, and will take effect upon issuance of an STR permit during the renewal process. STR permit holders within a 55-foot zone of exclusion will not be allowed to operate a STR after June 30, 2027.

16. *Permit Cap*. The total number of short-term rental permits issued and active within the City shall not exceed fifty (50) at any time. No new permit shall be issued once the cap has been reached, unless an existing permit is revoked or terminated.

17. *Duration*. The number of nights that the property can be used for short-term rental purposes shall be limited to one hundred eighty (180) nights per calendar year. During the submission of a new application, the owner must submit a proposed rental calendar not to exceed one hundred eighty (180) nights and upon a renewal application, the owner must submit proof they have not exceeded the one hundred eighty (180) nights.

D. *Permit Application Procedures.* An application for an STR permit shall be filed with the community development department upon forms, the content of which shall be set by resolution of the planning commission and shall, at a minimum, request:

1. The name, address, assessor's parcel number (APN) for the STR owner's property, and telephone number of the owner of the STR for which the STR permit is to be issued.

2. A statement of the anticipated daily rental charge for the STR and written acknowledgment of the responsibility to pay TOT associated with the rental of the STR.

3. A valid business license issued by the city for the STR, with the stipulation that the actual business license number must be included in any solicitation for an STR.

4. An STR permit application non-refundable fee. The fee will cover the estimated costs of reviewing the application.

5. Plans, which do not need to be drawn up by a professional, but drawn to scale including the following:

(a) Plot plan showing location of all property lines, location of all existing buildings, and location of dimensioned on-site parking spaces.

(b) Floor plan showing all rooms with each room labeled as to room type. Floor plan modifications must be submitted within seventy-two hours of updating STR platform listings.

6. The rental/lease agreement to be used, or house rules/requirements, which shall include, but not necessarily be limited to, the following:

(a) Number of guests allowed, which shall not exceed two per legal bedroom plus two additional guests.

(b) Number of vehicles a guest is allowed to park on site and off site per Section 17.42.170(C)(12).

(c) A nuisance management plan that includes maintaining a decibel reader on-site at all times to monitor noise levels.

7. Once the STR permit is issued, the STR permit number must be listed on all platform listing headlines and the platform weblinks provided to the City.

E. *Hosting Platform Requirements.*

1. Hosting platforms together with STR owners shall be responsible for collecting all applicable TOTs and remitting the same to the city. The hosting platform shall be considered an agent of the owner for purposes of TOT collections and remittance responsibilities as set forth in Chapter 3.12.

2. Subject to applicable laws, hosting platforms shall disclose to the city on a regular basis each home-sharing and vacation rental listing located in the city, the names of the persons responsible for each such listing, the address of each such listing, the length of stay for each such listing, and the price paid for each stay. Hosting platforms that fail to comply will be subject to fines and penalties pursuant to Section 1.12.080.

3. Hosting platforms shall not complete any booking transaction for any residential property or unit unless it is listed on the city's registry at the time the hosting platform receives a fee for the booking transaction.

4. A hosting platform operating exclusively on the internet, which operates in compliance with subsections (E)(1), (2), and (3) of this section, shall be presumed to be in compliance with this section, except that the hosting platform remains responsible for compliance with the administrative subpoena provisions of this code.

5. The provisions of this section shall be interpreted in accordance with otherwise applicable state and federal laws and will not apply if determined by the city to be in violation of, or preempted by, any such laws. (Ord. 2019-02 § 1 (Exh. A), 2019)

6. Pursuant to the City's adoption of SB 346 (Durazo, 2025), short-term rental facilitators shall report the physical address, including the 9-digit ZIP Code, of each short-term rental located within the City every three months. Failure to submit the required report may result in administrative fines, penalties, or an audit initiated by the City. Facilitators shall provide additional information requested by the City, as authorized by SB 346, if the City deems such information necessary to identify a specific short-term rental. Short-term rental facilitators shall

include in each listing any applicable local business license number and transient occupancy tax certification issued by the City.

F. Liability and Enforcement.

1. Any owner, owner representative, responsible tenant, person acting as agent, real estate broker, real estate sales agent, property manager, reservation service or otherwise who uses, arranges, or negotiates for the use of residential property in violation of the provisions of this section is guilty of an infraction for each violation, and for each day in which such residential property is used, or allowed to be used, in violation of this chapter.

2. Violations of this chapter may be prosecuted pursuant to Section 1.12.080 and issued a civil penalty not exceeding the amounts set forth in California Government Code Section 36900(d).

G. Review of Ordinance

1. This ordinance shall be reviewed three years after its adoption. At that time, City staff shall evaluate the implementation of the Short-Term Rental (STR) ordinance and present their findings to the Planning Commission.

2058658.1

May 12, 2026 Item No. **11a**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of May 19, 2026

CITY COUNCIL TO CONDUCT A PUBLIC HEARING AND EXTEND URGENCY ORDINANCE NO. 2026-03 ESTABLISHING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT AND OPERATION OF NEW SHORT-TERM RENTALS PURSUANT TO GOVERNMENT CODE SECTION 65858.

REQUEST

It is requested that the City Council:

1. Conduct a public hearing on the proposed extension of Urgency Ordinance No. 2026-03, as required by Government Code sections 65858(a) and 65090; and
2. Adopt an ordinance extending the temporary moratorium on the establishment and operation of new short-term rentals for twenty-six (26) days, from May 22, 2026, through and including June 17, 2026, by a minimum 4/5 vote as required by Government Code section 65858(a); and
3. Find the extension exempt from the California Environmental Quality Act (CEQA) per Section 15061(b)(3) of the CEQA Guidelines..

BACKGROUND

On April 7, 2026, the City Council adopted Urgency Ordinance No. 2026-03 pursuant to Government Code section 65858(a), temporarily prohibiting the establishment and operation of new short-term rentals in all zoning districts for a period of 45 days. The moratorium took effect immediately upon adoption and is set to expire on May 22, 2026.

The urgency ordinance was adopted in response to the Council's direction at its March 17, 2026, meeting to incorporate further changes into a comprehensive set of amendments to the City's short-term rental ordinance (Marina Municipal Code section 17.42.170). Those amendments were initially recommended by the Planning Commission on February 12, 2026, and addressed issues including clearer definitions for primary residency and advertising, updated parking requirements, enhanced permit application procedures, a two-year ban on STR operations for permit violations, a 55-foot exclusion zone for new permits, and mandatory decibel monitoring devices and nuisance response plans. On May 5, 2026, the Council approved those STAR amendments, which become effective on June 18, 2026.

The moratorium is intended to prevent new STR applications from being submitted and processed under the existing regulatory framework and prevent confusion.

ANALYSIS

Need for Extension. Council has adopted a revised STR ordinance but such ordinance does not become effective until June 18, 2026. The proposed 26-day extension through June 17, 2026, will protect the community from the impacts associated with having overlapping regulatory schemes for new short-term rentals.

Continuing Conditions. The conditions that necessitated the original moratorium continue to exist:

- **Housing supply.** Short-term rentals continue to reduce the availability of long-term housing by removing units from the rental market, increasing housing costs, and displacing working families who must then compete with tourists for limited housing stock.
- **Neighborhood compatibility.** Without updated regulations governing the location and density of STRs, new permits could result in concentrations that commercialize residential neighborhoods and create land use conflicts with established residents.
- **Regulatory gap.** The current code does not contain sufficient protections, such as owner-occupancy requirements, permit caps, ADU/JADU restrictions, or enhanced complaint procedures, to adequately address the impacts of STR operations. Allowing new permits to be issued under the existing framework could undermine the purpose of the forthcoming amendments and create confusion about which regulatory requirements apply.

Consistent with Urgency Ordinance No. 2026-03, the extension applies only to the establishment and operation of *new* short-term rentals. STRs that were legally established and operating under active permits as of the date of the original ordinance's adoption are not affected.

Government Code section 65858(a) authorizes the City Council to extend an interim ordinance adopted under that section for up to ten (10) months and fifteen (15) days following the initial 45-day period. The extension requires a noticed public hearing pursuant to Government Code section 65090 and approval by a 4/5 vote of the City Council. The proposed 26-day extension from May 22, 2026, through June 17, 2026, falls well within the maximum period allowed by statute.

FISCAL IMPACT

No significant fiscal impact is anticipated.

ENVIRONMENTAL REVIEW

The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) under the general rule set forth in CEQA Guidelines section 15061(b)(3), as the procedural and regulatory changes would not result in a direct or reasonably foreseeable indirect physical change in the environment.

CONCLUSION

This request is submitted for City Council consideration.

_____

Guido Persicone
Community Development Director
City of Marina

REVIEWED/CONCUR

_____

René Alejandro Ortega
City Attorney

ORDINANCE NO. 2026-

AN URGENCY ORDINANCE OF THE COUNCIL OF THE CITY OF MARINA TEMPORARILY EXTENDING PROHIBITION ON THE ESTABLISHMENT AND OPERATION OF NEW SHORT-TERM RENTALS PURSUANT TO GOVERNMENT CODE SECTION 65858(a)

-oOo-

THE CITY COUNCIL OF THE CITY OF MARINA DOES HEREBY ORDAIN AS FOLLOWS:

1. On April 7, 2026, the City Council adopted Urgency Ordinance No. 2026-03 pursuant to Government Code section 65858(a), temporarily prohibiting the establishment and operation of new short-term rentals in all zoning districts of the City for a period of forty-five (45) days. Urgency Ordinance No. 2026-03 took effect immediately upon adoption and is set to expire on May 22, 2026.

2. Government Code section 65858(a) provides that, after notice pursuant to Government Code section 65090 and a public hearing, the City Council may extend an interim ordinance adopted under section 65858 for a period of ten (10) months and fifteen (15) days by a four-fifths (4/5) vote of the City Council.

3. Notice of a public hearing on the proposed extension was duly published in accordance with Government Code section 65090, and a public hearing was held on May 19, 2026, at which time all interested persons were given an opportunity to be heard.

4. The City Council finds that it is necessary to adopt this ordinance pursuant to Government Code section 65858(a) to protect the public health, safety, and welfare of the residents of Marina. This ordinance is intended to temporarily prohibit the establishment and operation of new short-term rentals in the City pending the effective date of amendments to the City's current short-term rental ordinance, Marina Municipal Code ("MMC") section 17.42.170.

5. Per MMC section 17.42.170(B), "short-term rental" means a primary residence, or any portion thereof, rented for occupancy for lodging or sleeping purposes for a period of twenty-nine consecutive days or less.

6. The Council adopted an ordinance amending short-term rental ordinance, Marina Municipal Code ("MMC") section 17.42.170, which takes effect June 18, 2026 such that the Council finds that an urgency ordinance temporarily prohibiting the establishment and operation of new short-term rentals in the City is necessary to protect the public health, safety, and welfare

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of the residents of Marina, until amendments to the City's current short-term rental ordinance take effect.

7. The Council finds that short-term rentals are impacting the City's and County's ability to provide adequate affordable housing by pulling units out of the long-term rental market, forcing working families to compete with tourists for housing, and driving up prices. Displaced residents who can no longer afford to live near their jobs face costly long commutes, while residential neighborhoods are effectively being commercialized into informal hotel districts, undermining zoning laws and burdening long-term neighbors. STRs also compete unfairly with established local hospitality businesses.

8. This matter is urgent, and the subject of a temporary moratorium, because a potentially unrestricted number of short-term rental applications could be submitted before the proposed amendments take effect, thus undermining the intended purpose of the amendments and potentially causing confusion about which regulatory regime applies to applications submitted, but not yet approved at the time of the amendments' effective date.

9. Without a temporary moratorium, and absent zoning regulations that adequately govern the location and conduct of short-term rentals, new short-term rentals may be established in areas that result in compatibility conflicts. Locating short-term rentals near or within areas already heavily impacted by short-term rental operations puts the City at risk of impairing its substantial interests in community health, the community's perceptions of safety, and ensuring economically sustainable development in Marina.

10. A temporary moratorium on this use is necessary to preserve the health, safety, and welfare of the residents of Marina by preventing a proliferation of short-term rentals in the City without regard to the appropriateness of their location.

11. Maintaining the current zoning regulations related to short-term rentals has the potential to result in new short-term rentals without the proper analysis of any potential impacts to public health, safety, and welfare.

12. A temporary moratorium on this use is necessary to prevent short-term rentals from locating almost anywhere in the City. Allowing a short-term rental to establish without sufficient protective measures in the code would provide these businesses a temporary entitlement to operate in a location that could have a detrimental effect on the health, safety and welfare of the community. Without this temporary moratorium, the potential exists that establishment of new

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short-term rentals within the City, without addressing appropriate regulation, could result in land use incompatibility and create adverse impacts on residents, businesses and neighborhoods that present a current and immediate threat to the public health, safety, and welfare.

13. This temporary moratorium will not impact any short-term rentals in Marina that are already legally established and that have active short-term rental permits.

14. The City Council finds that the foregoing conditions exist, which require the immediate preservation of the public health, safety, and welfare or the community pursuant to California Government Code section 65858. This ordinance establishes a moratorium for an additional twenty-six (26) days prohibiting the establishment and operation of new short-term rentals in all zoning districts.

15. **Environmental**. The proposed Ordinance amendments are not subject to environmental review pursuant to the State CEQA Guidelines, California Code of Regulations, Title 14, Article 5, section 15061(b)(3) because the proposed procedural changes would not result in a direct or a reasonably foreseeable indirect physical change in the environment and the proposed ordinance is covered by the general rule that CEQA applies only to projects which have potential for causing significant effect on the environment. Therefore, the adoption of this ordinance is exempt from CEQA, and no further environmental review is necessary.

16. **Effective Date**. This Ordinance is declared to be an urgency measure adopted pursuant to Government Code section 65858. As set forth in the findings above, this Ordinance is necessary for preserving the public safety, health, and welfare. Pursuant to Government Code section 65858, this Ordinance is effective immediately by a 4/5 vote of the City Council and shall be in full force and effect for twenty-six (26) days from the date of its adoption. This 26-day period may be extended by the City Council in accordance with the provisions of Government Code section 65858.

17. **Severability**. If any portion of this Ordinance is found to be unconstitutional or invalid the City Council hereby declares that it would have enacted the remainder of this Ordinance regardless of the absence of any such invalid part.

18. **Posting of Ordinance**. Within fifteen (15) days after the passage of this Ordinance, the City Clerk shall cause it to be posted in the three (3) public places designated by resolution of the City Council.

DRAFT

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Marina duly held on May 19, 2026, and was passed and adopted at a regular meeting duly held on May ___, 2026, 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

2064957.1

DRAFT

May 14, 2026 Item No. **11b**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of May 19, 2026

CITY COUNCIL TO OPEN A PUBLIC HEARING TO CONSIDER ADOPTING RESOLUTION 2026-, APPROVING A DESIGN REVIEW PERMIT AND A TREE REMOVAL PERMIT FOR A NEW MERCEDES-BENZ CAR DEALERSHIP AT OPPORTUNITY AREA 3.2 OF THE DUNES DEVELOPMENT (2101 FIRST AVENUE), AND FIND THIS ACTION WAS ADEQUATELY ADDRESSED IN EIR NO. 2004091167, CERTIFIED FOR THE UNIVERSITY VILLAGES SPECIFIC PLAN.

SUMMARY

The matter before the City Council is for site and architectural design review per Chapter 17.56 of the Marina Municipal Code ("MMC") and a tree removal permit per MMC Chapter 17.62 to establish a new Mercedes-Benz dealership by the applicant, Unstoppable Automotive MBMCA, LLC, a California limited liability company dba Mercedes-Benz of Monterey, at Opportunity Area 3.2 of the Dunes Development (formerly University Villages), located at 2101 First Avenue. These types of permits are typically reviewed by the Planning Commission, but a condition of approval of the Sales Tax Revenue Sharing Agreement by City Council on May 20, 2025 ("Incentive Package"), was that the Council would review and approve said permits.[1]

RECOMMENDATION

1. That City Council open a public hearing and adopt City Council Resolution 2026- approving a Tree Removal Permit for the removal of 44 trees and approval of a Design Review Permit in support of a new car dealership on the property located at 2101 First Avenue (Opportunity Area 3.2 of the Dunes Development).

2. Find that any environmental impacts from the recommended action have been previously reviewed in the environmental impact report for the University Village Specific Plan EIR (EIR NO. 2004091167).

DESIGN REVIEW PERMIT

Marina Municipal Code Standards for Design Review

MMC Chapter 17.56 (Site and Architectural Design Review) requires design review approval before construction of new commercial development. Its purpose is to ensure that buildings and improvements are not unsightly, undesirable, or obnoxious in appearance, and that they do not hinder the orderly development of the City, impair the desirability of residence or investment, or impair living conditions on adjacent sites. In acting on the application, the reviewing body considers:

[1] See City Council Resolutions 2025-49, 2025-83, and 2026-45 for details. The City of Marina, through the implementation of the 2000 General Plan, desires to encourage private investment and economic development within the City's commercial areas. The applicant is proposing the construction and operation of a $40 million investment in the City of Marina and as such requested an Incentive Package from the City to offset this investment in the project site. Because the Council has retained final approval authority pursuant to the Sales Tax Revenue Sharing Agreement, the design review and tree removal permits now before the Council come for the Council's final action, rather than for action by the Planning Commission or the Community Development Director under the ordinary review procedures set forth in MMC Chapters 17.56 and 17.62. The Tree Committee and Planning Commission have made their respective recommendations to the Council, as described in further detail below. Please see **Exhibit B**, Condition of Approval #28 for details.

- Site planning and compatibility with surrounding development;
- Architectural design, building mass, and scale;
- Exterior materials, colors, and fenestration;
- Landscaping and lighting; and
- Signage.

The analysis below demonstrates that the project satisfies these standards, the development standards of the University Village Specific Plan, and the 2000 General Plan. See also, **EXHIBIT A**, Findings of Fact.

Architecture. The proposed 57,000 square foot project consists of a contemporary, two-story commercial building designed in a modern corporate architectural style, consistent with current automotive dealership branding standards. The building massing is defined by a primary showroom volume expressed as a taller, rectilinear form, complemented by lower adjoining elements. The front elevation is characterized by a prominent glazed showroom façade, extending approximately two stories in height, which provides transparency and visual connectivity between the interior display area and the public realm. The showroom volume is articulated with a defined fascia band, with the top of fascia reaching approximately 31 feet above grade and the bottom of fascia at approximately 28 feet. This creates a strong horizontal datum line and emphasizes the building's primary frontage.

Secondary building components include a parts mezzanine level at approximately 12 feet and a second level at approximately 14 feet above grade. These elements are integrated within the overall massing and are visually subordinate to the main showroom volume.

The building elevations exhibit a clean and minimalist design language, utilizing a combination of smooth exterior wall panels, metal cladding, and extensive glazing. The façade composition emphasizes horizontal and vertical alignment, with large window expanses framed by metal panel systems to create a sleek, high-quality appearance. See **EXHIBITS C** and **D**, Project Narrative and Plans.

All elevations (north, south, east, and west) maintain consistent architectural treatment, with variations in glazing and solid wall areas responding to functional interior uses. The overall design conveys a contemporary aesthetic with an emphasis on transparency, precision detailing, and brand identity. The project has been designed by Gensler and reflects current trends in commercial and automotive retail architecture.[2] The project meets all of the development standards as identified in the University Village Specific Plan, the Zoning Code and the 2000 General Plan. See **Table 1**.

[2] Per the Incentive Package, the applicant agreed to provide an updated photo simulation of the project, which will be presented to the Council on May 19, 2026.

Development Standards.

Table 1-Development Standards

Standard	Source	Complies
Zoning	Section 3.1.4 of the Development Agreement.	Yes-Automotive Sales allowed per City interpretation of the Dunes Development Agreement (see Section 3.1.4 of the DA); see also University Villages Specific Plan at p.104; Recreational Vehicle Sales allowed per Specific Plan.
Westerly Setback along Freeway-100 foot setback	Figure 4.15 of the 2000 General Plan	Yes-100 feet
North/South/East Setbacks-20 ft setback	Table 5.4 of the UVSP	Yes-20 feet
Landscape Buffer-25-foot landscape buffer along HWY 1	Highway 1 Design Corridor	Yes-25 feet
Height-40 Feet	Figure 4.15 of the General Plan	Yes-28-31 feet
Floor Area Ratio - between .25-.60	General Plan Table 2.4[3]	Yes-.25 FAR
Parking 236 Required	UVSP-Section 5.7 Parking: 1:300 square feet (office area) 1:275 square feet (retail area)	Yes- 366 provided
Bike Parking- 1 rack per building	UVSP-Section 5.7	Yes-with COA #17

Additional Considerations:

Zoning. The University Villages Specific Plan designates this parcel in the Specific Plan Area as Office/Research and Development/Light Industrial, including Opportunity Site 3. The Office/Research designation permits a variety of uses including boat sales and recreational vehicle sales. The Specific Plan did not expressly list automobile sales as a principally permitted use in the Office/Research and Development/Light Industrial land use areas but does allow automobile sales in other non-residential areas of the development including in the Multiple Use designation. However, the University Villages Specific Plan expressly provides that the list of principally permitted uses "is not intended to prohibit an omitted but related use. [And, further, that] [a]ny uses not specifically regulated here shall be considered through administrative review.[4]"

The City of Marina ("City") and Marina Community Partners, LLC ("MCP") entered into a Development Agreement dated July 8, 2005 ("Development Agreement") related to the Dunes Development Project. Section 3.1 of the Development Agreement addresses amendments to the Development Agreement and to the Project Approvals. Section 3.1.4 of the Development Agreement grants the Strategic Development Director authority to make minor modifications to

[3] Floor Area Ratio is total square footage of a building, including first, second, third floor divided by the lot size. Table 5.4 of the UV Specific Plan directs the city staff to Table 2.4 of the General Plan.

[4] Development Regulations, University Village Specific Plan, pg 104. https://cityofmarina.org/1194/The-Dunes-University-Village

the Project Approvals as an administrative amendment. The City previously eliminated the position of Strategic Development Director and vested the City Manager with the authority and job duties previously assigned to the Strategic Development Director.

The proposed dealership will have both automobile and recreational vehicles sales as both Mercedez Benz automobiles and Sprinter Van vehicles will be sold on site. Since recreational vehicle sales are allowed in this zone and automobile sales is a related use and allowed in the Multiple Use designation of the specific plan, the City Manager, on December 1, 2023, designated automobile sales as a permitted use for this site based on the authority granted in University Villages Specific Plan (p. 104) and the Development Agreement Section 3.1.4 .

Landscaping. The Tree Committee requested that more California native species be incorporated into the final landscaping plans, that, to the extent feasible, trees #712 and #752 be preserved, and that native species be used more extensively within the landscaping.[5] Both of these requests are included as Conditions of Approval ("COA")[6] #45 and #46-#47 in the project.

Parking. To ensure the project does not interfere with abutting properties, the City will require a parking plan that clearly denotes customer and employee parking, see Condition of Approval #21. To minimize incongruity between the project and Phase 3 of the Dunes, Condition of Approval #42 has been placed on the permit requiring a parking study within one year of operation of the project.

Traffic Control Plan. The project will include a traffic control plan to coordinate construction activity and limit disruptions to neighboring properties, see Condition of Approval #30. The project is designed to have necessary deliveries and parking occur onsite so that there is no spillover of activity on the streets or neighboring properties.

Noise. Due to the project location adjacent to residential neighborhoods, a silent paging system throughout the project site shall be implemented. No loudspeakers shall be used as part of daily business operations, see Condition of Approval #22. While the applicant has stated that a loudspeaker is typically not used in their business model, it is important that this condition be kept on the project for future possible uses of the site.

Lighting. The goal of the site lighting for the property is to provide a comfortable level of illumination that meets the operation's need for orientation and safety in a way that complements the aesthetic quality of project architecture and surrounding coastal environment.

The proposed lighting standards are intended to incorporate Dark Sky principles by reducing unnecessary glare, light spill, and skyglow while maintaining adequate safety and visibility. Dark Sky practices promote the use of fully shielded, downward-directed lighting fixtures, lower illumination levels where appropriate, and warmer color temperature lighting to minimize impacts on surrounding residential areas, wildlife, and nighttime visibility. These standards help preserve community character and views of the night sky, improve energy efficiency, and reduce light trespass onto adjacent properties and public rights-of-way. The intent is to balance public safety and functional lighting needs with environmental stewardship and neighborhood compatibility.

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[5] In discussing planting recommendation last year with the vice chair of the tree committee, suggestions were made to introduce some additional Coastal CA natives into the plant palette including but not limited to: Toyon, Rhamnus, Arctostaphylos, Ceanothus, Ribes, Berberis, Holodiscus, Baccharis, Myrica, Mimumlus, and many others. Our native plant selection ultimately to choose from includes Arctostaphylos, Artemisia, Baccharis, Ceanothus, Diplacus (Mimulus), Erigeron, Eriogonum, Frangula (Rhamnus), Fragaria, Heteromeles (Toyon), Leymus and Symphoricarpos, and are shown as such on the Preliminary Plant Legend. All are identified also as C.C.N. (CA Coastal Native).

[6] The Project Conditions of Approval are identified on **Exhibit B**.

To reduce incompatibility between the car dealership and abutting residential properties, a Condition of Approval has been placed on the permit requiring submittal of a lighting plan (see COA #25) for review and approval by the Community Development Director prior to the issuance of building permits.

The Conditions of Approval also include language that the City retains the right to ask for additional modifications in the future if said lighting is deemed a public nuisance. For reference, the lighting condition placed on this permit is similar in nature to the Mercedes-Benz dealership in Temecula, which staff used as a template for preparing these project Conditions of Approval.

DESIGN REVIEW GENERAL PLAN CONSISTENCY

General Plan Policy 4.79 To promote the City's objective of creating a demographically and economically balanced community, a wide range of housing options shall be provided, the cost and mix of which shall be approximately proportional to the housing needs of existing and future employed people within the City. *Housing shall be balanced with commercial uses, providing for retail and services and for office, research, commercial service and industrial uses*.

> *By issuing a design review permit for the car dealership site, Opportunity Area 3.2 (2101 First Avenue) allows for the balanced land uses identified in General Plan Policy 4.79.*

General Plan Policy 2.38 The land use policies of this section serve to promote the development and location of retail and other commercial personal services which adhere to the General Plan's principal goals. This entails providing locations for retail and service uses that will permit capture of a significant share of locally and regionally generated sales.

By approving a design review permit for the car dealership project, the City will be capturing local and regionally generated sales directly implementing General Plan Policy 2.38.

PROPOSED SIGNAGE

Freeway signage for a commercial development is a key component of the overall marketing and viability of the site. The city needs to balance the economic development of the community with maintaining the character and vision of Marina. The proposed freeway-oriented commercial signage is intended to provide adequate visibility to passing motorists while remaining sensitive to the visual character of the surrounding community. Given the site's proximity to the freeway, a certain degree of scale and prominence is necessary to ensure the sign functions effectively for wayfinding and business identification at highway speeds. However, the design has been carefully considered to balance this need with the City's goal of preserving its clean, orderly, and visually cohesive environment. The sign's height, proportions, materials, and illumination are designed to minimize visual clutter, avoid excessive brightness, and integrate with the broader architectural and landscape context. Through this approach, the project seeks to achieve a functional level of visibility without detracting from the community's valued aesthetic quality and overall sense of place.

The project has several sign requirements including but not limited to: Dunes Master Sign Program, the Highway 1 Design Guidelines adopted by the City of Marina and the Fort Ord Reuse Authority, and the Zoning Code. Under the Marina Zoning Code, highway signs require approval by the Planning Commission.[7] The Dunes Master Sign Program originally had limited signage for

[7] See MMC 17.46.170.F. *Highway Signs.* Commercially zoned properties having frontage on Highway 1 are declared to be sites of special significance and all signs and signing programs shall be approved by the planning commission. In considering a sign or signing program for a site of special significance, the following items shall be considered: the

this property because the designation for the property envisioned office development, not the current commercial project. However, the Dunes Master Sign Program[8] envisions that signage that substantially deviates from the approved MSP would require Planning Commission review:

> *SUBSTITUTIONS/ VARIANCES Requests to establish signs that are not in substantial conformance and vary from the provisions of these sign criteria shall be submitted for Design Review Board and Planning Commission consideration.*[9]

Considering this requirement, Condition of Approval #27 (see below) provides that, prior to occupying the building, the applicant shall submit a Master Sign Program (MSP) for review and approval by the Planning Commission. In this manner, the applicant can potentially proceed with building permit review while city staff works on the exact details of the permanent signage allowed on site.

In addition to the building signage, as part of the Incentive Package the applicant has agreed to build and maintain a monument sign in perpetuity along the southerly border of the property facing Highway 1. Table 2 shows the conceptual drawing for this signage.

COA #27- **a. Master Sign Program.** Prior to the occupancy of the buildings on site, the applicant will submit a master sign program for review and approval by the Planning Commission. Separate from the Master Sign Program, per the Incentive Package, prior to occupying the building the City Council shall retain design approval for the monument sign on the westerly border of the property.

Table 2-Conceptual Car Dealership Signage

signing needs of the proposed use; the location of the site in relation to the freeway access; and the responsibility of the city to protect and preserve the natural beauty of Highway 1 while balancing the city's need for a healthy highway-oriented visitor-serving industry. Any decision of the planning commission concerning a site of special significance may be appealed to the city council, in writing, within ten days of the decision of the planning commission.

[8] See Dunes at Monterey Bay (University Villages) Master Sign Program at: https://cityofmarina.org/DocumentCenter/View/12853.

[9] See Dunes at Monterey Bay Master Sign Program. Sign Submittal Requirements, Page 32: https://cityofmarina.org/DocumentCenter/View/12853 .

TREE REMOVAL PERMIT BACKGROUND

On March 7, 2025, an application was filed to remove trees within Phase 3 of the Dunes Development. The trees in question are located along the outer boundary of Opportunity Area 3.2 of the Dunes Development, with a few trees in Opportunity Areas 4.2 and 4.3. See Figure 1, below.

On April 30, 2025, the Tree Committee visited the property identified as Opportunity Area 3.2, generally located at the northwest corner of First Avenue and Divarty Street. The focus of the site visit was to educate the Committee on Opportunity Area 3.2 as well as to be briefed by the applicant, Marina Community Partners (MCP), on how the tree removal permit aligns with the overall grading plan for Phase 3 of the Dunes Development. The Committee received public testimony and considered the merits of the project.

During production of the Tree Committee staff report, Vice Chair Greg Simmons of the Tree Committee inquired if trees #712, #741, and #752 could be saved. After the conclusion of the April 30, 2025 meeting, the Vice Chair also inquired if tree #743 could be saved. After speaking with the engineer of record (Andy Hunter) and the project arborist (Patrick Krabacher), it does not seem viable to save tree #743. There will be seven feet of fill installed where the tree sits, and the tree would likely not survive the grading operations as the root zone would be too damaged.

At the conclusion of the site visit the item was continued to the May 15, 2025 Tree Committee meeting. On May 15, 2025, the Tree Committee made a recommendation to the Planning Commission to approve the removal of approximately fifty-two trees within Phase 3 of the Dunes, including Opportunity Area 4.3 (Future Medical Use) and Opportunity Area 3.2 (Future Car Dealership Site), with Conditions of Approval that trees #712 and #752 be retained if feasible and, if not, that the applicant would document the reasons for removal to the Community Development Director. Additionally, the applicant was encouraged to plant more native species for the car dealership site.

Figure 1-Aerial Summary of Tree Removal Permit

After the May 15, 2025 Tree Committee meeting, on May 28, 2025, Marina Community Partners submitted a letter requesting that the City expedite the removal of some trees on the Medical Use site (Opportunity Area 4.3) so that grading work could be completed in an expeditious manner. Specifically, Shea requested that the tree removal permit be bifurcated into two key components: the first step would be to remove the trees from the Medical Use site, and the second step to temporarily stockpile the dirt associated with the proposed tree removals onto the Car Dealership property, Opportunity Area 3.2. The stockpiling of the dirt is depicted in Figure 2 below.

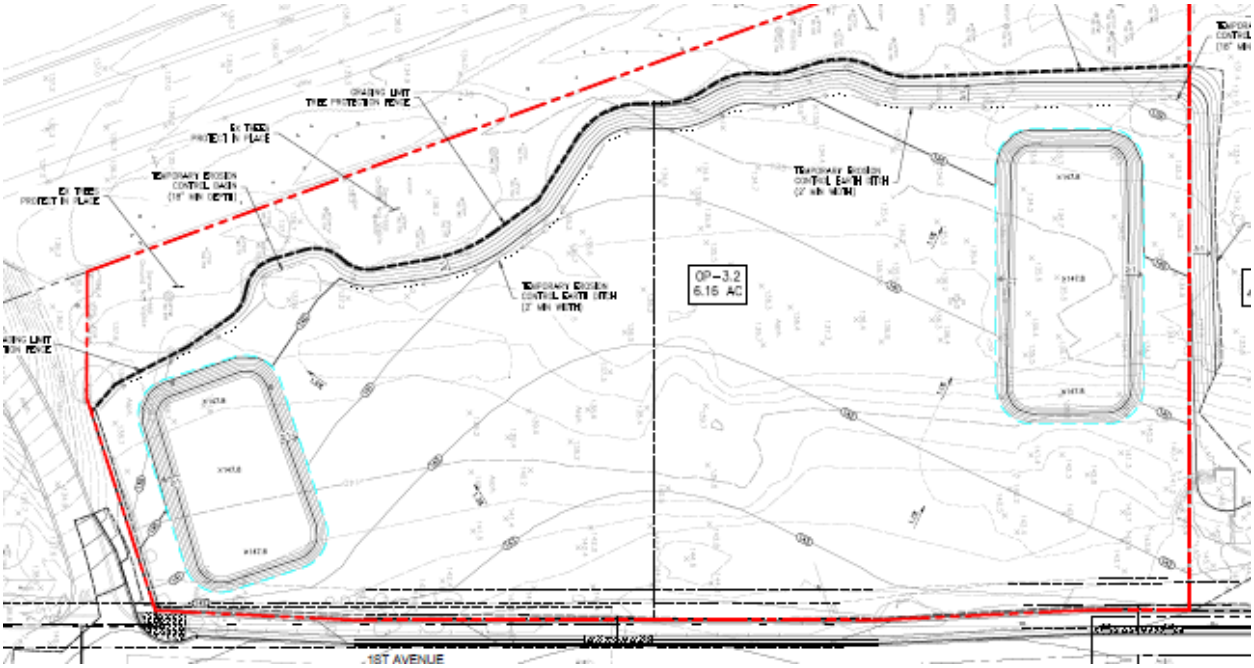


Figure 2-Car Dealership Site-Stockpile of dirt.

On June 12, 2025 the Planning Commission adopted resolution 2025-08 supporting this two-step process for the future Medical Use site to be graded and the temporary stockpiling of dirt on the Car Dealership site, Opportunity Area 3.2.

TREE REMOVAL SITE PLAN ANALYSIS

The public testimony received on April 30, 2025 from the engineer of record (Andy Hunter) and the project arborist (Patrick Krabacher) indicated that the additional 5-11 feet of fill to be added to the site makes the survival of many the trees on the site unlikely. The reason is the cut and fill of the dirt onto the lot necessities digging into the tree root system.

Grading on Opportunity Site 3.2 (Car Dealership site)

As set forth above, the Car Dealership site requires significant cuts and fill to be added to the property to make it level with First Avenue and the surrounding properties. Parts of the Car Dealership site have anywhere from seven to eleven-foot grade elevation change from the center of the property to First Avenue. See Figure 3, below. Currently, two large stockpiles of dirt are on the lot, which will be leveled as part of the overall mass grading of the site to make it level to First Avenue and the surrounding area.

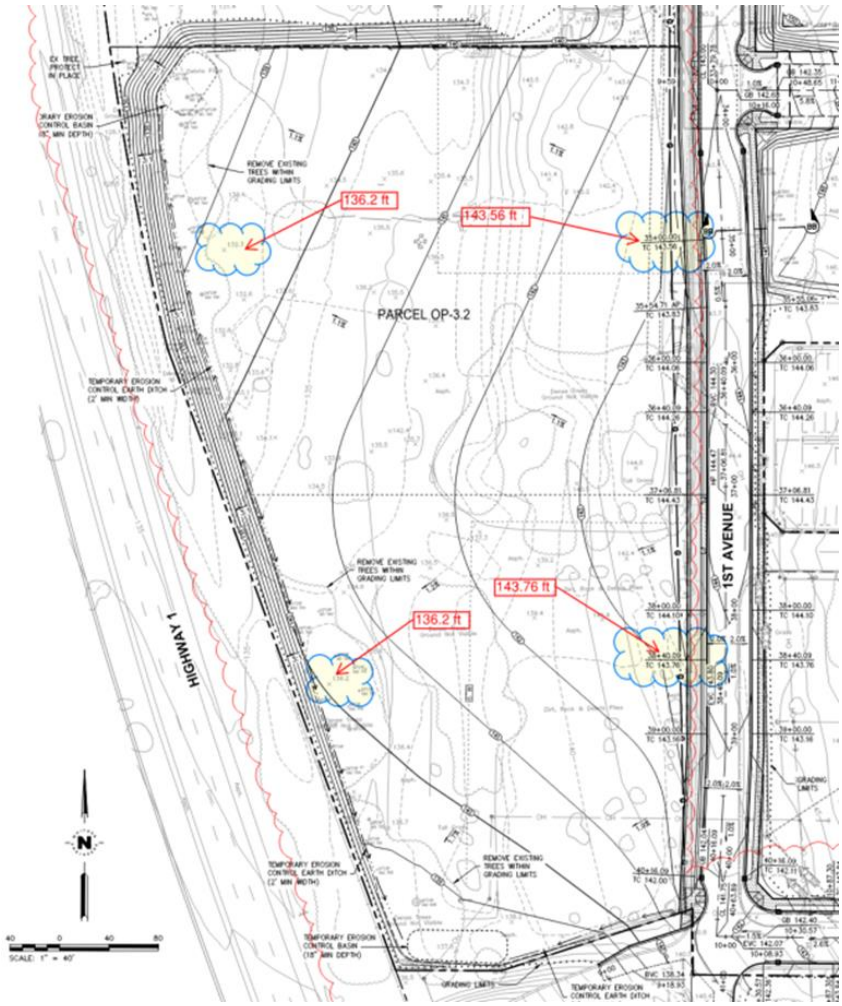


Figure 3 – Elevation Changes on Opportunity Site 3.2 (Car Dealership site)

City of Marina Municipal Code-Tree Permits

City of Marina Municipal Code (MMC) Section 17.62.030 requires a tree removal permit to remove, damage, or relocate, or cause to be removed, damaged, or relocated, any tree on any property within City limits, unless exempted by MMC Sections 17.62.040 or 17.62.050. MMC Section 17.62.030 also prohibits construction activities within the dripline of any tree, unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission.

MMC defines "tree" as any living woody perennial plant having a single stem of six (6) inches or more diameter at breast height (DBH; measured at 4.5 feet above ground) or a multi-stemmed plant having an aggregate diameter of ten inches or more measured at DBH, and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the City. MMC defines "Dripline" as the greater of the outermost edge of the tree's canopy, or fifteen times DBH measured from the center point of the tree.

University Village Specific Plan UVSP Tree Standards

UVSP Tree Standards call for the preservation of as many healthy Monterey cypress trees and oak trees as practicable. In accordance with the UVSP Tree Standards, Monterey cypress trees and oak trees that are in good or fair condition must be protected during construction and preserved wherever practicable. If relocation is possible, Monterey cypress and oak trees shall be removed by machinery, be immediately replanted at a new site, and be watered and fertilized. Existing healthy trees determined to be in good or fair condition that are removed shall be replaced on-site

at a ratio of two (2) replacement trees for every one (1) removed (2:1). UVSP classifies tree health based on the following definitions:

- *Good.* Tree is healthy and vigorous as indicated by color of foliage and density, has no apparent signs of insect, disease, structural defects or mechanical injury. Tree has good form and structure.
- *Fair.* Tree is in average condition and vigor for the area, but may show minor insect, disease, or physiological problems. Trees rated as fair may be improved with correctional pruning.
- *Poor.* Tree that is in a general state of decline and may show severe structural or mechanical defects which may lead to failure, may have insect or disease damage, but is not dead.
- *Dead/Snag.* Dead standing tree.

Tree Removal Details

DD&A identified 44 Monterey cypress (*Hesperocyparis macrocarpa*) trees within or directly adjacent to the project site. DD&A inventoried three (3) dead trees, 17 trees in poor health, and the remaining 24 in fair health with two for retention. A tree removal permit from the City is required to remove the 44 total trees, and tree replacement at a 2:1 ratio is required for removal of the 22 healthy trees. Therefore, the developer will replace the removal of healthy trees with up to 44 replacement plantings.

Tree Identified within Project Site	44
Dead Trees	44-3=41 remaining
Trees-Poor Health	41-17=24 remaining
Retaining two trees[10] (Tree 732 and 730)	24-2=22 remaining
City of Marina's Tree Replacement Ratio (2:1)	22X2=44 Trees To Be Replanted

Required Findings for Tree Removal Permit

Pursuant to MMC Section 17.62.060(C), the following findings, (i.e., any one of which is sufficient), are required prior to approval or conditional approval of a tree removal permit:

1. The tree is in poor condition and is in danger of falling within proximity to existing structures, high pedestrian traffic areas such as parking lots, playgrounds and pedestrian walkways, or interference with utility services that cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices; or
2. The tree is host to a plant, or insect, or other parasitic organism which endangers other adjacent healthy trees; or
3. The location of more than three trees conflicts with the construction of street or sidewalk improvements, storm drain, traffic signals or signs; or
4. The number of trees on the site is in excess of the number of healthy trees the site is able to support, based on such considerations as tree species, growth characteristics, general health of the stand, tree age, solar orientation and soil condition; or
5. The applicant outlines other clearly documented and compelling reasons for the removal or relocation of a tree which do not include the elimination of falling leaves or shade, or improving a view; and

[10] Tree 730 is just outside of the project area, but it will be retained.

6. The tree does not serve as part of a windbreak system, or assist in drainage or in the avoidance of soil erosion, or serve as a component of a wildlife habitat, or otherwise play a prominent role in maintaining the existing urban forest; and
7. Due to the tree's contribution to the aesthetic beauty of the area, the removal would not have a substantial detrimental effect on neighboring property values; and
8. If the removal request is concurrent with development plans for the property and the development plans indicate that it is necessary to remove or relocate the tree to enable reasonable and conforming use of the property which is otherwise prevented by the location of the tree.

Staff finds that findings are satisfied here. See **Exhibit A**, Findings of Fact. Mitigation is addressed through Conditions of Approval, see **Exhibit B**, requiring tree replacement at a 2:1 ratio for healthy trees removed, consistent with both MMC Section 17.62.060(D) and the UVSP Tree Standards described above.

TREE REMOVAL GENERAL PLAN CONSISTENCY

General Plan Policy 2.74-Industrial and Commercial Services. Approximately 290 acres of land are reserved for industrial and commercial uses. Each of the designated areas has a distinctive role based on its respective locational characteristics. The intent is to accommodate a broad range of industrial and commercial-service activities within the City, thereby enhancing local opportunities for employment and economic development and providing for the service needs of other uses within the City.

By removing trees from Opportunity Area 3.2 and allowing commercial development on the property, General Plan Policy 2.74 will be implemented by the approval of this tree removal permit.

General Plan Policy 2.4.3-Local-Serving Retail and Personal Services. At present, a major portion of Marina's population purchases everyday items such as food, drugs, and other sundries outside the City. The result is both a loss of sales tax revenue in support of City services and the generation of a greater number of vehicular trips by residents. In general, vehicular trips would be decreased both in length and number if everyday goods and services were more available locally.

By removing trees from Opportunity Area 3.2 and making the property a viable commercial development, the tree removal permit will be implementing General Plan Policy 2.4.3.

CONFLICT OF INTEREST

Council members or Planning Commissioners are subject to the Political Reform Act. Council Members or Planning Commissioners must not make, participate in making, or attempt to influence in any manner a governmental decision which they know, or should know, may have a material effect on a financial interest of a Council Member or Planning Commissioner.

EX PARTE COMMUNICATION DISCLOSURES

On quasi-judicial matters, City Councilmembers shall verbally disclose off the record contacts relating to the item, after the item is called and before City Council consideration of the matter. Disclosure shall include the identity of an individual(s) with whom the City Council had contact, and the nature of the contact. Written *ex parte* communications must be forwarded to the Community Development Department so they can be provided to the entire Commission and to the public.

ENVIRONMENTAL DETERMINATION

The City of Marina Planning Division has determined that this project will not result in new significant environmental impacts or effects or a substantial increase in the severity of significant effects previously identified in EIR No. 2004091167, which was certified for the University Villages Specific Plan. *See* CEQA Guidelines § 15183; Cal. Pub. Resources Code § 21083.3(b). The Specific Plan and its associated EIR contemplated that "recreational vehicle" sales and/or rentals would be a use permitted by right at the project location; passenger vehicle sales at this location is consistent with the originally anticipated permitted use and would not result in any previously unidentified impacts. The Specific Plan and EIR also anticipated that "hundreds" of trees would be removed as a result of the overall project, requiring mitigation pursuant to the City's tree removal ordinance and University Village Specific Plan tree replacement standards.

CONCLUSION

This staff report, resolution, and associated exhibits are submitted for City Council consideration.

Respectfully submitted,

_____

Guido F. Persicone, AICP
Community Development Director
City of Marina

REVIEW/CONCUR

_____

Layne Long
City Manager
City of Marina

ATTACHMENTS

Exhibit A-Findings of Fact
Exhibit B-Project Conditions of Approval
Exhibit C-Site Plan
Exhibit D-Project Narrative
Exhibit E-Arborist Reports
April 18, 2025
May 12, 2025
February 2026
Exhibit F-Project Comment Letters
Exhibit G-Sales Tax Revenue Sharing Agreement (with City Council Resolutions 2025-49, 2025-83, and 2026-45)

RESOLUTION NO. 2026-

A RESOLUTIN OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING A DESIGN REVIEW PERMIT AND A TREE REMOVAL PERMIT FOR A NEW MERCEDES-BENZ CAR DEALERSHIP AT OPPORTUNITY AREA 3.2 OF THE DUNES DEVELOPMENT (2101 FIRST AVENUE) AND FIND THIS ACTION WAS ADEQUATELY ADDRESSED IN EIR NO. 2004091167, CERTIFIED FOR THE UNIVERSITY VILLAGES SPECIFIC PLAN.

WHEREAS, per a Sales Tax Revenue Sharing Agreement approved by Council on May 20, 2025 ("Incentive Agreement") the applicant, Unstoppable Automotive MBMCA, LLC, a California limited liability company dba Mercedes-Benz of Monterey ("Unstoppable Group"), and the City have agreed per Council Resolutions 2025-49, 2025-83, and 2026-45, that the City Council retains final decision-making authority over the Design Review and Tree Removal Permits for this project; and

WHEREAS, on April 30, 2025, at a duly noticed public hearing held on the property located at the northwest corner of First Avenue and Divarty Street, the Tree Committee of the City of Marina considered a tree removal permit request to remove trees within Phase 3 of the Dunes Development and specifically within Opportunity Areas 3.2, 4.2, and 4.3 of the University Villages Specific Plan; and

WHEREAS, at the conclusion of the April 30, 2025, meeting the item was continued for further review to the May 15, 2025 Tree Committee meeting; and

WHEREAS removal of 44 trees is necessary to accommodate the completion of the Dunes Development Project (formerly the University Village Specific Plan); and

WHEREAS, by removing trees from the site and making it a viable commercial property, the tree removal permit will be implementing the 2000 General Plan via policies 2.74 and 2.4.3; and

WHEREAS, removal of trees is subject to a Tree Removal Permit and requires review by the Tree Committee for a recommendation to the Planning Commission per Marina Municipal Code (MMC) Sec. 17.62.060.B; and

WHEREAS, at the conclusion of May 15, 2025, Tree Committee meeting, a favorable recommendation was made to the Planning Commission; and

WHEREAS, the applicant shall replace all qualifying trees at a 2:1 ratio per MMC section 17.62.060.D.2 based upon the combined diameter at breast height (DBH) of the healthy trees to be removed; and

WHEREAS, at a duly noticed public hearing the Planning Commission recommended approval of the design review and tree removal permits to the City Council; and

WHEREAS, the proposed automobile dealership project is consistent with the City's Design Review criteria and will not be detrimental to the public health, safety, or general welfare as set forth in the Staff Report and Findings of Fact; and

WHEREAS, the project has been designed to support attractive and functional commercial use while maintaining compatibility with the character of the City of Marina and the surrounding area; and

WHEREAS, the City of Marina is a lead agency under the California Environmental Quality Act (CEQA) and has determined that the project will not result in new significant environmental impacts or effects or a substantial increase in the severity of significant effects previously identified in EIR No. 2004091167, which was certified for the University Villages Specific Plan. *See* CEQA Guidelines § 15183; Cal. Pub. Resources Code § 21083.3(b). The Specific Plan and its associated EIR contemplated that "recreational vehicle" sales and/or rentals would be a use permitted by right at the project location; passenger vehicle sales at this location is consistent with the originally anticipated permitted use and would not result in any previously unidentified impacts. The Specific Plan and EIR also anticipated that "hundreds" of trees would be removed as a result of the overall project, requiring mitigation pursuant to the City's tree removal ordinance and University Village Specific Plan tree replacement standards.

NOW THEREFORE BE IT RESOLVED that the City Council, based on Findings of Fact, Conditions of Approval, and the CEQA determination referenced hereto, does hereby:

1. Find that any environmental impacts from the recommended action have been previously reviewed in the environmental impact report for the University Village Specific Plan EIR (EIR NO. 2004091167).
2. Incorporate by reference the recitals listed above, the staff report accompanying this resolution, the Findings of Fact and the project revised Conditions of Approval as presented by City staff at May 19, 2026 City Council meeting. (Exhibits A and B to this Resolution).
3. Approve a Design Review Permit for a new car dealership on the property located at 2101 First Avenue (Opportunity Area 3.2 of the Dunes Development).
4. Approve the removal of forty-four (44) trees subject to Chapter 17.62 of the Marina Municipal Code and the University Villages Specific Plan tree replacement standards.
5. Direct the applicant (Unstoppable Group) to replant replacement trees at a 2:1 ratio for every tree that is removed that are in fair or good condition which include twenty-two (22) trees.
6. Require the applicant (Unstoppable Group) to comply with the Conditions of Approval and the recommendation from the arborist reports submitted by Denise Duffy and Associates on April 18, 2025, May 12, 2025, and February 2026, incorporated by reference into this resolution.
7. Require the applicant (Unstoppable Group) to retain trees #712 and #752 to the extent feasible. If said trees cannot be retained the applicant shall submit documentation for review by the Community Development Director as to why removal is required.
8. Require the applicant (Unstoppable Group) to comply with the Incentive Agreement conditions of approval per City Council Resolutions 2025-49, 2025-83, 2026-45.
9. Require the applicant to file a Master Sign Program (MSP) for the project for Planning Commission consideration and approval prior to occupying the building.
10. To require the applicant to receive City Council approval for the monument sign along the westerly border of the property prior to occupying the building.
11. Direct staff to prepare and submit a Notice of Exemption (NOE) to the County Clerk within five days of approval by the City Council.

PASSED AND ADOPTED by the City Council of the City of Marina at a duly noticed special on the 19th day of May 2026, by the following vote:
AYES, COUNCIL MEMBERS:
NOES, COUNCIL MEMBERS:
ABSENT, COUNCIL MEMBERS:
ABSTAIN, COUNCIL MEMBER:

_____
Bruce Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

EXHIBIT A

Findings of Fact

Tree Removal Permit

MMC 17.62.060.C. *Required Findings for Approval of Tree Removal Permit.* The required finding is in standard font with Staff's response following in *italics*.

1. The tree is in poor condition and is in danger of falling within proximity to existing structures, high pedestrian traffic areas such as parking lots, playgrounds and pedestrian walkways, or interference with utility services that cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices; or

A qualified arborist assessed the 44 trees proposed for removal and found the majority to be in fair condition. When final grading plans are prepared, it may be possible to retain trees that are not needed for construction. In this event, these trees will be retained and protected. [Note that the Tree Committee is not required to make this finding because the Committee can instead make findings 5-8; see MCC § 17.62.060C.]

2. The tree is host to a plant, or insect, or other parasitic organism which endangers other adjacent healthy trees; or

A qualified arborist assessed the 44 trees proposed for removal and found the majority to be in fair condition. [Note that the Tree Committee is not required to make this finding because the Committee can instead make findings 5-8; see MCC § 17.62.060C.]

3. The location of more than three (3) trees conflicts with the construction of street or sidewalk improvements, storm drain, traffic signals or signs; or

The location of multiple trees proposed for removal would interfere with the proposed infrastructure improvements and the development of Opportunity Area 3.2 with an additional five to seven feet of fill for a commercial development, as documented on the Site Plan and in the Arborist Report.

4. The number of trees on the site is in excess of the number of healthy trees the site is able to support, based on such considerations as tree species, growth characteristics, general health of the stand, tree age, solar orientation and soil condition; or

A qualified arborist assessed the health of individual trees within the project area but did not offer an opinion on the number of healthy trees the site is able to support. [Note that the Tree Committee is not required to make this finding because the Committee can instead make findings 5-8; see MCC § 17.62.060C.]

5. The applicant outlines other clearly documented and compelling reasons for the removal or relocation of a tree which do not include the elimination of falling leaves or shade, or improving a view; and

All forty-four trees proposed for removal, including the three trees are dead and seventeen are in poor health directly impede the grading and construction of the site for commercial development.

6. The tree does not serve as part of a windbreak system, or assist in drainage or in the avoidance of soil erosion, or serve as a component of a wildlife habitat, or otherwise play a prominent role in maintaining the existing urban forest; and

Most of the trees proposed for removal were found by an arborist to be in fair condition. The trees do not serve as part of a windbreak system. Mitigation measures described in the Arborist Report and in the Conditions of Approval above will reduce impacts of tree removal related to drainage, soil erosion, and wildlife habitat. Qualifying trees will be replaced at a 2:1 ratio ensuring preservation of the City's urban forest.

7. Due to the tree's contribution to the aesthetic beauty of the area, the removal would not have a substantial detrimental effect on neighboring property values; and

Although aesthetic judgements are subjective, the City has established a process for designating aesthetically significant trees as landmark trees (MMC Section 17.62.070). None of the trees proposed for removal have been designated as a landmark tree. Because the majority of the trees are located within an existing transportation corridor and more than 200 feet away from residential properties, removal of the trees is unlikely to have a substantial detrimental effect on neighboring property values.

8. If the removal request is concurrent with development plans for the property and the development plans indicate that it is necessary to remove or relocate the tree to enable reasonable and conforming use of the property which is otherwise prevented by the location of the tree.

The applicant made an effort to protect as many trees within the project area as possible, reducing the number of trees proposed for removal to 44. To accommodate the required infrastructure, 44 trees must be removed. Qualifying trees will be replaced at a 2:1 ratio or an in-lieu fee provided consistent with the requirements of MMC Section 17.62.060.

Design Review Findings

The review authority shall consider all necessary plans, drawings and statements in an endeavor to encourage buildings, structures, or other improvements to be designed and constructed, and so located, that they will not be unsightly, undesirable or obnoxious in appearance to the extent that they will hinder the orderly and harmonious development of the city, impair the desirability of residence or investment or occupation in the city, limit the opportunity to obtain the optimum use and value of the land and improvements, impair the desirability of living conditions on or adjacent to the subject site, conform with the standards included in the local coastal land use plan and/or otherwise adversely affect the general welfare of the community.

The proposed automobile dealership project is consistent with the City's Design Review criteria and will not be detrimental to public health, safety, or general welfare. The project has been

designed to support attractive and functional commercial use while maintaining compatibility with the character of the City of Marina and the surrounding area. The site layout provides clear and efficient vehicular circulation, including customer access, vehicle display areas, and service operations, while minimizing potential conflicts with pedestrian movement.

The architectural design incorporates contemporary forms, high-quality materials, and careful modulation of building mass to reduce visual bulk and create a cohesive and visually appealing development. Vehicle display areas, lighting, and signage have been thoughtfully integrated into the overall design to ensure visibility appropriate for a dealership use while avoiding excessive visual clutter or glare that could impact adjacent properties or public rights-of-way.

Landscaping has been incorporated along street frontages and throughout the site to soften the appearance of vehicle display areas, enhance the streetscape, and contribute to the City's coastal aesthetic. The project's lighting plan is designed to provide adequate illumination for safety and security while minimizing light spillover onto adjacent properties. All improvements are conditioned to comply with applicable City standards and design guidelines.

Based on the foregoing, the project achieves a high-quality design that is compatible with its surroundings and consistent with the intent of the City's Design Review requirements. Therefore, the findings to approve the Design Review Permit can be made.

California Environmental Quality Act Findings

Staff has assessed the proposed project in relation to the University Village Environmental Impact Report (EIR) prepared for the University Village Specific Plan and recommend that the Planning Commission and City Council determine that no further environmental review is required pursuant to Section 15162 ("Subsequent EIRs and Negative Declarations") of the CEQA Guidelines.

The proposed automobile dealership project has been reviewed for consistency with the environmental analysis conducted in the certified Environmental Impact Report (EIR) for the University Village Specific Plan. The project site is located within the boundaries of the Specific Plan area and is consistent with the development assumptions, and intensity of development evaluated in the EIR. See *CEQA Guidelines § 15183; Cal. Pub. Resources Code § 21083.3(b).*

Pursuant to CEQA Guidelines Sections 15162 and 15168, the City has determined that the proposed project would not result in any new significant environmental impacts, nor would it substantially increase the severity of previously identified significant impacts beyond those analyzed in the Specific Plan EIR. The project does not introduce new environmental effects or incorporate changes that would require major revisions to the prior environmental document.

All applicable mitigation measures identified in the University Village Specific Plan EIR that are relevant to the proposed development will be applied to the project through conditions of approval, as appropriate. Therefore, no subsequent or supplemental environmental review is required, and

the certified EIR for the University Village Specific Plan adequately addresses the environmental effects of the proposed project. Based on the foregoing, the City finds that the proposed project is within the scope of the previously certified EIR, and no additional environmental analysis is required under CEQA.

2049699.1

EXHIBIT B

Car Dealership Conditions of Approval

Conditions modified by the Planning Commission on April 23, 206 are underlined or have strikethroughs. Recommended conditions modified by city staff after the Planning Commission hearing are in yellow, subject to City Council approval.

The recitals from the project resolution are incorporated by reference into the attached conditions of approval.

1. **Approved Use.** The permittee shall execute, construct, and operate the project in accordance with the approved application materials and plans dated February 27, 2026, as amended by the following conditions of approval. Any deviation from approvals must be reviewed and approved by staff and may require separate approval from the approving authority and/or further environmental review.

2. **Effective Date, Expiration, and Extensions.** This approval shall become effective immediately, except when an appeal period applies pursuant to Marina Municipal Code (MMC) Chapter 17.70, in which case actions shall become effective ten (10) days after the approval date provided that no appeal is filed. Approval shall expire **two years** from the Approval date, or from the date of the final decision in the event of an appeal, unless within such period a complete building permit application has been filed with the Community Development Department, or the authorized activities have commenced in the case of a permit not involving construction. Upon written request and payment of appropriate fees submitted no later than the expiration date of this Approval, the Community Development Director or designee may grant a one-year extension of this date, with additional extensions subject to approval by the approving body. Expiration of any necessary building permit or other construction-related permit for this project may invalidate this Approval if said Approval has also expired. If litigation is filed challenging this Approval or its implementation, then the time period stated above for obtaining necessary permits for construction and/or commencement of authorized activities is automatically extended for the duration of the litigation.

3. **Compliance with Other Requirements.** The permittee shall comply with all other applicable federal, state, regional, and local laws, codes, requirements, regulations, and guidelines. Compliance with other applicable requirements may require changes to the approved use and/or plans. These changes shall be processed in accordance with the procedures contained in Condition #4.

4. **Compliance with Specific Plan**. This project and all subsequent projects within this site shall be consistent with the University Village Specific Plan. All applicable University Village Specific Plan Environmental Impact Report (EIR) Mitigation and Monitoring Program (MMRP) conditions shall be applicable and enforceable upon this project.

5. **Modifications.** Any modification to the approved project, site plan, conditions of approval, or use requires consistency review and approval by Community Development

Director. Major revisions may require review and approval by the original approving body.

6. **Compliance with Conditions of Approval.** The permittee shall be responsible for compliance with all Conditions of Approval. The City reserves the right at any time during construction to require certification by a licensed professional at the permittee's expense that the as-built project conforms to all applicable requirements. Violation of any term, project description, or Condition of Approval is unlawful and prohibited. In the case of noncompliance with the requirements of a Use Permit, Marina Municipal Code (MMC) Section 17.58.060 allows for the revocation of said permit. The City reserves the right to initiate civil and/or criminal enforcement and/or abatement proceedings where violations are present, consistent with MMC Chapters 1.08, 1.10 and 1.12.

7. **Revocation.** Where one or more project Conditions of Approval are not met, or where a project was approved on the basis of false material information given willfully, intentionally or negligently by the permittee, the appropriate authority may revoke or modify the approval for the project.

8. **Indemnification.** To the extent allowable by law, the permittee agrees to hold the City harmless from costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceeding brought in any state or federal court challenging the City's actions with respect to the project. The permittee understands and acknowledges that the City is under no obligation to defend any legal actions challenging the City's actions with respect to the project.

9. **Record Retention.** The permittee shall retain full and complete copies of all permits and other regulatory approvals issued in connection with the project, including but not limited to conditions of approval, approved plans, and resolutions. In the event the City cannot locate full and complete permits or other regulatory approvals in its official records, and the permittee fails to retain full and complete permits or other regulatory approvals, any ambiguities or uncertainties that would be resolved through an examination of the missing documents will be conclusively resolved against the permittee.

10. **Violation of Code.** Any person who does any work or uses, occupies or maintains any building or structure, or causes the same to be done, or does any grading, contrary to or in violation of Title 15, Buildings and Construction, or of any of the uniform codes adopted by Title 15 is guilty of an infraction pursuant to Marina Municipal Code (MMC) Section 15.04.060.

11. **Grading Permit.** Grading work disturbing at least 50 cubic yards or 2,500 square feet of a property within the City requires a grading permit meeting all requirements of Marina Municipal Code (MMC) Section 8.46.130 regarding stormwater retention. The permittee shall secure a grading permit before beginning grading work.

12. **Notice of Exemption.** That within five (5) days from the date of action upon the permit of this project by City Council the applicant shall submit to Planning staff a check payable to the "Monterey County Clerk" in the amount of $50.00 to pay for the fee for filing the notice of exemption.

13. **Landscape Maintenance.** Prior to the issuance of a building permit, the applicant shall provide a bond or other surety acceptable to the City to guarantee that the installed landscaping shall remain in a healthy and growing condition for a minimum of two years from the date of occupancy approval. The amount of the surety shall be a minimum of ten percent of the actual or estimated costs of the installation accepted by the Planning Services Division. An amount greater than ten percent may be required by the Planning Services Division if more exotic, less reliable plant material is specified in the approved planting plan. Two years after the approval of occupancy, the applicant shall contact the Planning Services Division to arrange for an inspection of the landscaping. If or when all landscaping shown on the approved plans is in place and is healthy and growing condition, the surety shall be returned to the entity that provided the surety or to another entity upon proof of transfer. If plant material is dead, dying or missing and the applicant does not take steps to restore the landscaping, the City shall have the authority to use the surety for the restoration of the landscaping.

14. **Site Maintenance.** The project site shall be kept in a nuisance-free condition, and healthy and well-kept landscaping shall be continuously maintained. Any existing blight or nuisance shall be abated within seventy-two hours of receiving a notice from the City of Marina.

15. **Monterey Bay Air Resources District (Permit)**. Prior to issuance of construction permit(s), the Owner/Applicant shall submit evidence to the Building Division, that the appropriate permits have been obtained from Monterey Bay Air Resources District.

16. **Monterey Bay Air Resources District (BMPs).** The Owner/Applicant shall utilize Best Management Practices (BMPs) for fugitive dust control measures. Best Management Practices (BMPs) notes shall be included on all building and/or grading permits for construction activities that may result in soil/ground disturbance

17. **Bicycle Facilities.** Prior to the issuance of building permits the site plan shall be modified to show the placement of one bike rack per Section 5.7 of the University Village Specific Plan. Prior to occupancy, the bike rack shall be installed.

18. **Trash Enclosures and Maintenance Building**. Prior to the issuance of building permits the applicant submit shall coordinate with the waste hauler for the site and submit proof that adequate service will be accommodated/contracted for the project site. The applicant shall demonstrate the service provider approves of the size and final location of the trash enclosure.

19. **Environmental Health Clearance.** Prior to the issuance of building permits, clearance from the Monterey County Department of Environmental Health shall be obtained and provided to the Community Development Department.

20. **Development Impact Fee (DIF).** The developer shall comply with the provisions of Title 3, Chapter 3.26 of the Marina Municipal Code and all its resolutions by paying the appropriate City fee.

21. **Parking Plan.** Prior to the issuance of building permits the applicant shall provide a parking plan that denotes customer and employee parking. ~~Additionally, the applicant shall submit revised construction drawings that identify the right of way in front of the project as "green curbed" or for short term limited parking of no more than twenty-thirty (20-30) minutes.~~

22. **Silent Paging System**. Due to the project location adjacent to residential neighborhoods a silent paging system throughout the project site shall be implemented. No loudspeakers shall be used as part of daily business operations.

23. **Construction Noise**. Unless otherwise authorized, construction activities shall be conducted in compliance with Marina Municipal Code (MMC) Section 15.04.055 and all non-emergency construction or repair work shall be limited to the following schedule:
    Monday through Saturday: 7 a.m. to 7 p.m.
    Sunday and holidays: 10 a.m. to 7 p.m. (For the purposes of this section, "holidays" shall include New Year's Day, July 4th, Thanksgiving and Christmas)
    During daylight savings time, the hours of construction may be extended to 8 p.m.
    No construction, tools, or equipment shall produce a decibel level of more than sixty (60) decibels for twenty-five (25) percent of an hour at any receiving property line.

24. **Operational Noise.** Noise levels from the project site after completion of the project (i.e., during project operation) shall comply with the performance standards of Marina Municipal Code (MMC) Chapter 9.24. If noise levels exceed these standards, the activity causing the noise shall be abated until appropriate noise reduction measures have been installed and compliance verified by the City

25. **Lighting**. Prior to the issuance of building permits, the applicant shall be required to submit a detailed lighting plan to ensure dark sky principles are incorporated into the final design of the building and light pollution does not occur. Exterior lighting fixtures shall be adequately shielded to a point below the light bulb and reflector prevent unnecessary glare onto adjacent properties. After installation, the Community Development Director or designee shall retain the right to require reduction in the intensity of illumination or change of light color if said illumination creates any undue public nuisance. The following shall be shown within the construction drawings:

    a. The project shall provide step-down lighting as the project is adjacent to residential neighborhoods. The step-down lighting shall occur each evening between the following intervals: 6:00 P.M., 7:30 P.M, and 10:30 P.M.

b. Site lighting systems and showroom lighting shall be grouped into control zones to allow for open, closing, and night light/security lighting schemes. All control groups shall be controlled by an automatic lighting control system utilizing a time clock, photocell, and low voltage relays.

26. Hours of Operation. The car dealership will be operational Monday-~~Friday (830AM-7PM); Saturday 830AM-6PM; Sunday 10AM-6PM.~~ Monday-Friday 8AM-9PM; Saturday 830AM-8PM; Sunday 10AM-7PM. The service stations will be operational ~~M-F 8AM-530PM; Saturday 8AM-2PM~~ Monday-Friday 7AM-7PM; Saturday 8AM-4PM; Sunday-Closed. ~~The service stations will be closed on Sundays.~~ Significant modifications to the hours of operation will be subject to review and approval by the Community Development Director.

27. Signage

a. Master Sign Program. Prior to the occupancy of the buildings on site, the applicant will submit a master sign program for review and approval by the Planning Commission. Separate from the Master Sign Program, per the Incentive Package, prior to occupying the building the City Council shall retain design approval for the monument sign on the westerly border of the property.

b. Illumination. The Community Development Director or designee shall retain the right to require reduction in the intensity of any illumination that creates undue public nuisance.

c. Maintenance of Signs. Signs shall be installed, maintained, and removal of signs shall be regulated in accordance with Marina Municipal Code (MMC) Chapter 17.46 including, but not limited to, the abatement of abandoned signs and the enforcement of violating signs.

28. <u>Incentive Package Conditions of Approval (City Council Resolutions 2025-49, 2025-83, and 2026-45)</u>

City Council Resolution 2025-49

a. The City Council shall have final approval after review from the Tree Committee and the Planning Commission for Site Plan and Architectural Design Review;
b. That the dealership produces an accurate computer simulation video prior to Planning Commission review;
c. That any gateway sign be consistent with City monument design requirements and that any dealership signage refer to “Mercedes of Marina”;
d. That the proposed lighting for the dealership site minimizes impact to the night sky;
e. To consider future specific agreement amendments subject to mutual agreement by City and Developer; and
f. Implement preference for local hires when feasible.

City Council Resolution 2025-83

1. Approve amending the sales tax revenue sharing agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to change the dealership name from Mercedes-Benz of Marina to Mercedes-Benz of Monterey
2. Clarification on the Gateway Sign:
    a. Consistent with city monument design requirements to say "City of Marina";
    b. Designed, constructed and maintenance to be paid for by developer; and
    c. To exist in perpetuity.
3. That the two parties discuss revenue sharing/contribution by developer to City at some future point in time, like the 10-year or 15-year mark, once Mercedes-Benz is established and doing well.
4. All other conditions of approval of May 20, 2025, to remain the same.
5. Authorize the City Manager to execute the agreement subject to final review by the City Attorney, and:
6. Authorize the Finance Director to make the necessary budgetary and accounting entries.

29. **Encroachment Permit**. Any improvements or staging within the City Right-of-Way will require an Encroachment Permit and a Public Improvement Agreement with the City. Improvements in the right-of-way shall conform to the City Standard Details and the Dunes Specific Plan with Tentative Map Conditions (as amended).
30. **Traffic Control Plan.** If temporary closure of the public right-of-way is required for construction and/or staging, the permittee shall receive an encroachment permit from the Public Works Department, which includes a Traffic Control Plan to be approved by the City Engineer.
31. **Road, Sidewalk, and Landscape Condition.** All affected roads, sidewalks, and landscaped areas shall be restored to original or better condition following completion of work in the right(s)-of-way.
32. **Grading Permit.** Due to the scope of the project, a Grading Permit will be required. Provide the following for the Permit Plan Review submittal:
    a. Preliminary Title Report not more than 6 months old.
    b. Hydrology Report for the proposed on-site drainage system.
    c. Show all proposed spot elevations showing positive drainage away from all proposed structures and property lines. Hillsides shall be graded (e.g. drainage swales) to capture runoff before reaching the City right-of-way or adjacent properties.
    d. Show the sediment capture/pre-treatment features (for parking lots) and retention systems for capturing on-site runoff with pipe sizing and invert elevations. If

driveways are sloped towards the City right-of-way, show a driveway catchment system preventing runoff from leaving the property.

33. **Lighting Plan**. A Photometric & Lighting Plan shall be submitted to the Public Works and Community Development Departments for review and approval prior to issuance of the ~~Grading~~ building permit. Special consideration shall be given to the project's close proximity to residential development and Highway 1.

34. **Off Site Improvements**. For any offsite improvements not within the City's right-of-way, the applicant shall obtain the necessary approvals from the Property Owner or Public Agency (e.g. Caltrans) prior to issuance of the Grading Permit.

35. **MCWD Approval.** The applicant shall coordinate with the adjacent Developer (Shea Homes) and the special water district (Marina Coast Water District) for approval of the project's proposed sewer and water improvements.

36. **Phase 3 Grading Plans.** Proposed site grading shall conform to the previously approved Dune's Phase 3 South opportunity site grading plans.

37. **Spot Elevations.** Upon submittal of grading/Site Plan additional Spot elevations will be necessary. These locations include all curb returns at parking islands, grade breaks at curbs, and defined flow lines in the paving. Exterior spot elevations may be necessary.

38. **Geotechnical Review.** A geotechnical soils investigation will be required to determine the infiltration rates and pavement sections as well as all standard structural requirements for a project of this size.

39. **Delivery Routes.** A Delivery Route shall be established in the plan set with turning templates for along City streets. This route shall follow existing collector and arterial roadways (e.g. 2nd Ave, Divarty St) and avoid residential roads (e.g. 3rd St).

40. **Landscaping Plans.** The preliminary landscape plans submitted on April 2, 2026 show trees are not planted over various existing Utility Easements along 1st Ave. Consult with the owner of the facility to determine if trees will be acceptable within the easements.

41. **Drainage.** On site drainage to be designed to infiltrate 100-year storm events through water quality treatment systems. The system shall comply with City Standards (MMC Chapter 8.46) and the National Pollution Discharge Elimination System (NPDES) with its requirements.

42. ~~**Green Curb**~~ **Parking Study.** ~~Due to proximity to adjacent Residential and Commercial developments, parking along 1st Avenue shall be restricted per Marina Municipal Code section 10.44 to 20-30 minutes min/hrs between the hours of 9am and 6pm on any day (*except for Sundays and Holidays*).~~ Within one (1) year of operation of the business, the applicant shall enter into a reimbursement agreement with the City so a third-party vendor can prepare a parking study to ascertain the true parking patterns at the business.

The Public Works Director shall have the authority to modify the right of way parking based on said parking study.

43. Fire Prevention. The Marina Fire Department, under the authority of the Fire Chief or his/her designee, has reviewed the proposed project for compliance with applicable fire and life safety regulations. Approval of this project is contingent upon full compliance with the 2025 California Fire Code (CFC), and all locally adopted amendments as enforced by the City of Marina and Monterey County. The applicant is hereby notified that all fire protection systems, site improvements, and life safety features shall be installed, tested, and approved prior to the issuance of a Certificate of Occupancy. Failure to comply with these requirements may result in delays in project approval, withholding of the Certificate of Occupancy, or enforcement action as permitted by law. All fire protection features and systems shall be designed, submitted, reviewed, installed, and tested to the satisfaction of the Fire Chief or his/her designee and in accordance with the 2025 California Fire Code, including but not limited to the following:

1. Fire Apparatus Access and Site Access
    a. The project shall provide and maintain fire apparatus access in accordance with CFC Chapter 5, including:

    b. Fire apparatus access roads shall have a minimum unobstructed width of 20 feet and vertical clearance of 13 feet 6 inches (or as locally amended), per CFC 503.2.1 and 503.2.1.1.

    c. Approved turnaround facilities shall be provided for dead-end access roads exceeding allowable lengths, per CFC 503.2.5.

    d. Fire lanes shall be maintained free of obstruction at all times and shall be marked with approved signage and striping, per CFC 503.3 and 503.4.

    e. Security gates shall be approved by the Fire Department and equipped with approved emergency access (e.g., Knox Box system), per CFC 503.6 and 506.1.

    f. Roadways shall provide adequate turning radius for fire apparatus, per CFC 503.2.4.

2. Water Supply and Fire Flow

An approved water supply for fire protection shall be provided in accordance with CFC Chapter 5 and Appendix B / MC as adopted by the City of Marina:

    a. Fire flow shall be determined based on building size, construction type, and fire protection systems, per CFC 507.3. or Appendix B

b. Fire hydrants shall be located such that all portions of the building are within the required distance, per CFC 507.5.1 and Appendix C C102.1 (Number of Hydrants).

3. Fire Protection Systems (Sprinklers and Fire Department Connections)

Fire protection systems shall be installed as required and approved by the Fire Department:

a. Automatic fire sprinkler systems shall be designed and installed in accordance with CFC 903.2 2025 Monterey County Fire Code Amendment (NFPA 13 standards).

b. Fire Department Connections (FDC) shall be located in an approved, accessible location, per CFC 912.2.

c. Underground fire service lines shall be reviewed and approved prior to installation.

d. Plans for all fire protection systems shall be submitted for review and approval prior to installation, per CFC 901.2, and systems shall be tested and accepted prior to occupancy, per CFC 901.4.

4. Hazardous Materials and Operations

The use, storage, and handling of hazardous materials shall comply with CFC Chapter 50 and applicable specialty chapters, including:

a. Flammable and combustible liquids, per CFC Chapter 57

b. Compressed gases, per CFC Chapter 53

c. Motor fuel storage and dispensing, per CFC Chapter 23

All systems shall be properly permitted, installed, and inspected prior to operation.

5. Emergency Responder Radio Coverage (ERCES)

Buildings shall provide adequate radio coverage for emergency responders in accordance with CFC 510:

a. All areas of the building shall maintain required radio signal strength, per CFC 510.4.1.1.

b. Where required, an Emergency Responder Communication Enhancement System (ERCES) shall be installed, including BDA systems and donor antennas, per CFC 510.4.

c. A radio coverage survey shall be conducted, and system design shall be approved prior to installation, per CFC 510.4.1.

d. Acceptance testing shall be completed by a qualified technician prior to issuance of the Certificate of Occupancy, per CFC 510.5.1.

6. Inspections, Testing, and Final Approval

a. All required fire and life safety systems shall be subject to inspection and approval by the Marina Fire Department.

b. Acceptance testing shall be completed for all applicable systems prior to occupancy.

c. No Certificate of Occupancy shall be issued until all fire department requirements have been satisfied and approved.

44. **Tree Removal.** The removal of forty four (44) trees, subject to Chapter 17.62 of the Marina Municipal Code and University Villages Specific Plan requirements, per the arborist reports submitted by Denise Duffy and Associates on April 18, 2025, May 12, 2025, and February 2026 incorporated by reference into this resolution is authorized with the approval of this project. Of the forty-four trees requested to be removed, twenty-two (22) are in good to fair condition and require replacement at a 2:1 ratio based upon the combined diameter at breast height (DBH) of the healthy trees to be removed. If said replacement trees will not be planted at Opportunity Area 3.2 (Car Dealership Site) the applicant (Mercedes Benz) shall submit a written plan for planting replacement trees within another property within University Village Specific Plan Dunes Development with written consent from Marina Community Partners for approval by the Community Development Director.

45. **Replacement Planting.** Replacement trees shall be fifteen-gallon trees in locations with the greatest openings to minimize competition and maximum sunlight. (If fifteen-gallon sizes are unavailable, smaller sizes may be substituted.) The spacing between trees shall be at least eight (8) feet. Watering for establishment within the first two (2) months shall be at least once (1) per week, then every two (2) weeks during the late spring, summer, and fall for two (2) years.

46. **Trees #712/752.** That trees #712 and #752 shall be retained to the extent feasible per the draft site plan provided by the applicant in the revised arborist report. If said trees cannot be retained the applicant shall submit documentation for review by the Community Development Director for why removal is required.

47. **Native Species.** Prior to the issuance of building permits the applicant shall demonstrate that a majority of the plants are native species per input from the Tree Committee on May 15, 2025.

48. **Special Surveys.** Prior to the removal of trees, a qualified biologist shall survey the trees for presence of roosting bats. If special-status bat species are present, the following measures shall be implemented:
    a. Tree removal shall not occur if maternity bat roosts are present (between April 15 and August 1) in the trees to be removed.
    b. No tree removal may occur within 300 feet of the maternity roost until all young bats have fledged, as determined by a qualified biologist.
    c. If special-status bats are present but there is not an active maternity roost, a Memorandum of Understanding (MOU) with the California Department of Fish and Wildlife (CDFW) must be obtained in order to remove the animals prior to tree removal. Alternate habitat may need to be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics must be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by CDFW that includes relocating all bats found on-site to an alternate suitable habitat. A Mitigation and Monitoring Plan that mitigates for loss of bat roosting habitat must be prepared by a qualified biologist and approved by CDFW prior to tree removal.

49. **Display of Tree Removal Permit.** Prior to and during the removal of any tree approved for removal, a copy of the tree removal permit shall be displayed on site. If no tree removal permit is displayed, the City will issue a stop work order and commence the City's administrative fine process.

50. **Site Restoration Plan.** The ground surface shall be restored in the vicinity of the tree removals. Restoration shall include but not be limited to the removal of tree stumps and filling of any holes left by the removal.

51. **New Trees.** Tree starts that are less than six inches in diameter and that grow larger than six inches in diameter prior to the grading of the site must be replaced at 2:1 ratio, subject to the approval of the Community Development Director.

52. **Permit Authorization and Signature.** The planning permits are not valid, and construction shall not commence until the below affidavit is signed and the approved Conditions are returned to the Community Development Department.

    a. I attest to the truth and correctness of all the facts, exhibits, maps, and attachments presented with and made a part of the application for the [Insert Project Description].

b. I understand and agree to implement all conditions throughout the duration of the project.
c. I acknowledge that any changes to the conditions of approval would require modification of the conditional use permit by the approval authority.

Permittee's Name:

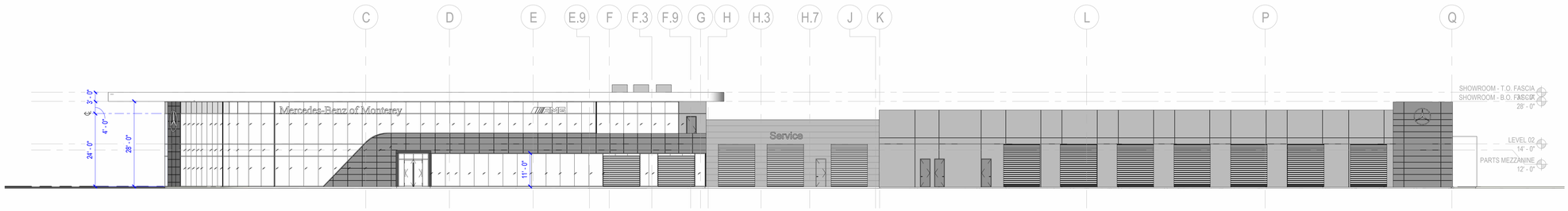
Permittee's Signature: Date:

d. I am the owner of the property involved in this project, and I authorize the person named above to act on my behalf throughout the duration of the project.

Property Owner's Name:

Property Owner's Signature: Date:

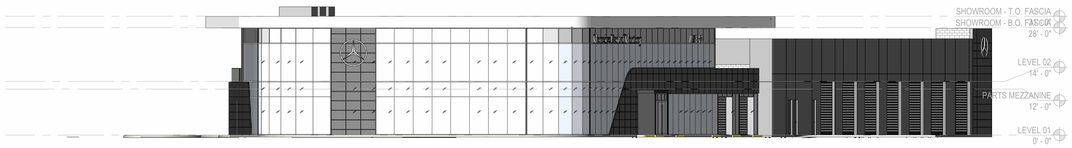
53. Prior to occupying the building, Shea Homes shall demonstrate compliance with City standards for curb, gutter, paving and striping. The applicant (Unstoppable Group) is responsible for improvements behind the curb. These improvements shall include but are not to limited to be off street bicycle facilities (Class 1 Pathway) as shown on the Dunes Phase 3 Off Site Improvement Plans approved by the City on February 20, 2025 in conformance with the Dunes Specific Plan and plan check comments sent to the applicant (Unstoppable Group) on March 26, 2026.



01 OVERALL EXTERIOR ELEVATION - SOUTH

SCALE: 1/16" = 1'-0"

REF: /



02 OVERALL EXTERIOR ELEVATION - WEST

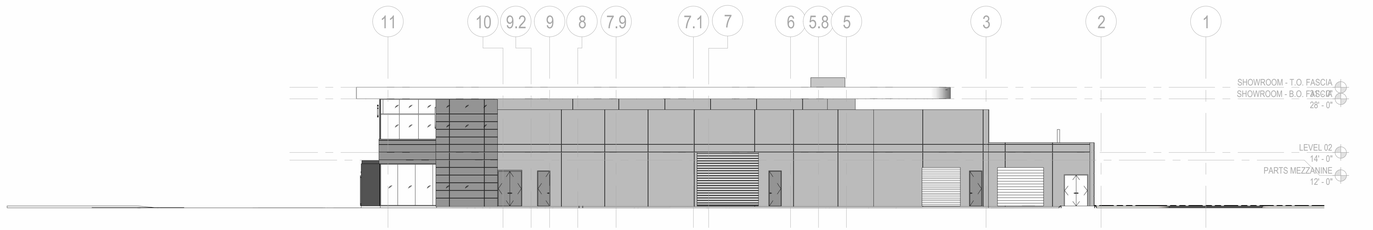
SCALE: 1/16" = 1'-0"

REF: 01 / A1.11A

03 OVERALL EXTERIOR ELEVATION - NORTH

SCALE: 1/16" = 1'-0"

REF: 01 / A1.11A



04 OVERALL ELEVATION 05 - EAST

SCALE: 1/16" = 1'-0"

REF: /

SHEET NOTES

GENERAL NOTES

MERCEDES-BENZ OF MONTEREY

xxxx
Marina, California

Gensler

5005 Greenville Avenue
Dallas, TX 75206
United States

Tel 214.273.1500
Fax 214.273.1505

△	Date	Description

Seal / Signature

PRELIMINARY

THESE DOCUMENTS ARE INCOMPLETE AND NOT FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION PURPOSES

ERIC A. JAMES
CALIFORNIA REGISTERED ARCHITECT: LICENSE # C-24187

02/09/2024

Project Name
MERCEDES-BENZ OF MONTEREY

Project Number
27.8360.000

Description
OVERALL BUILDING ELEVATIONS

Scale
1/16" = 1'-0"

A2.00

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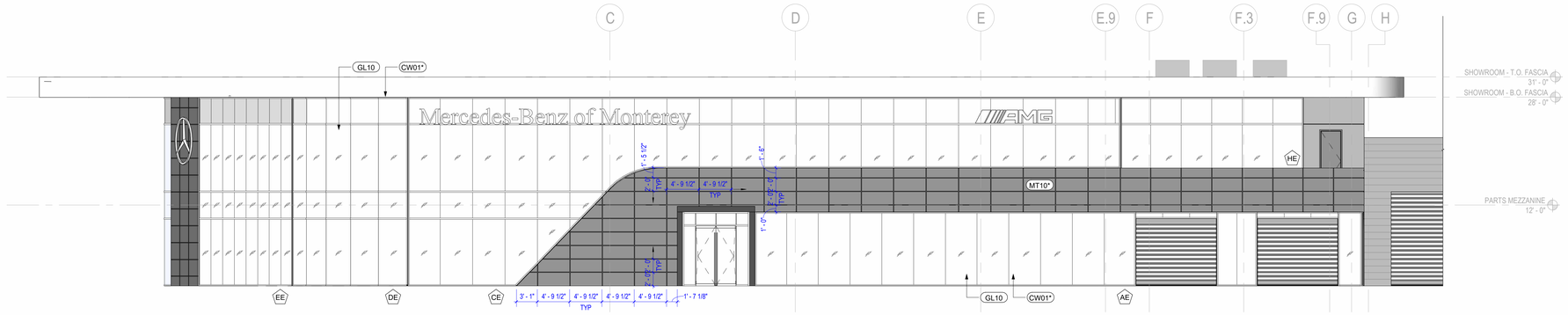
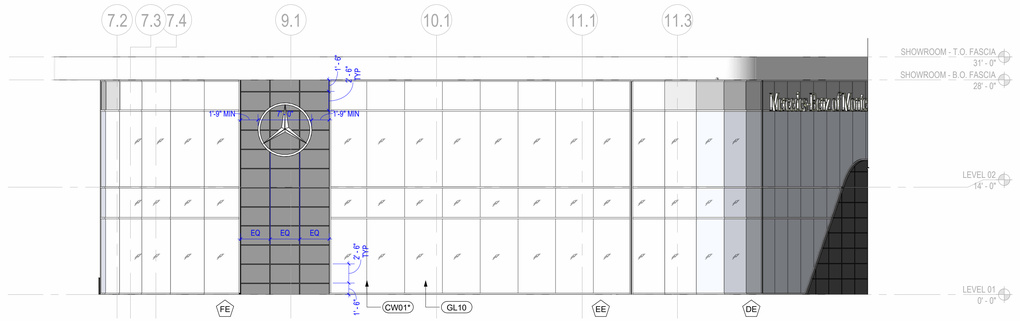


01 EXTERIOR ELEVATION - AREA A SOUTH

SCALE: 1/8" = 1'-0"

REF: /



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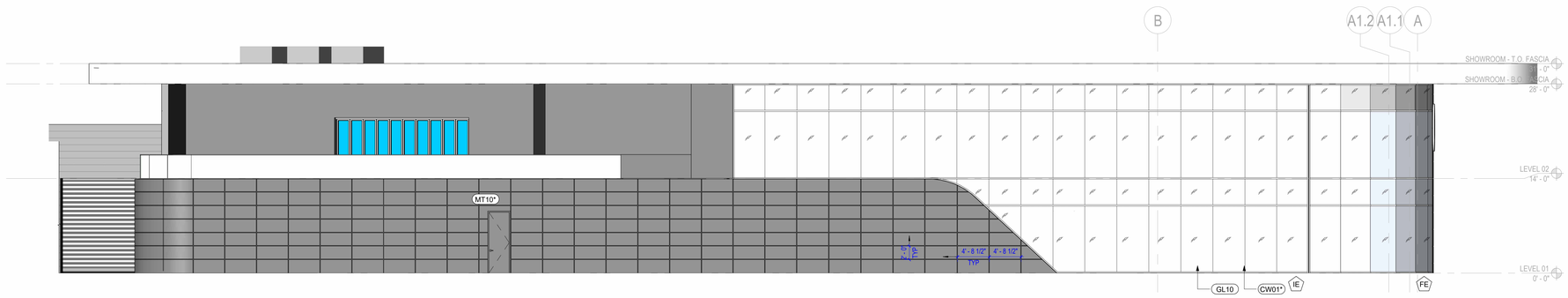
SCALE: 1/8" = 1'-0"

REF: 01 / A1.11A



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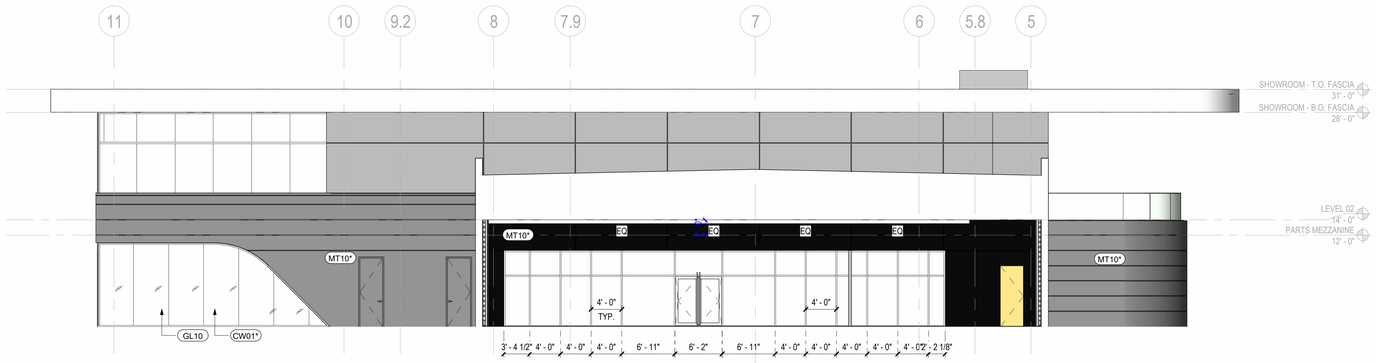
SCALE: 1/8" = 1'-0"

REF: 01 / A1.11A



04 EXTERIOR ELEVATION - AREA A EAST

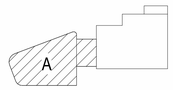
SCALE: 1/8" = 1'-0"

REF: 01 / A1.11A

SHEET NOTES

GENERAL NOTES

KEY PLAN



MERCEDES-BENZ OF MONTEREY

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Marina, California

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Dallas, TX 75206
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Fax 214.273.1505

△	Date	Description

Seal / Signature

PRELIMINARY

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ERIC A. JAMES
CALIFORNIA REGISTERED ARCHITECT: LICENSE # C-24187

02/09/2024

Project Name
MERCEDES-BENZ OF MONTEREY

Project Number
27.8360.000

Description
BUILDING ELEVATIONS - AREA A

Scale
1/8" = 1'-0"

A2.01

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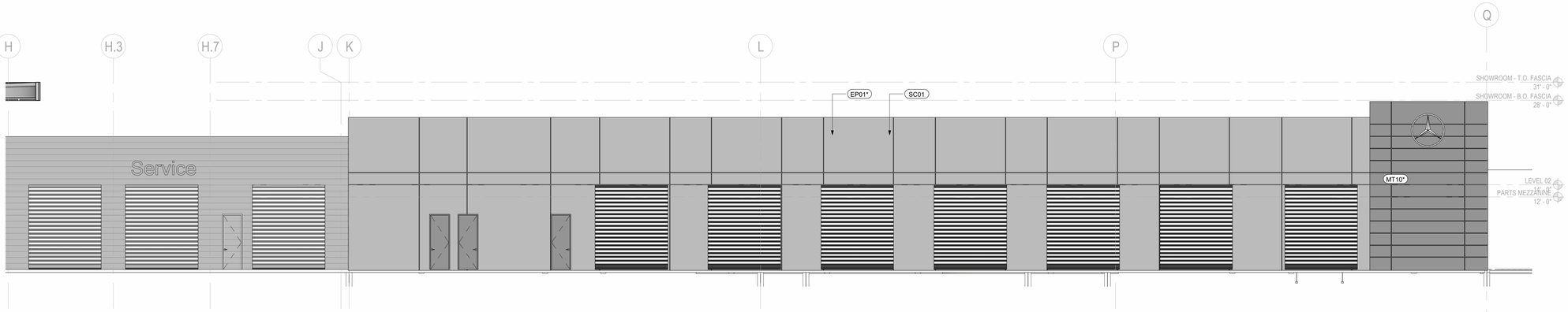
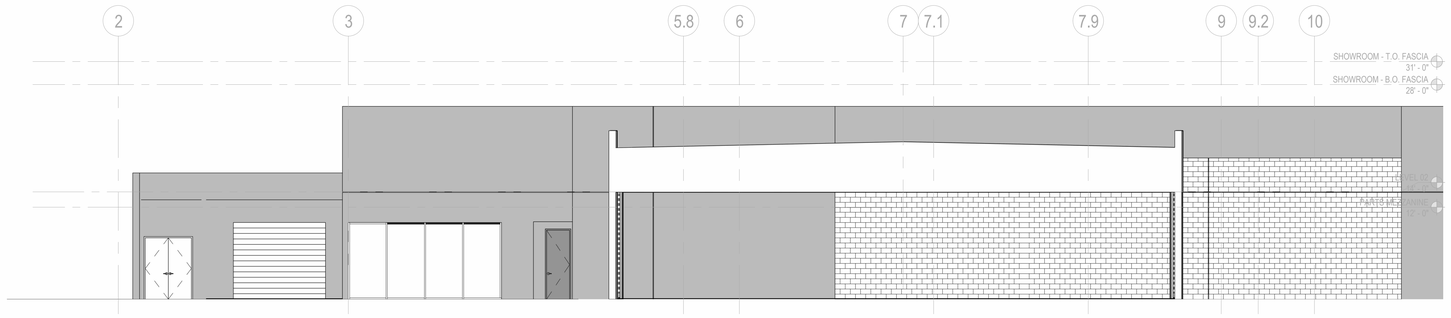


01 EXTERIOR ELEVATION - AREA B SOUTH
SCALE: 1/8" = 1'-0"

REF: 01 / A1.11A



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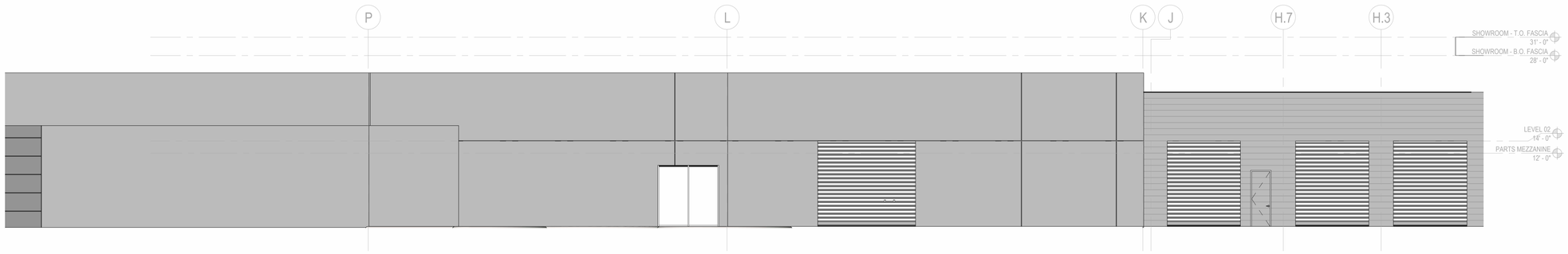
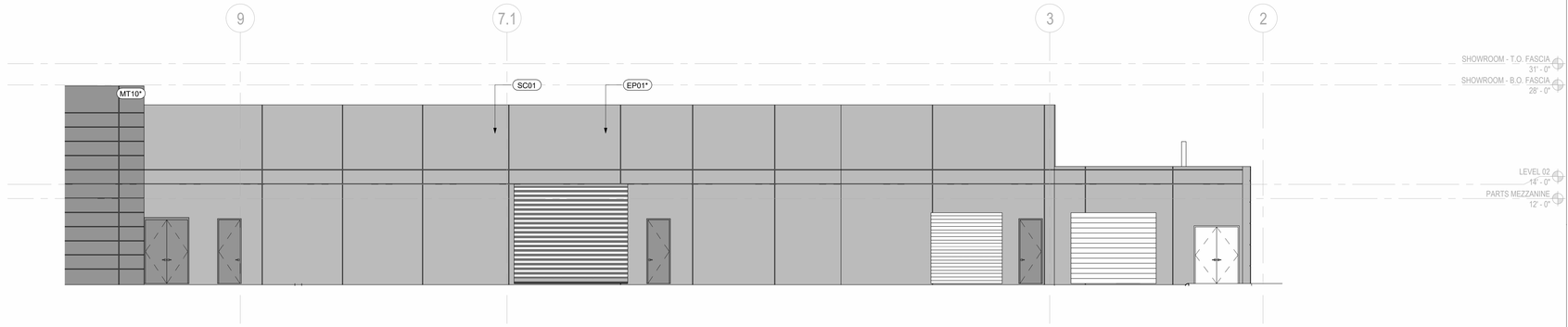
SCALE: 1/8" = 1'-0"

REF: 01 / A1.11A



03 EXTERIOR ELEVATION - AREA B NORTH
SCALE: 1/8" = 1'-0"

REF: 01 / A1.11B



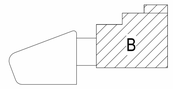
04 EXTERIOR ELEVATION - AREA B EAST
SCALE: 1/8" = 1'-0"

REF: /

SHEET NOTES

GENERAL NOTES

KEY PLAN



MERCEDES-BENZ OF MONTEREY

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Tel 214.273.1500
Fax 214.273.1505

△	Date	Description

Seal / Signature

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ERIC A. JAMES
CALIFORNIA REGISTERED ARCHITECT: LICENSE # C-24187

02/09/2024

Project Name
MERCEDES-BENZ OF MONTEREY

Project Number
27.8360.000

Description
BUILDING ELEVATIONS - AREA B

Scale
1/8" = 1'-0"

A2.02

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UNSTOPPABLE AUTOMOTIVE GROUP

Submitted via Email and On-line Portal

February 27, 2026

Guido Persicone
Community Development Director
City of Marina

RE: Submittal of Site Plan and Design Review Application
Mercedes-Benz of Monterey Dealership

Applicant/Owner: Unstoppable Automotive MBMCA, LLC, a California limited liability company dba Mercedes-Benz of Monterey

Architect: Gensler

Assessor Parcel Number: APN for parcel OP-3.2 is 031-221-025

Dear Mr. Persicone,

Attached to this letter is the submittal of a Site Plan and Design Review Application (SADRA) for development of the Mercedes-Benz dealership in the City of Marina. This application has been prepared by a team of architects, engineers, arborists and other consultants and is intended to be as responsive and complete relating to the City's requirements. Included in this submittal are 16 exhibits, including site plans, landscape plans, tree removal plans and other information necessary to support the application. This application does contain the arborist report and necessary findings for issuance of the tree removal permit as well.

It is our understanding that this application is subject to review and approval by the Planning Commission, with review and final approval by the City Council, per their previous request last year. We appreciate the timely review by staff and opportunity to clarify and provide additional information as necessary to present the application for approval to the Planning Commission and City Council in an expeditious manner. Separate and apart

from this application, will be a submittal for the proposed south City monument or gateway sign, as the City Council had requested previously.

Thank you for the opportunity to present this application, and our team and I look forward to meeting with the City's review team.

Unstoppable Automotive MBMCA, LLC.

By:

Name: Garth Blumenthal
Title: Owner

SITE PLAN AND DESIGN REVIEW APPLICATION (SADRA)

Project Summary

The project consists of site development for a new ground-up construction of a Mercedes-Benz of Monterey dealership (Project). The Project will include a sales showroom for vehicles and Sprinter vans, Service Shop with attached car wash, and a standalone detail building for the Sprinter Vans.

The Commercial Development Standards Worksheet (**Exhibit 1**), Project Description form (**Exhibit 2**), Environmental Setting form (**Exhibit 3**) are all attached for reference.

Project Team

Developer/Owner – Garth Blumenthal, Garth@unstoppablegroup.com, Ken Roycroft, Ken@unstoppablegroup.com, 949-521-0000

Building and Lead Architect – Gensler, Deeg Synder, Deeg_Synder@gensler.com , Abbey Teeters, Abbey_Teeters@gensler.com, 214-273-1543

Civil Engineer – Whitson Engineering, Andy Whitson, ahunter@whitsonengineers.com , Carrie Wright, cwright@whitsonengineers.com 831-649-5225

Landscape Architect – VTA, Byron Williams, byron@vandertoolen.com 707-224-2299

Arborist – DDA, Patric Krabacher, pkrabacker@ddaplanning.com 831-373-4341x29

Entitlements/Planning – Doug Yount, dougyount1@gmail.com, 831-277-3918

Site Plan

To illustrate the site design of the Project, please refer to the Preliminary Site Plan (**Exhibit 4**), Preliminary Drainage and Grading Plan (**Exhibit 5**), Preliminary Utility Plan (**Exhibit 6**).

Traffic/Circulation

Auto-turn analysis has been performed for a fire apparatus truck and a vehicle hauler, illustrating compatible turning radii throughout the Project site. Exhibits illustrating this access/turning have been included in the submission: Fire Vehicle Turning (**Exhibit 7**), Auto Carrier Turning (**Exhibit 8**). Project site design has been carefully planned so that no auto

carrier truck traffic will conflict with the Dunes neighborhoods to the north east, allowing trucks to enter and exit into the Project site for loading and unloading.

Off-site traffic to and from the site is assumed to follow patterns and volumes as anticipated within the traffic analyses of the certified EIR for the Specific Plan, as originally performed, and through subsequent addendums, as appropriate. Commute traffic to the Project for dealership workforce could be further mitigated by the forthcoming large MST transit center just to the north on First Avenue. As the Dunes master plan project is developing within the parameters of the Specific Plan, including the Project site, and that surrounding developments, including Campus Town, Sea Haven, etc, are developing within intensities and densities well within the Base Reuse Plan EIR and Specific Plan EIR cumulative analyses, no additional traffic analysis is anticipated to be needed or required.

Additionally, First Avenue has been recently redesigned and improved to the standards of the City of Marina for commercial and office development uses, particularly within the Specific Plan area surrounding the Project site. Ideally, First Avenue to the south of the Project site would remain two-way from Divarty to LIghtfighter, but this improvement is within the City of Seaside, and outside control of the Project developer, and possibly the City of Marina.

Landscaping

There is significant landscaping planned for the Project as illustrated on **Exhibit 9** Preliminary Landscape Plan. Careful attention has been given to the planting palette to maximize the success of the plant and tree species in the marine climate of Marina. The preliminary concepts proposed for this Project include a variety of landscape features throughout, including 5 varieties of trees, 15 +/- species of shrubs and ground cover, all providing rich diversity, seasonal color and textural interest to the landscape design. These landscaping features also front the facility along First Avenue, enhancing visual intrigue for public view, and are consistent with the modern, open format architectural design of the primary building.

Noise compliance

All noise compliance requirements will be met in accordance with the standards of the Specific Plan and City of Marina's Municipal Code. There will be no outdoor speaker use on the site. Service of vehicles will be conducted in enclosed service bays, with access doors closed. Washing of vehicles will be on the north side of the Project site, facing future commercial uses, and away from the residential uses to the east. Site design allows for

the loading and unloading of vehicles on the Project site, not in the street, nor in adjacent streets (ie 3rd Street).

Lighting and Dark Sky Compliance

All dark sky's regulations of the Specific Plan will be met. The lighting design is a compliment to the significant architectural quality of the Project, but also provides functionality of the property for both indoor and outdoor automotive sales. High efficiency fixtures and sophisticated optics are proposed which direct light where needed, without excessive glare. Dark sky principles are adhered to throughout the site, with uplighting of buildings and trees discouraged, and shielding of high intensity lighting fixtures. Particular attention is provided in lighting to minimize the effect of light dispersion to adjacent residential neighborhoods to the northeast. The lighting fixtures adhere to a consistent design theme throughout that compliments the high quality architecture of the buildings. The specific lighting plan, photometrics, and fixture design to meet these requirements will be included in the building permit application.

Parking

Provided in **Exhibit 4,** Project Site Plan, is a parking analysis with all the relevant parking allocations identified. The table from this exhibit is replicated below:

PARKING SUMMARY	PROVIDED	REQUIRED
STANDARD STALLS (9 X 19')*	357	227
ADA STALLS (9' X 19')	9	9
TOTAL	366	236
INVENTORY STALLS (8.5'X17')*	163	TBD BY OWNER
SERVICE STALLS	100	88
PUBLIC	100	100
EV STALL	8	8
EV CAPABLE STALL	40	40

*2.5' MAX LANDSCAPE OVERHANG WHERE APPLICABLE

As illustrated, the Project site exceeds the parking requirements as provided for in the Specific Plan and building code. All customer, service, delivery, and employee parking is conducted on-site. It is anticipated that some customers may park on First Avenue adjacent to the dealership, as is customary in any automobile dealership use. The site plan, however, allows for all anticipated customer parking on-site.

Building Design Elevations

Provided in **Exhibit 10** are the Building Elevations for the Project. This exhibit includes four-sided elevations. Additionally, a video simulation flyby is provided in the following link:

https://vimeo.com/1168245102/6053e8e725?share=copy&fl=cl&fe=ci

As seen in the video and on the site plan, a significant amount of screening from Highway 1 will still exist on the site from the existing Cal Trans tree line adjacent to the Project. Additionally, the landscape plan provides significant additional trees throughout the Project.

Sign concepts

Preliminary building signage has been identified on the building elevations, provided in **Exhibit 10**, Building Elevations. The specific site signage design will be addressed in a separate submission to the City, coordinating with the City's signage requirements of the Specific Plan Master Sign Program, as amended.

General and Specific Plan Compatibility/Consistency

The Project is fully compliant and consistent with the University Villages Specific Plan (Specific Plan) and the City of Marina's General Plan (General Plan), as it relates to land use and zoning designation, design principles relating to commercial landscaping, site design, architecture, and lighting.

Zoning/Land Use Compatibility

The Project, as an automobile sales and service facility is compatible with both the General Plan and Specific Plan use designations. Provided in **Exhibit 11** is a letter from the City Manager, dated December 1, 2023, confirming the determination of specific zoning compatibility with the Specific Plan use categories.

On a broader sense, this Project meets many of the overall goals and objectives of the General Plan (GP), under Section 1.18, as follows:

- GP Goal D, creating significant jobs to help create a favorable jobs/housing balance to create opportunities to both work and live in Marina;
- GP Goal I, by creating a diversified and sound economic base through creation of significant sales tax revenue to assist Marina in funding high -quality public services to residents and businesses;
- GP Goal O, creating an attractive and distinctive commercial district contributing to the overall vitality, image and identity of Marina.

Additionally, the Project as proposed conforms with goals from the Base Reuse Plan (BRP)for the former Fort Ord (as has been incorporated into the City's General Plan and Specific Plan), examples as follows:

- BRP Community Design Vision, Chapter 3, General Development Character and Design Objectives, Objective 4, protecting the visual quality for the State Highway 1 scenic corridor through: 1) maintaining the minimum 100 ft development setback; 2) maintaining the maximum building height for the corridor aiding in the massing and orientation of the building; 3) maintaining the natural view from Highway 1 to the Project through preservation of the trees within the Caltrans right of way adjacent to the Project.
- BRP Community Design Vision, Chapter 3, General Development Character and Design Objectives, Objective 8, create uses which encourage the use and compliment the Fort Ord Transportation Center at First Avenue: the Project will create significant jobs within walking distance of the new MST transit facility on First Avenue within the overall Dunes master plan area.

Compatibility with Primary Specific Plan Design Principles

The Project meets the intent of the primary Specific Plan design principles as noted below:

Commercial Landscaping (Page 82)	The preliminary concepts proposed for this Project include a variety of landscape features throughout, including 5 varieties of trees, 15 +/- species of shrubs and ground cover, all providing rich diversity, seasonal color and textural interest to the landscape design. These landscaping features also front the facility along First Avenue, enhancing visual intrigue for public view, and are consistent with the modern, open format architectural design of the primary building. Planting materials are highly adapted and compatible with the marine environment in Marina.
Site Design (Page 65)	The Site Plan for the Project is compatible with the Business Park design principles for the Specific Plan, namely, providing a positive visual identity from the surrounding

	properties, building entrances are clearly articulated with distinct architectural elements, with signage that create strong simple orientation for employees, visitors, and deliveries. Landscape is positioned to screen loading and utilitarian portions of the site on the north and northwest end of the Project. Pedestrian paths fronting First Avenue and near the primary sales building are lined with trees to provide a comfortable walking environment.
Architecture (Page 65-66)	The architecture of the buildings for the Project is both aesthetically pleasing and functionally efficient. The design quality of the sales and showroom facility is of significant aesthetic character, reflecting the quality stature of the automotive brand in the market, and likely will be a signature building for Marina. The design is a composition of distinct but related forms, without flat unarticulated wall planes, unique roof and glass panel construction. Rooftop mechanical equipment is screened from ground level view. Materials are of superior quality, including ample use of glass throughout.
Lighting Plan (Page 72)	The lighting design is a compliment to the significant architectural quality of the Project, but also provides functionality of the property for both indoor and outdoor automotive sales. High efficiency fixtures and sophisticated optics are proposed which direct light where needed, without excessive glare. Dark sky principles are adhered to throughout the site, with uplighting of buildings and trees discouraged, and shielding of high intensity lighting fixtures. Particular attention is provided in lighting to minimize the effect of light dispersion to adjacent residential neighborhoods to the north east. The lighting fixtures adhere to a consistent design theme throughout that compliments the high quality architecture of the buildings.

Tree Preservation and Removal/Replacement Plan

Summary

Development of the Project site will entail the removal of **41 Monterey cypress (*Hesperocyparis macrocarpa)*** trees under the approval of a tree removal permit specifically for this Project development. This removal will be mitigated by the replacement of these trees at the required mitigation of replacing every healthy (good or fair) tree at a 2:1 ratio per the UVSP, plus additional trees at the Project Applicant's discretion, for a total of 44 replacement trees (3 trees surveyed are dead, and 16 are in poor condition, leaving 22

trees eligible for replacement mitigation). A total of 67 trees will be planted on the Project site overall.

Tree Survey/Arborist Report

The Project site was surveyed by a professional arborist/environmental scientist, Patric Krabacher, of Denise Duffey & Associates, Inc. The tree survey (Survey) is provided in **Exhibit 12**, along with the findings and detail, constituting the arborists report per the requirements of the UVSP and MMC. The Survey identified a total of **42 Monterey cypress** trees, wherein, **52%** are in **healthy (good or fair)** condition or better and eligible under the criteria for tree replacement. As a result of the proposed project, **41** Monterey cypress trees would require removal for the construction of the project pursuant to existing plans. Three (3) trees proposed for removal are dead; therefore**, a tree removal permit is required for the remaining 38 live trees**. Tree removal must incorporate the mitigation measures and regulatory requirements of the FEIR, the MMRP, and the UVSP Tree Standards.

Efforts were made to retain two (2) additional Monterey cypress trees (Tree Nos. 712 and 752) through design modifications; however, these efforts were determined to be infeasible. Meetings with the project's Civil Engineer (Whitson Engineers) explored options to preserve Tree Nos. 712 and 752, but it was ultimately concluded that preservation would require the construction of extensive retaining walls. The retaining walls would significantly impact > 30% of the CRZ of these trees and the ultimate survival of the two (2) trees cannot be guaranteed.

Tree Committee and Planning Commission Direction

The Tree Committee initially met on April 30, 2025, for consideration of the tree removal application for Phase 3 commercial development areas of the Dunes, which incorporated the Project site (as to site delivery only, not development nor tree removal). The tree committee met for a tour of the site and affected trees specifically for the Project site as well. Subsequently, the Tree Committee reviewed the application at their meeting on May 15, 2025. In addition to the standard findings for tree removal permit application approval, the following specific recommendations were made by the Tree Committee regarding a future application for development of the Project Site (beyond the site delivery tree removal permit approved):

5. That trees #712 and #752 shall be retained to the extent feasible, per the draft site plan provided by the applicant in the revised arborist report. If said trees cannot be retained the applicant shall submit documentation for review by the Community Development Director for why removal is required.

Removal is required because the construction of retaining walls to preserve these two trees would impact >30% of the critical root zone of both trees, these impacts were discussed over multiple design changes/meetings, and it was determined that a more natural slope and planting is recommended. Additional information can be provided here from the engineering and site design analysis that concluded that it was infeasible to retain these two trees.

6. Staff to work with the applicant on the recommendation to the Planning Commission regarding incorporating more California native species on the site. (taken from the recommendation slide for the Tree Committee)

*The Planning Commission, on June 12, 2025, approved resolution 2025-08 for the Dunes Phase 3 tree removal permit (but specifically not approving tree removal for the Project site), and in doing so, incorporated the above recommendations (See **Exhibit 13** attached for a copy of the resolution). Attached to the resolution are standard conditions of approval for tree removal per the UVSP and MMC which will also be required for the application for this Project site development, specifically conditions: 1. Arborist Report, 2. Special Surveys, 3. Display of Tree Removal Permit, 4. Replacement Trees, 5 Replacement planting, 6. Site Restoration Plan, 7. New Trees. The Applicant intends to meet those conditions in the development of the site.*

*The Applicant engineers and architects have reviewed this request from the Tree Committee/Planning Commission and have preliminarily concluded that **Tree No. 732** could be saved by modifying the Site Plan parking on the west side. This conclusion is based on a preliminary determination of grading, slopes, and retaining walls, but final determination will come during the preparation of improvement plans specific for the civil improvements on the site, including final grading and preparation of the site paving and landscaping improvements.*

<u>Required Findings for Issuance of a Tree Removal Permit</u>
Per MMC 17.62.060 C, the following is the response to the required findings for a tree removal permit (response to findings in italics):

1. The tree is in poor condition and is in danger of falling within proximity to existing structures, high pedestrian traffic areas such as parking lots, playgrounds and pedestrian walkways, or interference with utility services that cannot be controlled

or remedies through reasonable preservation and/ or preventive procedures and practices: or

2. The tree is host to a plant, or insect, or other parasitic organism which endangers other adjacent healthy trees; or

*A certified arborist assessed the **41** trees proposed for removal and did not find any invasive insects nor parasitic organisms which endanger other adjacent healthy trees.*

3. The location of more than three (3) trees conflict with the construction of street or sidewalk improvements, storm drain, traffic signals or signs;

Infrastructure and development of the Project Site conflicts with the health of trees on the site. The location of multiple trees proposed for removal would interfere with these improvements, as documented on the Site Plan and in the Arborists Report. As a result of the proposed project, 41 Monterey cypress trees would require removal for the construction of the project pursuant to existing plans. The removal of the 41 trees would impact on the existing windbreak; however, a majority of the windbreak would be retained within the California Department of Transportation right-of-way adjacent to the western project boundary. Therefore, the removal of these trees is not anticipated to completely remove the windbreak. A tree removal permit from the City is required for all living trees. Three (3) trees proposed for removal are dead; therefore, a tree removal permit is required for the remaining 38 live trees. Tree removal must incorporate the mitigation measures and regulatory requirements of the FEIR, the MMRP, and the UVSP Tree Standards.

4. The number of trees on the site is in excess of the number of health trees the site is able to support, based on such consideration as tree species, growth characteristics, general health of the stand, tree age, solar orientation and soil condition; or

A certified arborist assessed the health of individual trees within the project area and this does not apply.

5. The applicant outlines other clearly documented and compelling reasons for the removal or relocation of a tree which do not include the elimination of falling leaves or shade, or improving a view; and

Trees within contiguous forest are not recommended for transplanting due to the intertwining of roots with adjacent trees and lack of reaction wood. These trees are not typically capable of supporting themselves without the structural support of the surrounding forest. Mass damping is a natural mechanism where branches and foliage sway to absorb and dissipate wind energy, allowing trees to minimize structural loads on the trunk and roots and increase mechanical stability during storms. Mass damping is vital to the structural stability of trees and forests and when you have a contiguous forest like the one on the western portion of the project all these trees work together against the natural elements.

6. The tree does not serve as a windbreak system, or assist in drainage or in the avoidance of soil erosion, or serve as a component of wildlife habitat, or otherwise play a prominent role in maintaining the existing urban forest; and

The removal of the 41 trees would impact on the existing windbreak; however, a majority of the windbreak would be retained within the California Department of Transportation right-of-way adjacent to the western project boundary. Therefore, the removal of these trees is not anticipated to completely remove the windbreak.

7. Due to the tree's aesthetic contribution to the area, the removal would not have a substantial detrimental effect on neighboring property values; and

The determination of a trees value to property is difficult to assess; however, removal of these trees would not interrupt adjacent property's views of the substantial tree line on the Cal Trans property to the west of the Project site, as those trees remain. Trees to be removed on the western boundary abut the trees on the Cal Trans property to the west, and thus, that tree line would remain as an aesthetic buffer from adjacent properties to the Project site with views to the highway.

8. If the removal is concurrent with development plans for the property and the development plans indicate it is necessary to remove or relocate the tree to enable reasonable and conforming use of the property, which is otherwise prevented by the location of the tree.

*This applies to all 41 trees proposed for removal. Please reference **Exhibit 14** Tree Removal Plan, and the Site Plan, **Exhibit 4**.*

Project Site Tree Removal Plan

Provided in **Exhibit 14** is the tree removal plan prepared for the applicant by DD&A which illustrates the **41 trees** to be removed.

Tree Replanting/Replacement Plan

Provided in **Exhibit 9** is the Project preliminary tree planting plan (part of the Landscape Plan exhibit) prepared by VTA illustrating the variety of trees to be planted as part of the landscaping for the Project. As noted previously, the Applicant intends to plant approximately 44 total trees on the Project Site, replacing the **22 healthy** trees required **pursuant to MMC** at a ratio of 2:1 mitigation (**44 required plantings**) plus an **estimated** additional **23 trees**, for a total of **approximately 67 onsite replacement plantings,** pending preparation of Final Landscape Improvement Plans.

Exhibits

1. Project Description
2. Commercial Development Standards Worksheet
3. Environmental Information
4. Preliminary Site Plan
5. Preliminary Grading and Drainage plan
6. Preliminary Utility Plan
7. Fire Vehicle Turning
8. Auto Carrier Turning
9. Preliminary Landscaping Plan (and Tree Replacement Plan)
10. Building Elevations
11. Letter from the City Manager, dated December 1, 2003, Confirming the Determination of Specific Zoning Compatibility
12. Arborist Report and Tree Assessment Survey
13. June 12, 2025, Resolution 2025-08 of the Planning Commission
14. Tree Removal Plan

EXHIBIT 1

PROJECT DESCRIPTION FORM

Name of Project Applicant: Gensler, Abbey Teeters

Mailing Address: 5005 Greenville Ave., Dallas, Texas 75206

Phone: 214-273-1543 Email: abbey_teeters@gensler.com

Name of the project: Mercedes-Benz of Monterey

Project location (address and/or Assessor's Parcel Number(s): APN: 031-221-051-000 (PARCELS OP-3.2 AND OP-3.3)

Size of project site (acreage): 6.168 Acres

Existing General Plan Land Use Designation:

Existing Zoning Designation: SP-UV (SPECIFIC PLAN-UNIVERSITY VILLAGE), OP 3: OFFICE/RESEARCH

Describe the existing land use(s) of the site:

Describe the existing land use of properties surrounding the site:

Describe the proposed land use(s)/Project:

New ground-up construction of a Mercedes-Benz of Monterey, automotive dealership and service shop. The project will include a sales showroom for vehicles and Sprinter vans, Service Shop with attached car wash and a standalone detail building for the Sprinter Vans.

For residential uses, indicate the number, type, and size of the units, and the estimated range of the sale and rental prices:

For commercial uses, indicate the type (neighborhood, city, or regional orientation), the total square footage, the estimated number of employees, and the hours of operation:

BUILDING SQUARE FOOTAGE: 56,280 SF

ESTIMATED NUMBER OF EMPLOYEES: 80

HOURS OF OPERATION:

Sales Hours M-F 8:30am - 7:00pm, Sat. 8:30am-6:00pm, Sun 10:00am-6:00pm

Service Hours: M-F 8:00am - 5:30pm, Sat. 8:00am-2:00pm, Sun Closed

For industrial uses, indicate the type, the total square footage, the estimated number of employees, and the hours of operation:

For other uses, indicate the major function, the total square footage, the estimated number of employees, and the hours of operation:

List and describe any other permits or public approvals required for this project, including those required by city, regional, state, and federal agencies:

Are there water, sewer, gas, electric, and telecommunication facilities available to the project site?

(x) Yes ( ) No If no, are connections to these facilities proposed?

Please describe any odor, noise, smoke, or dust which will result from the proposed development or use:

n/a

Will there be any potentially hazardous materials, toxic substances, or flammable materials used, stored, manufactured, or disposed of at the project site? (X) yes ( ) no If yes, please explain:

There are limited hazardous and/or flammable materials stored in the service shop. A complete list of hazardous materials will be provided with the building permit application.

Please describe the proposed scheduling and phasing of the project's construction:

The project construction schedule hasn't been established at this time. The project isn't planned to be phased.

If the project involves demolition or removal through alteration of an existing dwelling unit or units; indicate if unit(s) have been rented in the past five (5) years and if they are occupied if the tenants are considered lower income households as defined by CA Health & Safety Code Section 50079.5:

N/A

Please provide any additional relevant information that can assist in the processing of this application:

EXHIBIT 2

COMMERCIAL DEVELOPMENT STANDARDS WORKSHEET

Project Address: _____ Date: _____

Applicant's Name: Gensler, Abbey Teeters

Zoning District: SP-UV (SPECIFIC PLAN-UNIVERSITY VILLAGE), OP 3: OFFICE/RESEARCH

Please fill in the following numerical information for your permit application:

		Existing	Proposed	Permitted / Required
Units, & Parking Spaces				
Number of Commercial Units	(#)	N/A	2	
Number of Dwelling Units Mixed-use projects only	(#)	N/A		
Number of Parking Spaces	(#)	N/A	366 spaces	236 spaces
Yards and Height				
Front Yard Setback	(Feet)	N/A	95.0'	20'
Side Yard Setbacks: (facing property)	Left: (Feet)	N/A	150.3'	20'
	Right: (Feet)	N/A	47.0'	5'
Rear Yard Setback	(Feet)	N/A	110.4'	100'
Building Height	(# Stories)	N/A		
Maximum Height	(Feet)	N/A		
Areas				
Lot Area	(Square-Feet)		6.168 acres	
Gross Floor Area Total Area Covered by All Floors	(Square-Feet)			
Building Footprint Total of All Structures	(Square-Feet)		56,280 SF	78,000 SF
Floor Area Ratio				

EXHIBIT 3

ENVIRONMENTAL INFORMATION

ENVIRONMENTAL SETTING

Please provide the following information on a separate piece of paper:

- Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, cultural and historic resources, and any scenic aspects of the sites. Describe any existing structures on the site and the uses of those structures. Please see SADRA Submittal
- Describe the surrounding properties, including information on topography, soil stability, plants and animals, cultural and historic resources, and any scenic aspects of the area. Indicate the type and intensity of land uses, and the scale of the development. Please see SADRA Submittal

ENVIRONMENTAL CHECKLIST:

Would the Project result in the following (provide a brief description for each item checked "yes"):

Change in existing features of any streams, creeks, lakes, or wetlands: ( )Yes (X) No

Change in scenic views or vistas from existing residential areas or public land or roads: ( ) Yes (X) No

Use or disposal of hazardous, toxic or flammable materials or explosives: (X) Yes ( ) No

As an automobile service provider, the dealership would use potentially toxic and/or flammable materials in the servicing of vehicles

Change in ocean, bay, lake, stream, or ground water quality or quantity, or alteration of existing drainage patterns: ( ) Yes (X) No

Change in pattern, scale, or character of surrounding area of project: ( ) Yes (X) No

Significant amounts of solid waste or litter: (X) Yes ( ) No

The automobile dealership would generate litter commensurate with a typical auto sales and service facility

Substantial alteration to topography or ground contours: ( ) Yes (X) No

Change in dust, ash, smoke, fumes, or odors in the vicinity of the project: ( ) Yes(X) No

Substantial change in existing noise or vibration levels in the vicinity: (X) Yes ( ) No

Automobile dealership will cause vibration and noise commensurate with an automobile sales and services facility with daily activities and with delivery of vehicles. Existing site is vacant, but adjacent highway generates significant noise

Building on filled land or on a slope of 10 percent or more: ( ) Yes (X) No

Substantial change in demand for municipal services (police, fire, water, sewer, etc.): (X) Yes ( ) No

Site is currently vacant - new development will require demand for municipal services commensurate with an automobile dealership

Substantial increase in fossil fuel consumption (electricity, oil, natural gas, etc): (X) Yes ( ) No

Site is currently vacant - new development will require fossil fuel consumption commensurate with an automobile dealership

Relationship to a larger project or a series of projects: ( ) Yes (X) No

Substantial change or increase of traffic on surrounding roads and highways: (X) Yes ( ) No

Site is currently vacant - new development will increase traffic commensurate with an automobile dealership

PARKING CALCULATIONS

PARKING TOTAL: 366 SPACES

24' FIRELANE

CONCRETE

LANDSCAPE

PARKING SUMMARY	PROVIDED	REQUIRED
STANDARD STALLS (9 X 19')*	357	227
ADA STALLS (9' X 19')	9	9
TOTAL	366	236
INVENTORY STALLS (8.5'X17')*	163	TBD BY OWNER
SERVICE STALLS	100	88
PUBLIC	100	100
EV STALL	8	8
EV CAPABLE STALL	40	40

*2.5' MAX LANDSCAPE OVERHANG WHERE APPLICABLE

PARKING REQUIREMENTS

(PER MARINA MUNICIPAL ZONIG CODE, CHAPTER 10 & 17)

AUTOMOTIVE USERS:
SERVICE AND REPAIR - 4 SPACES/BAY
22 SERVICE BAYS X 4 = 88 SPACES

COMMERCIAL USERS - RETAIL AND SERVICE & BUSINESS PROFESSIONAL:
(PER CH. 17.44 PARKING REQUIREMENTS OF MARINA MUNICIPAL CODE)
1 SPACES / 275 GSF
62,300 / 275 = 227 SPACES

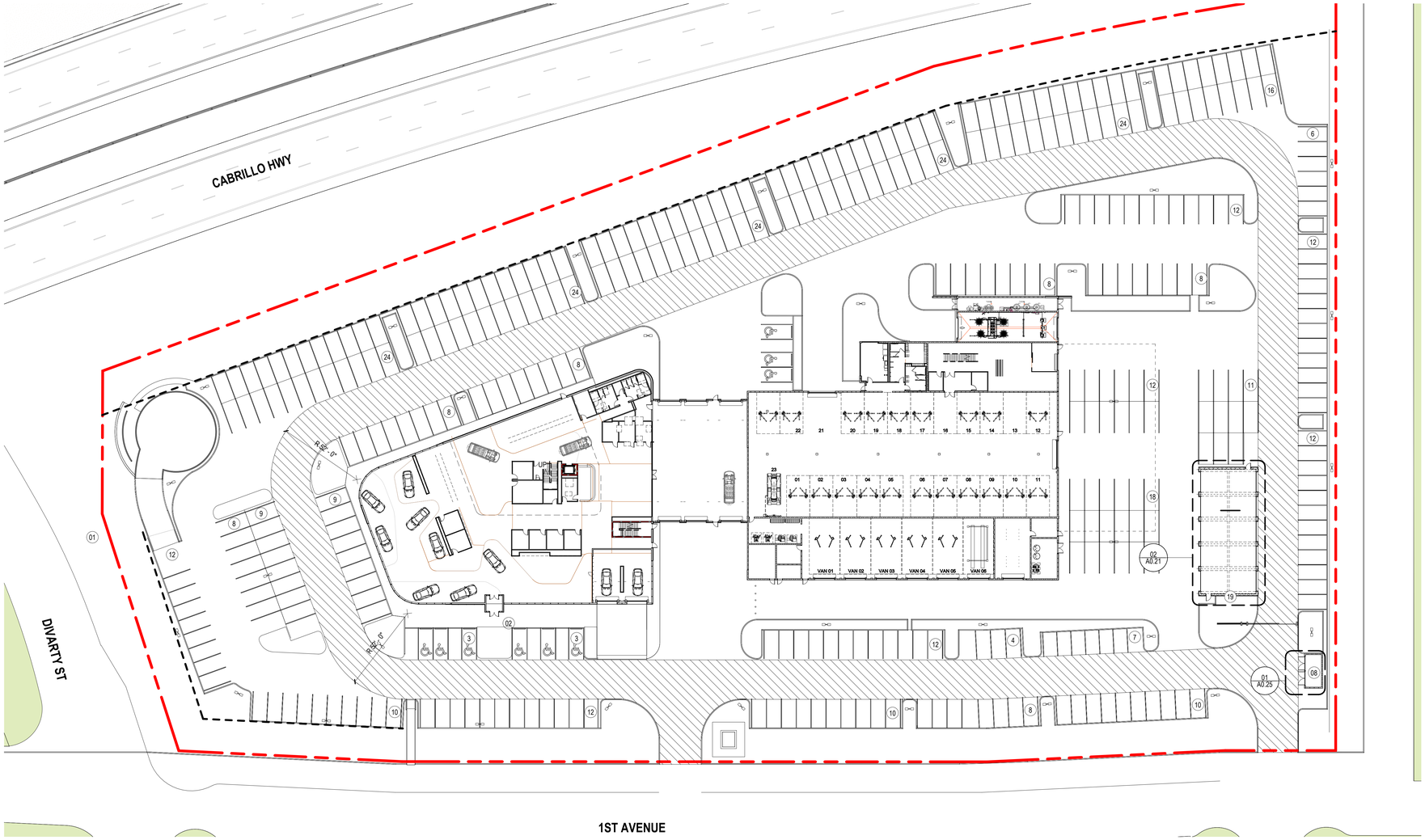
LOADING / INVENTORY SPACES REQUIRED:
ONE LOADING SPACE FOR EACH
FIVE THOUSAND SF OF STORE AREA (62.3K GSF) = 13 SPACES

ADA SPACES REQUIRED:
(PER CBC, TABLE 111B:208.2)
401 - 500 SPACES = MIN OF 9 SPACES = 9 SPACES

EV CAPABLE SPACES REQUIRED:
(PER CALGREEN, TABLE 5.106.5.3.1)
201 AND OVER = 20 PERCENT OF TOTAL
20% OF 200 (100 PUBLIC + 100 SERVICE) = 40 SPACES

EVCS (ELECTRIC VEHICLE CHARGING STATIONS) SPACES REQUIRED:
(PER CALGREEN, TABLE 5.106.5.3.1)
25 PERCENT OF EV CAPABLE SPACES
25% OF 200 (100 PUBLIC + 100 SERVICE) = 50 SPACES

EVCS FOR PUBLIC AND COMMON USE:
(PER CBC TABLE 11B-228.3.2.1)
TOTAL NUMBER OF EVCS (5-25) = 1 VAN ACCESSIBLE, 1 STANDARD ACCESSIBLE



01 SITE PLAN - LEVEL 01
SCALE: 1" = 30'-0"

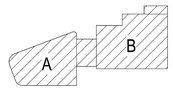
REF: 02 / A2.00

SHEET NOTES

01 PROPERTY LINE
02 CUSTOMER ENTRANCE
3 FUTURE EV CAPABLE PARKING (2 SHARED SPACES)
03 ADA CROSS ACCESS STRIPING
4 EV CHARGING STATION (2 SHARED SPACES)
04 ROOF CANOPY OVERHEAD
05 DETECTABLE WARNING STRIP; CONTRACTOR TO PROVIDE A DETECTABLE WARNING PRODUCT SAMPLE TO THE BUILDING INSPECTOR FOR APPROVAL OF COLOR CONTRAST WITH FINISH SURFACE
6 EV CHARGING STATION (2 SHARED SPACES)
06 TRASH ENCLOSURE, REF ARCH DRAWINGS
7 EV CHARGING STATION (2 SHARED SPACES)
07 FLUSH MOUNTED KNOX BOX
8 <varies>
08 BENCH AS SPECIFIED
9 FUTURE EV CAPABLE PARKING (2 SHARED SPACES)
09 ACCESSIBLE PATH OF TRAVEL
10 <varies>
11 <varies>
12 <varies>
13 ADA PARKING SPACE WITH PAVEMENT MARKING, LOADING ZONE, WHEEL STOP, AND ADA SIGNAGE
14 EV CHARGING STATION (2 SHARED SPACES)
15 FUTURE EV CAPABLE PARKING (2 SHARED SPACES)
16 <varies>
17 RETACTABLE ROLLING SECTURITY GATE WITH CONTROL BOX, REF ARCHITECTURAL DETAILS
18 <varies>
19 EXTERIOR RAMP WITH WALL MOUNTED HANDRAILS; REF ARCHITECTURAL DRAWINGS
20 SECURITY FENCE
21 SCREEN WALL AS SPECIFIED
22 CONCRETE COLOR TRANSITION; CONFIRM COLORS WITH ARCHITECT
24 <varies>
25 BIKE RACK
26 MAIN SWITCHBOARD; REF ELECTRICAL
27 MAIN SWITCHBOARD; REF ELECTRICAL

GENERAL NOTES

KEY PLAN



MERCEDES-BENZ OF MONTEREY

EXHIBIT 4

xxxx
Marina, California

Gensler

5005 Greenville Avenue
Dallas, TX 75206
United States

Tel 214.273.1500
Fax 214.273.1505

△ Date	Description
05/10/2024	PROGRESS PRINT

Seal / Signature

PRELIMINARY

THESE DOCUMENTS ARE INCOMPLETE AND NOT FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION PURPOSES

ERIC A. JAMES
CALIFORNIA REGISTERED ARCHITECT: LICENSE # C-24187

05/10/2024

Project Name
MERCEDES-BENZ OF MONTEREY

Project Number
27.8360.000

Description
ARCHITECTURAL SITE PLAN

Scale
As indicated

A0.10

© 2024 Gensler

EXHIBIT 5

LEGEND

PROPOSED		EXISTING
	PROPERTY LINE	
	APPROXIMATE GRADING LIMIT	
	1-FOOT CONTOUR	137
135	5-FOOT CONTOUR	135
51.54	GRADE	(51.54)
W w	WATER LINE	
6"SS SS	SANITARY SEWER LINE	6"SS
12"SD	STORM DRAIN LINE	12"SD
	OVERHEAD ELECTRIC LINE	OE
	UNDERGROUND ELECTRIC LINE	UE
G	GAS LINE	G
	GRADE BREAK	
	FLOWLINE	
	SAWCUT	
	TREE/SHRUB	30"CYP
	TREE TO BE REMOVED	
	FENCE	
	SIGN/BOLLARD	
	FIRE HYDRANT/FDC	
	WATER METER/VALVE	
	SEWER MANHOLE/CLEANOUT	
	STORM MANHOLE	
	ELECTRICAL METER/TRANSFORMER	
	LIGHT POLE/UTILITY POLE	
	DRAIN INLET GRATE (GRT)	
	UTILITY POINT OF CONNECTION	
	STANDARD PCC PAVEMENT/SIDEWALK	
	VEHICULAR PCC PAVEMENT	
	STANDARD AC PAVEMENT	
	HEAVY-DUTY AC PAVEMENT	
	BUILDING	

ABBREVIATIONS

±	PLUS OR MINUS; APPROX	GRT	GRATE
@	AT	INV	INVERT
AB	AGGREGATE BASE	JP	JOINT UTILITY POLE
AC	ASPHALT CONCRETE	MATCH	MATCH EXISTING GRADE
AD	AREA DRAIN	MAX	MAXIMUM
APPROX	APPROXIMATE	MH	MANHOLE
BS	BOTTOM OF STAIR	MIN	MINIMUM
CO	CLEANOUT	OG	ORIGINAL GROUND
CONC	CONCRETE	P.A.	PLANTER AREA
DEMO	DEMOLISH AND DISPOSE OF	PB	PULL BOX
D.G.	DECOMPOSED GRANITE	P.O.C.	POINT OF CONNECTION
DI	DRAIN INLET	PP	POWER POLE
DIA	DIAMETER	S.A.D.	SEE ARCHITECT'S DRAWINGS
DS	DOWNSPOUT	SC	SAWCUT
(E)	EXISTING	SD	STORM DRAIN
EG	EXISTING GRADE	SS	SANITARY SEWER
ELEV	ELEVATION	TC	TOP OF CURB
EX	EXISTING	TS	TOP OF STAIR
F	FIRE	TW	TOP OF WALL
FF	FINISHED FLOOR	UG	UNDERGROUND
FG	FINISHED GRADE	U.O.N.	UNLESS OTHERWISE NOTED
FL	FLOWLINE	UP	UTILITY POLE
FS	FINISHED SURFACE	UNKN	UNKNOWN
GB	GRADE BREAK	W	WATER
GM	GAS METER	WM	WATER METER
		WV	WATER VALVE

GENERAL NOTES

PROPERTY DATA:
ACCESSOR'S PARCEL NO: APN: 031-221-051-000 (PARCELS OP-3.2 AND OP-3.3 ON MASTER PLAN)

ZONING: SP-UV (SPECIFIC PLAN-UNIVERSITY VILLAGE)-OP 3: OFFICE/RESEARCH

FLOOD ZONE: THIS PROPERTY LIES WITH FLOOD DONE X=SHAED (0.2% ANNUAL CHANCE FLOOD AREA/AREAS OF 1% ANNUAL FLOOD CHANCE WITH DEPTHS LESS THAN ONE (1) FOOT OR WITH DRAINAGE AREAS LESS THAN ONE SQUARE MILE); PER FIRM MAP NOS:06053C0189H AND 06053C0195H, WITH AN EFFECTIVE DATES OF JUNE 21, 2017.

NOTES

1. UTILITY LOCATIONS AND SITE GRADES ARE PRELIMINARY AND SUBJECT TO FINAL ENGINEERING DESIGN AND PLANNING APPROVAL.
2. EXISTING ON-SITE TOPOGRAPHY IS BASED ON A SURVEY BY WHITSON ENGINEERS.
3. SEE UTILITY SHEET FOR PRELIMINARY STORMWATER SIZING AND ROUTING. \
4. R1 - VOLUME 24 CITIES & TOWNS, PAGE 93

EARTHWORK SUMMARY

DESCRIPTION	CUT (CY)	FILL (CY)
FINISH GRADING	14,900	13,000
SHRINKAGE (5% ESTIMATE)		650
TOTAL	14,900	13,700
NET EXPORT	1,200 CY	

1. THE QUANTITIES PRESENTED ABOVE ARE PRELIMINARY ESTIMATES ONLY, BASED ON THE ASSUMED DIFFERENCE BETWEEN EXISTING ASSUMED SUBGRADE ELEVATION AND FINISHED ASSUMED SUBGRADE ELEVATION.
2. THE FOLLOWING ASSUMPTIONS ARE INCLUDED IN THE ABOVE ESTIMATE: 12" BUILDING FOUNDATION SECTION, 9" PAVEMENT SECTION AND 6" FLATWORK, 8.0' DEEP STORM CHAMBER FOOTPRINT (24" ROCK BELOW, 5' CHAMBER, 12" ROCK ABOVE).
3. OVER-EXCAVATION AND RE-COMPACTION, UTILITY TRENCHING AND EXCAVATION FOR FOUNDATIONS ARE NOT INCLUDED IN THE ABOVE ESTIMATE.
4. THESE QUANTITIES ARE PRELIMINARY. CONTRACTOR SHALL MAKE HIS/HER OWN SITE VISIT AND QUANTITY TAKE-OFFS AND SHALL BID ACCORDINGLY.

CONSTRUCTION KEYNOTES

00
1. VERTICAL CURB TYPE B PER CITY OF MARINA STD PLAN ST-2.
2. CURB AND GUTTER PER CITY CITY OF MARINA STD PLAN ST-1.
3. 2' WIDE VALLEY GUTTER.
4. EXISTING COMMERCIAL DRIVEWAY ENTRANCE PER CITY OF MARINA STD PLAN ST-7
5. ACCESSIBLE RAMP WITH DETECTABLE WARNING SURFACE PER CITY OF MARINA STD PLAN ST-4.
6. ACCESSIBLE PARKING STALLS WITH PCC WHEELSTOP, PAVEMENT PARKINGS, AND SIGNAGE; PER CITY OF MARINA STD PLAN ST-14. S.A.D. FOR PARKING SUMMARY.
7. 24' WIDE STRIPED FIRE LANE; RED STRIPED.
8. RETRACTABLE BOLLARD, SEE ARCHITECT PLANS FOR DETAIL.
9. ROLLING SECURITY GATE WITH KNOX ACCESS, SEE ARCHITECT DRAWINGS.
10. WALLED TRASH ENCLOSURE, S.A.D.
11. FUTURE BUILDING EXPANSION, S.A.D.
12. CAR WASH
13. CONCRETE SIDEWALK
14. VEHICULAR PAVEMENT
15. VEHICULAR PAVERS
16. DRIVEWAY ENTRANCE AND VALLEY GUTTER

SCALE: 1" = 100'

Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

Whitson ENGINEERS

NOT VALID WITHOUT ORIGINAL SIGNATURE

SUBMITTAL / REVISION		
1	PLANNING SUBMITTAL COORDINATION SET	2/13/2026 CW

APN:

MERCEDES-BENZ OF MARINA
GROUND-UP CAR DEALERSHIP FACILITY
NW CORNER 1ST AVE AND DIVARTY STREET
Marina, California

EXHIBIT 5
PRELIMINARY GRADING AND DRAINAGE PLAN

PRELIMINARY DESIGN

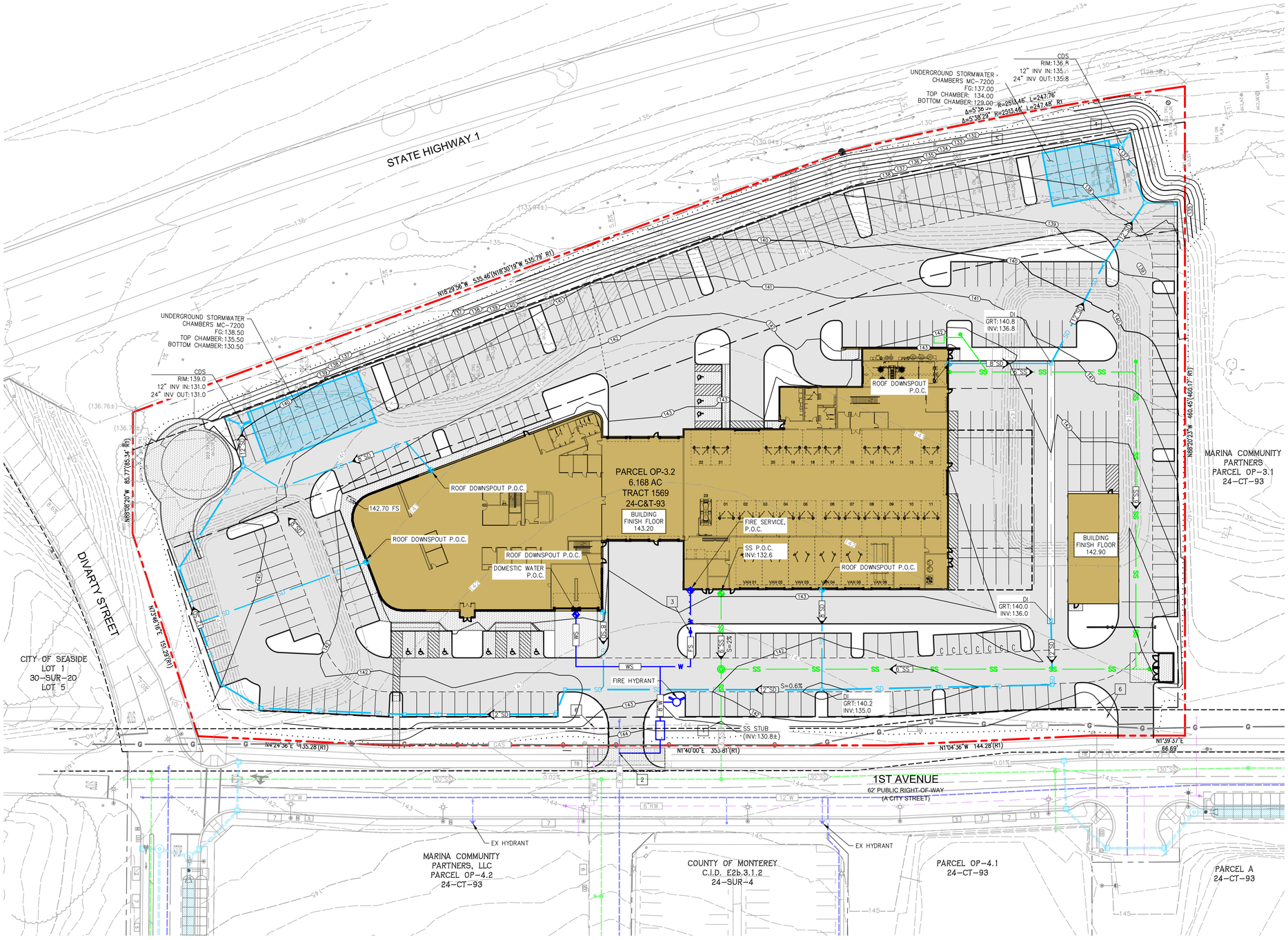
SCALE:	1"=30'
DRAWN:	CW
JOB No.:	3140.62

SHEET
XB 5
OF

811 Know what's below. Call before you dig.

0 1 2 INCHES 3

EXHIBIT 6



00 UTILITY KEYNOTES

1. CONNECT TO EX 6" SEWER LATERAL AND ROUTE TO SITE, 0.5% MIN SLOPE.
2. CONNECT TO EXISTING 8" WATER STUB; INSTALL BACKFLOW DEVICE AND WATER METER AND ROUTE WATER TO SITE FOR DOMESTIC AND FIRE SERVICES.
3. FIRE SERVICE WITH FDC.
4. STORMWATER PRE-TREATMENT DEVICE, CDS OR EQUIVALENT.
5. UNDERGROUND STORMWATER CHAMBERS, MC-7200 OR EQUIVALENT, SEE STORMWATER NOTES FOR ADDITIONAL DETAILS.
6. EXISTING RECYCLED WATER SERVICE FOR LANDSCAPE P.O.C.; S.L.D. FOR CONTINUATION.
7. ROOF DOWNSPOUT P.O.C.

STORMWATER INFORMATION

STORMWATER RUN-OFF WILL BE CAPTURED ON-SITE AND ROUTED TO UNDERGROUND STORMWATER SYSTEM(S), STORMTECH MC-7200 OR EQUAL. STORMWATER PRE-TREATMENT WILL BE PROVIDED BY CDS UNIT(S) OR EQUAL.

TOTAL PARCEL AREA=±268,424 SF (±6.16 ACRES)

ON-SITE AREA SUMMARY:
IMPERVIOUS AREA=±212,000 SF

PERVIOUS AREA=±56,400

REQUIRED STORAGE: ±18,500 CF

PROVIDED STORAGE: ±24,000 CF

NOTE: SIZING SHOWN IS BASED ON 12IN/HR INFILTRATION RATE (TO BE CONFIRMED BY GEOTECHNICAL ENGINEER).

100 0 100 200
SCALE: 1" = 100'

Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com
Whitson ENGINEERS

NOT VALID WITHOUT ORIGINAL SIGNATURE

SUBMITTAL / REVISION

1	2/13/2026	PLANNING SUBMITTAL COORDINATION SET
	CW	

MERCEDES-BENZ OF MARINA
GROUND-UP CAR DEALERSHIP FACILITY
NW CORNER 1ST AVE AND DIVARTY STREET
Marina, California

EXHIBIT 6
PRELIMINARY UTILITY PLAN

APN

SCALE:	1"=30'
DRAWN:	CW
JOB No.:	3140.62

SHEET
XB 6
OF

PRELIMINARY DESIGN

Know what's below. Call before you dig.

0 1 2 INCHES 3

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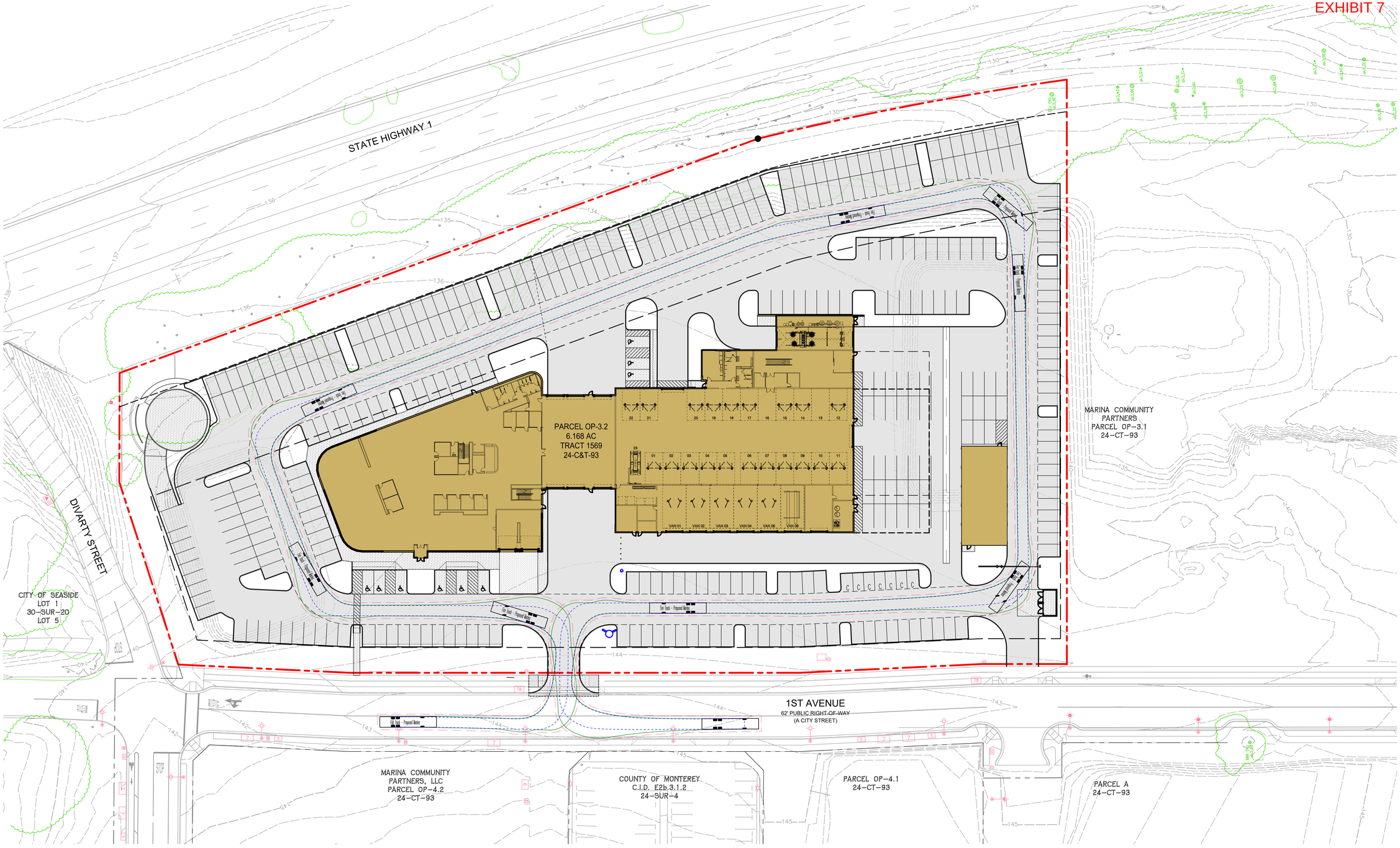
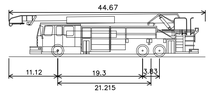
EXHIBIT 7



LEGEND

- VEHICLE ENVELOPE OFFSET (2')
- WHEEL PATH
- VEHICLE SWEEP PATH



Fire Truck – Proposed Marina	
Overall Length	44.670ft
Overall Width	8.330ft
Overall Body Height	12.67ft
Min Body Ground Clearance	0.627ft
Track Width	8.000ft
Lock-to-lock time	5.00s
Curb to Curb Turning Radius	35.980ft

Know what's below. Call before you dig. 811

0 1 2 INCHES 3

SCALE: 1" = 100'

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Monterey, California
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SUBMITTAL / REVISION

1	2/13/2026	PLANNING SUBMITTAL COORDINATION SET
	CW	

MERCEDES-BENZ OF MARINA
GROUND-UP CAR DEALERSHIP FACILITY

NW CORNER 1ST AVE AND DIVARTY STREET
Marina, California

APN

EXHIBIT 7
PRELIMINARY VEHICULAR TURNING

PRELIMINARY DESIGN

SCALE:	1"=30'
DRAWN:	CW
JOB No.:	3140.62

SHEET
XB 7
OF

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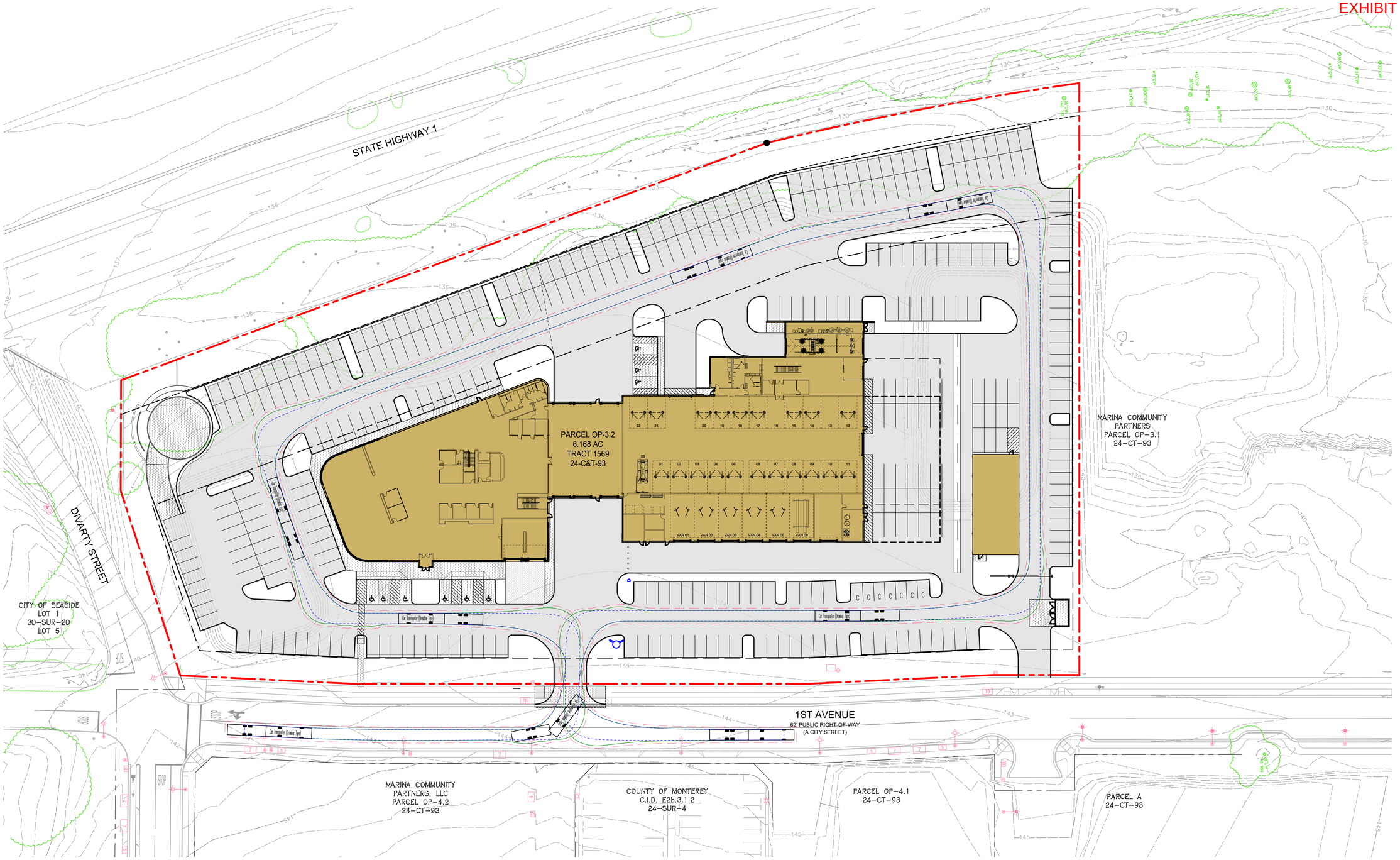
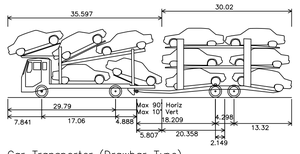


LEGEND

- VEHICLE ENVELOPE OFFSET (2')
- WHEEL PATH
- VEHICLE SWEEP PATH



Car Transporter (Drawbar Type)	
Overall Length	65.617ft
Overall Width	8.202ft
Overall Body Height	16.022ft
Min Body Ground Clearance	0.608ft
Max Track Width	8.202ft
Lock-to-lock time	6.00s
Wall to Wall Turning Radius	34.449ft

Know what's below. Call before you dig. 811

0 1 2 INCHES 3

30 0 30 60
SCALE: 1" = 30'

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831.649.5225
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SUBMITTAL / REVISION

1	2/13/2026	PLANNING SUBMITTAL COORDINATION SET
	CW	

MERCEDES-BENZ OF MARINA
GROUND-UP CAR DEALERSHIP FACILITY

NW CORNER 1ST AVE AND DIVARTY STREET
Marina, California

APN

EXHIBIT 8
PRELIMINARY VEHICULAR TURNING

PRELIMINARY DESIGN

SCALE:	1"=30'
DRAWN:	EPI
JOB No.:	3140.62
SHEET	XB 8
OF	

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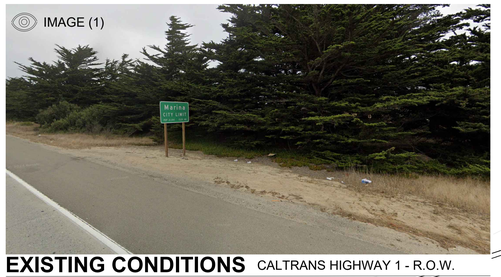


EXISTING CONDITIONS CALTRANS HIGHWAY 1 - R.O.W.
NORTH EAST VIEW
LOOKING TOWARDS 1ST AVENUE

TREE MITIGATION NARRATIVE

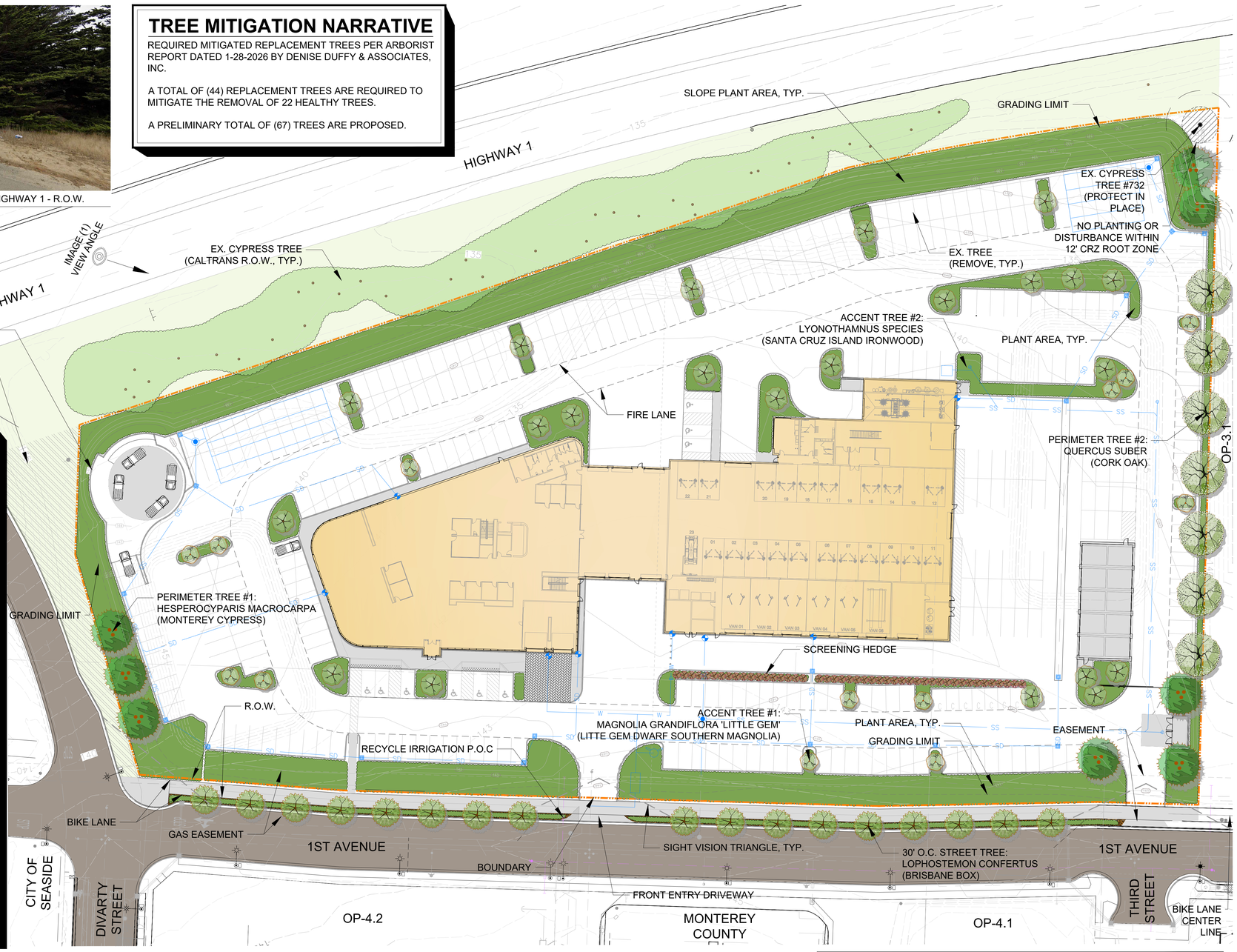
REQUIRED MITIGATED REPLACEMENT TREES PER ARBORIST REPORT DATED 1-28-2026 BY DENISE DUFFY & ASSOCIATES, INC.

A TOTAL OF (44) REPLACEMENT TREES ARE REQUIRED TO MITIGATE THE REMOVAL OF 22 HEALTHY TREES.

A PRELIMINARY TOTAL OF (67) TREES ARE PROPOSED.

IRRIGATION NOTES

1. THE IRRIGATION DESIGN WILL BE FROM RECYCLED WATER FOR THE SITE AND SHALL COMPLY WITH THE STATE MANDATED MODEL WATER EFFICIENT LANDSCAPE ORDINANCE (MWELO).
2. THE IRRIGATION SYSTEMS WILL BE AUTOMATICALLY CONTROLLED BY AN ET/'SMART' IRRIGATION CONTROLLER CAPABLE OF MULTIPLE PROGRAMMING AND INDEPENDENT TIMING OF INDIVIDUAL IRRIGATION SYSTEMS. THE CONTROLLER WILL HAVE A 24-HOUR CLOCK TO ALLOW MULTIPLE START TIMES AND REPEAT CYCLES TO ADJUST FOR SOIL PERCOLATION RATES.
3. THE IRRIGATION SYSTEMS WILL CONSIST PRIMARILY OF LOW VOLUME, LOW FLOW BUBBLERS FOR TREES, AND POINT SOURCE DRIP IRRIGATION FOR SHRUBS AND SUBSURFACE DRIPLINE FOR PARKROW GROUNDCOVERS.
4. PLANTS WILL BE GROUPED ONTO SEPARATE VALVES ACCORDING TO SUN EXPOSURE AND WATER USE TO ALLOW FOR IRRIGATION APPLICATION BY HYDROZONE. THE IRRIGATION SCHEDULING WILL REFLECT THE REGIONAL EVAPO-TRANSPIRATION RATES. THE ENTIRE SITE WILL BE DESIGNED TO RUN DURING NIGHTTIME HOURS WHEN IRRIGATION IS MOST EFFICIENT.
5. ALL MWELO DOCUMENTATION INCLUDING IRRIGATION PLANS, WATER USE CALCULATIONS AND CERTIFICATES SHALL BE SUBMITTED WITH THE LANDSCAPE IMPROVEMENT PLANS FOR REVIEW AND APPROVAL.



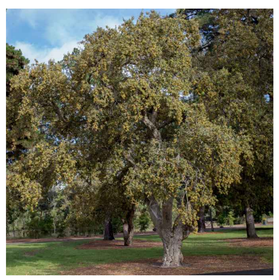
PRELIMINARY PLANT LEGEND

C.C.N.-CALIFORNIA COASTAL NATIVE

SYMBOL	BOTANICAL NAME & SIZE & WULCOLS		EXAMPLE IMAGE
(C.C.N)	**ACHILLEA MILLEFOLIUM 'SONOMA COAST'** (1'-2' HEIGHT)	LOW	
(C.C.N)	**ARCTOSTAPHYLOS PUMILA** (2'-5' HEIGHT)	LOW	
(C.C.N)	**ARCTOSTAPHYLOS TOMENTOSA** (3'-8' HEIGHT)	LOW	
	ARCTOSTAPHYLOS 'PACIFIC MIST' (2'-3' HEIGHT)	LOW	
	ARMERIA MARITIMA 'ALBA' (6"-12" HEIGHT)	MOD	
(C.C.N)	**ARTEMISIA PYCNOCEPHALA 'DAVID'S CHOICE'** (6"-24" HEIGHT)	LOW	
(C.C.N)	**BACCHARIS PILULARIS 'PIGEON POINT'** (2'-3' HEIGHT)	LOW	
	CARPENTERIA CALIFORNICA 'ELIZABETH' (5'-7' HEIGHT)	LOW	
(C.C.N)	**CEANOTHUS DENTATUS** (2'-5' HEIGHT)	LOW	
(C.C.N)	**CEANOTHUS RIGIDUS** (4'-6' HEIGHT)	LOW	
	CEANOTHUS G. HORIZONTALIS 'DIAMOND HEIGHTS' (1'-2' HEIGHT)	LOW	
(C.C.N)	**DIPLACUS AURANTIACUS** (4'-5' HEIGHT)	V.LOW	
	DIPLACUS 'CHANGELING' (2'-3' HEIGHT)	LOW	
(C.C.N)	**ERIGERON GLAUCUS 'SEA BREEZE'** (6"-12" HEIGHT)	LOW	
(C.C.N)	**ERIOGONUM FASCICULATUM** (2'-4' HEIGHT)	V.LOW	
(C.C.N)	**ERIOGONUM LATIFOLIUM** (1'-2' HEIGHT)	LOW	
(C.C.N)	**ERIOGONUM PARVIFOLIUM** (2'-3' HEIGHT)	LOW	
(C.C.N)	**FRANGULA CALIFORNICA 'MOUND SAN BRUNO'** (3'-6' HEIGHT)	LOW	
(C.C.N)	**FRAGARIA CHILOENSIS** (4"-8" HEIGHT)	MOD	
(C.C.N)	**HETEROMELES ARBUTIFOLIA** (6'-10' HEIGHT)	LOW	
(C.C.N)	**LEYMUS CONDENSATUS 'CANYON PRINCE'** (2'-3' HEIGHT)	LOW	
	MUHLENBERGIA RIGENS (3'-5' HEIGHT)	LOW	
(C.C.N)	**SYMPHORICARPOS ALBUS LAEVIGATUS** (3'-6' HEIGHT)	LOW	

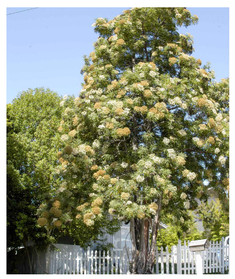
STREET TREE
LOPHOSTEMON CONFERTUS
(BRISBANE BOX)

PERIMETER TREE #1
HESPEROCYPARIS MACROCARPA
(MONTEREY CYPRESS)



PERIMETER TREE #2
QUERCUS SUBER
(CORK OAK)

ACCENT TREE #1
MAGNOLIA GRANDIFLORA 'LITTLE GEM'
(LITTLE GEM DWARF SOUTHERN MAGNOLIA)



ACCENT TREE #2
LYONOTHANMUS SPECIES
(SANTA CRUZ ISLAND IRONWOOD)

PRELIMINARY TREE LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	MIN. SIZE	WULCOLS	QTY
TREES					
	HESPEROCYPARIS MACROCARPA (C.C.N)	MONTEREY CYPRESS	24" BOX	MOD	8
	LOPHOSTEMON CONFERTUS	BRISBANE BOX	15 GAL	MOD	17
	LYONOTHANMUS FLORIBUNDUS SSP. ASPLENIIFOLIUS (C.C.N)	SANTA CRUZ ISLAND IRONWOOD	15 GAL	LOW	22
	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	LITTLE GEM DWARF SOUTHERN MAGNOLIA	15 GAL	MOD	13
	QUERCUS SUBER	CORK OAK	24" BOX	LOW	7
C.C.N. - CALIFORNIA COASTAL NATIVE		TOTAL TREES:	24" BOX 15 GAL		15 52
					67

City of Marina
1ST AVENUE & DIVARTY STREET
MARINA, CALIFORNIA 93955

MERCEDES-BENZ OF MONTEREY
Marina, California OP-3.2

PRELIMINARY LANDSCAPE PLAN
CONCEPTUAL PLAN EXHIBIT
FEBRUARY 27, 2026

vanderToolen Associates
855 Bordeaux Way
Suite 240
Napa, CA 94558
tel: 707.224.2299
www.vandertoolen.com

0' 15' 30' 60'
SCALE: 1" = 30'-0"
NORTH

L-1
Project No. 01825

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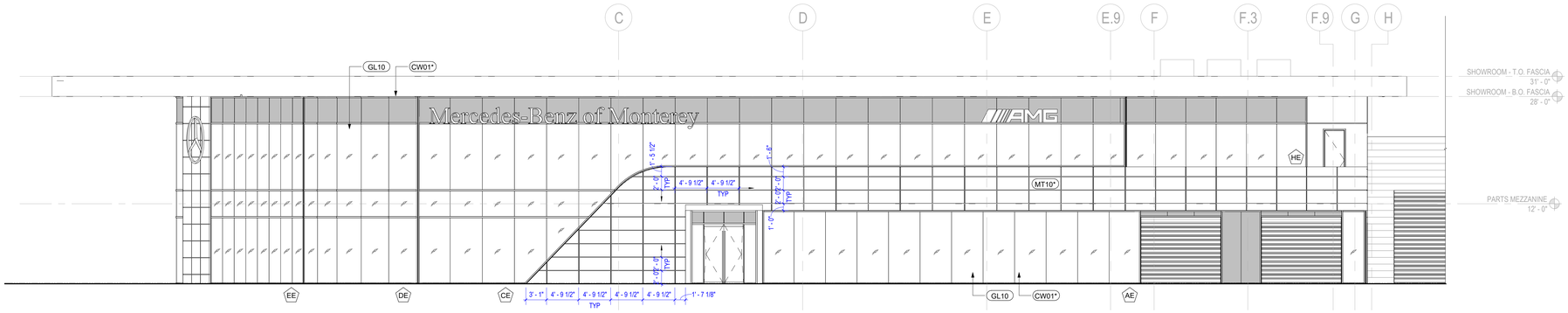
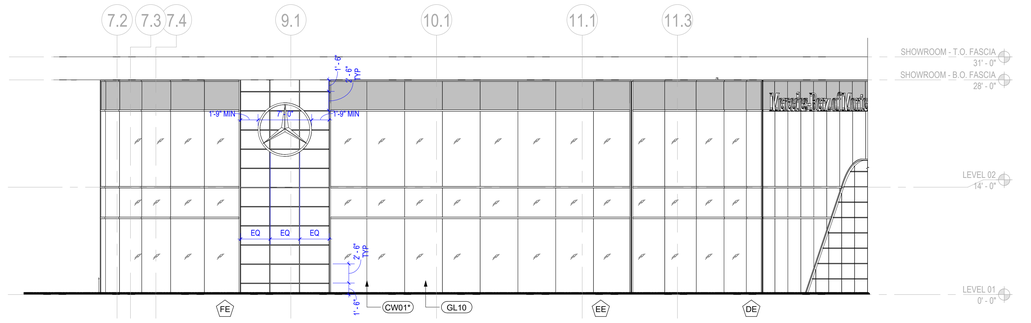


01 EXTERIOR ELEVATION - AREA A SOUTH

SCALE: 1/8" = 1'-0"

REF: /



02 EXTERIOR ELEVATION - AREA A WEST

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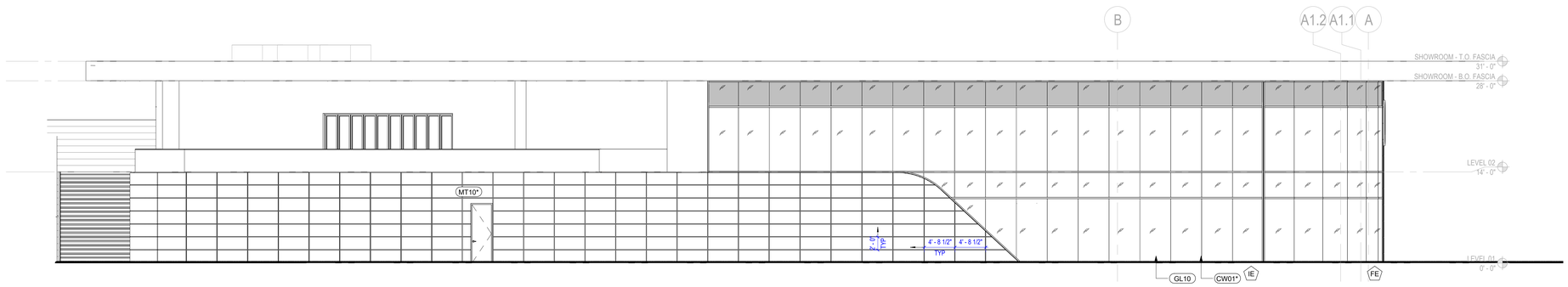

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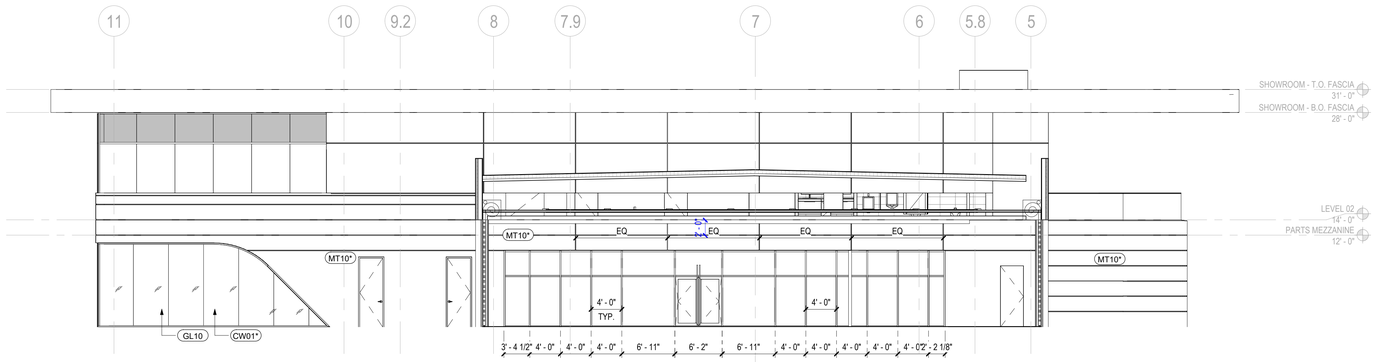

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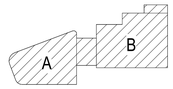
SCALE: 1/8" = 1'-0"

REF: 01 / A1.11A

SHEET NOTES

GENERAL NOTES

KEY PLAN



MERCEDES-BENZ OF MONTEREY

EXHIBIT 10

xxxx
Marina, California

Gensler

5005 Greenville Avenue
Dallas, TX 75206
United States

Tel 214.273.1500
Fax 214.273.1505

△	Date	Description

Seal / Signature

PRELIMINARY

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ERIC A. JAMES
CALIFORNIA REGISTERED ARCHITECT: LICENSE # C-24187

02/09/2024

Project Name
MERCEDES-BENZ OF MONTEREY

Project Number
27.8360.000

Description
BUILDING ELEVATIONS - AREA A

Scale
1/8" = 1'-0"

A2.01

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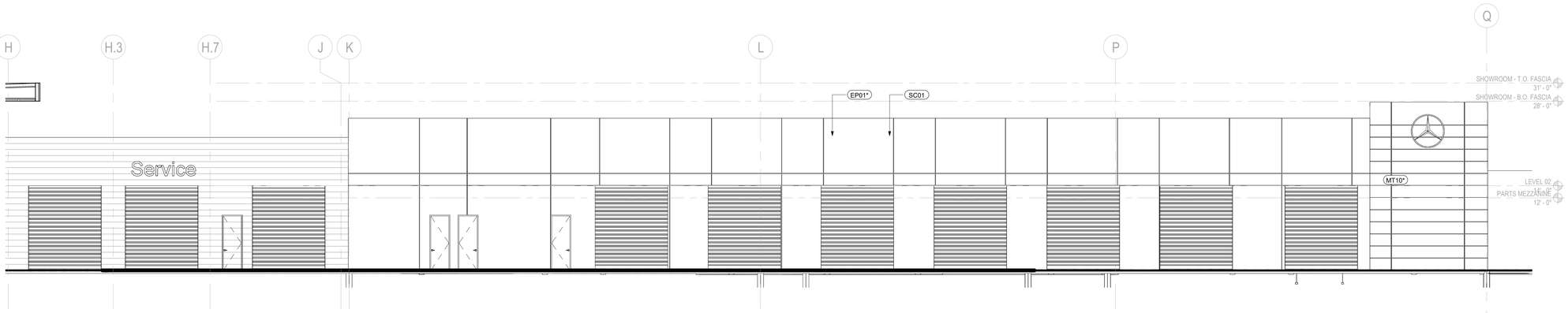

01 EXTERIOR ELEVATION - AREA B SOUTH

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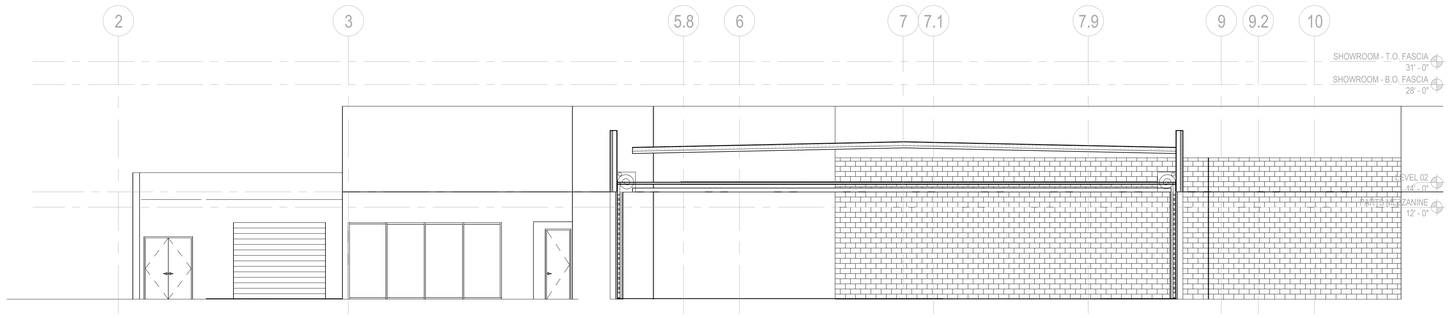

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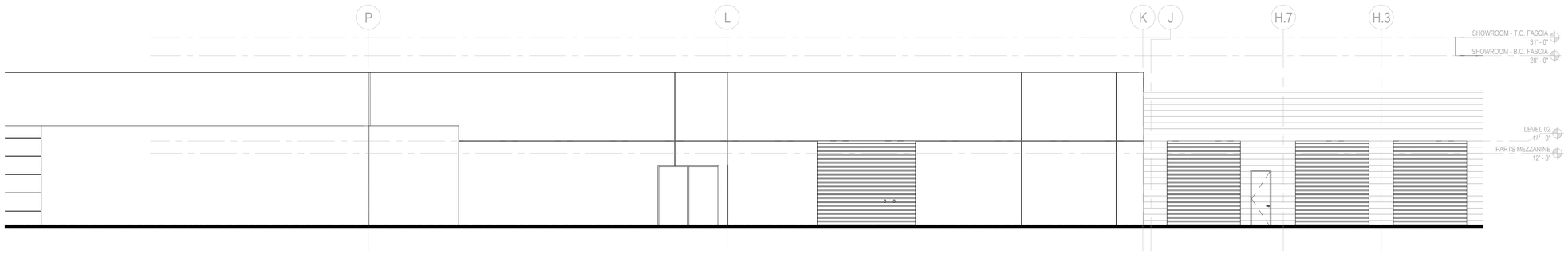

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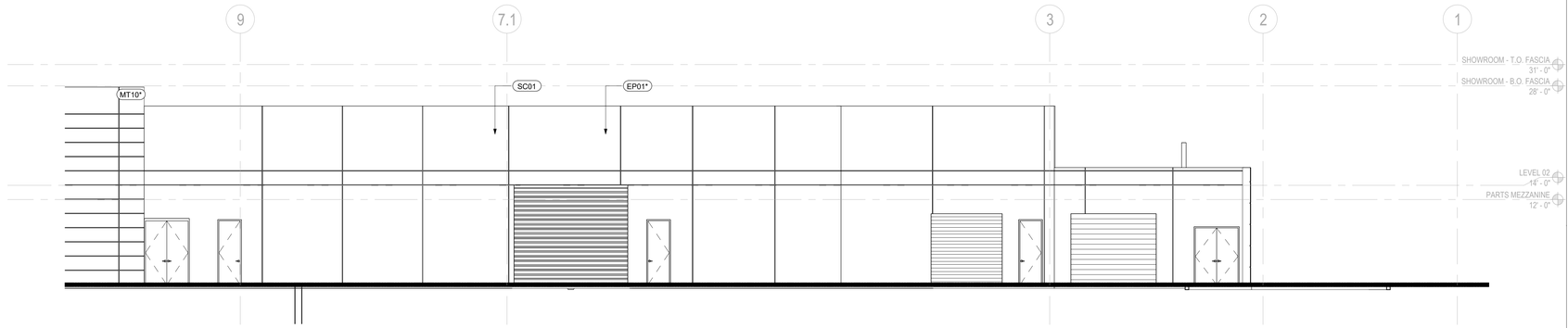


04 EXTERIOR ELEVATION - AREA B EAST

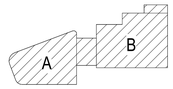
SCALE: 1/8" = 1'-0"

REF: /

SHEET NOTES

GENERAL NOTES

KEY PLAN



MERCEDES-BENZ OF MONTEREY

xxxx
Marina, California

Gensler

5005 Greenville Avenue
Dallas, TX 75206
United States

Tel 214.273.1500
Fax 214.273.1505

△	Date	Description

Seal / Signature

PRELIMINARY

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ERIC A. JAMES
CALIFORNIA REGISTERED ARCHITECT: LICENSE # C-24187

02/09/2024

Project Name
MERCEDES-BENZ OF MONTEREY

Project Number
27.8360.000

Description
BUILDING ELEVATIONS - AREA B

Scale
1/8" = 1'-0"

A2.02

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EXHIBIT 11

Memorandum

To: Marina Community Partners, LLC

From: Layne Long, City Manager

Date: 12/1/2023

Re: Administrative Modifications to Project Approvals for The Dunes Development Project (formerly The University Villages Project)

The City of Marina ("City") and Marina Community Partners, LLC ("MCP") entered into a Development Agreement dated as of July 8, 2005 ("Development Agreement") related to the Dunes Development Project (formerly The University Villages Project and referred to herein as the "Project"). Section 3.1 of the Development Agreement addresses amendments to the Development Agreement and to the Project Approvals. For purposes of the Development Agreement, Project Approvals means the permits and approvals granted or to be granted to MCP by the City for the Project including the University Villages Specific Plan approved by the City Council of Marina by Resolution No. 2005-130 adopted on May 31, 2005 ("Specific Plan").

Section 3.1.4 of the Development Agreement grants the Strategic Development Director authority to make minor modifications to the Project Approvals as an administrative amendment, without notice, hearing, CEQA review or formal action by any commission or board or the City Council including lot line and parcel adjustments, changes in density, intensity, scale and scope of the Project. The City previously eliminated the position of Strategic Development Director and vested the City Manager with the authority and job duties previously assigned to the Strategic Development Director.

The Specific Plan designates certain parcels in the Specific Plan Area as Office/Research and Development/Light Industrial, including Opportunity Site 3. The Office/Research designation permits a variety of uses including boat sales and recreational vehicle sales. However, the Specific Plan does not currently permit

automobile sales in the Office/Research and Development/Light Industrial land use areas but does allow automobile sales in other areas including the Multiple Use designation.

Based on the authority granted in Section 3.1.4 for the Strategic Development Director, now the City Manager, to approve minor modifications to Project Approvals, including the Specific Plan, I am approving a minor modification to the Specific Plan to designate automobile sales as a permitted use in areas designated as Office/Research and Development/Light Industrial.

EXHIBIT 12

Tree Assessment and Arborist Report for the Mercedes Benz Project

February 2026

Prepared for

Ken Roycroft
Unstoppable Automotive Group, LLC
40910 Temecula Center Drive
Temecula, CA 92591

Prepared by

Patric Krabacher, ISA Certified Arborist #11759 TRAQ
ASCA Registered Consulting Arborist #887
400 Cass Street, Suite 5
Monterey, California 93940
Denise Duffy & Associates, Inc.

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ATTACHMENTS

ATTACHMENT A. Project Civil Plans and Landscaping Plans

ATTACHMENT B. Tree Table

ATTACHMENT C. Photo Log

1. INTRODUCTION

Denise Duffy & Associates, Inc. (DD&A) is contracted by Unstoppable Automotive Group, LLC (UAG) to provide environmental consulting services for the Mercedes Benz Project (project or proposed project), located in the City of Marina (City) in Monterey County, California. The project is located in the City of Marina (City) on Assessor's Parcel Number (APN) 031-221-022-000 (Parcel OP 3.2, **Figure 1**). Tree removal within the project site is regulated by the University Villages Specific Plan (UVSP) Existing Tree Removal, Relocation, and Replacement Standards (Tree Standards), approved on May 31, 2005; the UVSP Final Environmental Impact Report (FEIR) and Resolution; the UVSP Mitigation Monitoring and Reporting Program (MMRP); and Marina Municipal Code (MMC or City Code) Chapter 17.62 (Tree Removal, Preservation, and Protection). Tree removal within the project site will require approval from the City prior to construction of the project.

This report was prepared to satisfy the requirements of MMC Chapter 17.62 and assist in the design phase to avoid as many healthy tree as practicable. This tree assessment and arborist report recommends trees for retention or removal pursuant to the proposed project. This report also outlines measures to protect all other trees within the vicinity of the project, identifies the amount of native trees to be removed, and the final number of recommended replacement trees. This report also recommends mitigation, where necessary, to avoid, reduce, or mitigate potential project impacts to trees and other biological resources (i.e., nesting birds) which may result from tree removal.

1.1. Project Location

The project is located within the southwestern corner of the City, directly northwest of the corner of 1st Avenue and Divarty Street, on APN 031-221-022-000, in the County of Monterey, California.

1.2. Project Description

The project consists of the construction of new dealership and automotive facilities, including parking, buildings, and associated utility infrastructure (**Attachment A**).

2. METHODS

2.1 Limitations

It is not the intent of this report to provide a monetary valuation of the trees or provide risk assessment for any tree, as any tree can fail at any time. The inspection of these trees consisted solely of a visual inspection from the ground. While more thorough techniques are available for inspection and evaluation, they were neither requested nor considered necessary or appropriate at this time. No clinical diagnosis was performed on any pest or pathogen that may or may not be present within the site. In addition to an inspection of the property, DD&A relied on information provided by the project proponent (e.g., survey boundaries, property boundaries, project description) to prepare this report, and must reasonably rely on the accuracy of the information provided. Trees can be managed but not controlled. To live near trees, regardless of their condition, is to accept some degree of risk. The only way to eliminate all risks associated with trees is to eliminate all trees. DD&A shall not be responsible for another's means, methods, techniques, schedules, or procedures, or for contractor safety or any other related programs, or for another's failure to complete work in accordance with approved plans and specifications.

Tree Survey Area
Mercedes Benz Project

Date
2/11/2026

Scale
1 in = 130 ft

DENISE DUFFY & ASSOCIATES, INC.
Planning and Environmental Consulting

Figure
1
67

Path: D:\GIS\GIS_Projects\2022-55 Dunes Phase 3\2022-55 Dunes Phase 3 OP3 OP4 2025.aprx

2.2 Regulatory Setting

2.2.1 City of Marina Municipal Code

City of Marina Municipal Code (MMC) Section 17.62.030 requires a tree removal permit to remove, damage, or relocate, or cause to be removed, damaged, or relocated any tree on any property within City limits, unless exempted by MMC Sections 17.62.040 or 17.62.050. MMC Section 17.62.030 also prohibits construction activities within the dripline of any tree, unless these activities are conducted in compliance with tree protection guidelines adopted by resolution of the planning commission.

MMC defines "tree" as any living woody perennial plant having a single stem of six (6) inches or more diameter at breast height (DBH; measured at 4.5 feet above ground) or a multi-stemmed plant having an aggregate diameter of ten inches or more measured at DBH, and any living woody perennial plant which was planted in accordance with requirements of an approved compensation plan or was planted as part of a landscaping plan approved by the City. MMC defines "Dripline" as the greater of the outermost edge of the tree's canopy, or fifteen times DBH measured from the center point of the tree.

2.2.2 UVSP Tree Standards

UVSP Tree Standards call for the preservation of as many healthy Monterey cypress trees and oak trees as practicable. In accordance with the UVSP Tree Standards, Monterey cypress trees and oak trees that are in good or fair condition must be protected during construction and preserved wherever practicable. If relocation is possible, Monterey cypress and oak trees shall be removed by machinery, be immediately replanted at a new site, and be watered and fertilized. Existing healthy trees determined to be in good or fair condition that are removed shall be replaced on-site at a ratio of two (2) replacement trees for every one (1) removed (2:1).

2.3 Survey Methods

DD&A biologists, led by Certified Arborist Patric Krabacher, conducted a tree survey of the project site on January 27, 2025. The survey area encompassed the project's construction limits. Protected trees (trees that require a tree removal permit from the City and/or are defined in the UVSP) were inventoried in accordance with the following protocol, which was designed to meet the requirements of both MMC Chapter 17.62 and USVP Tree Standards:

- Excluding acacias (*Acacia* sp.)[1], all trees (including dead snags) 6" DBH or greater were tagged with a GPS location and a numbered aluminum marker (on the most feasible/visible location possible). Tree diameter was recorded at breast height (54 inches or 4.5 feet above native grade) or (for multi-stemmed trees) at the most representable location.
- Species, size, and health class were recorded for each tree. Tree health was recorded based on the UVSP health classifications, as follows:
    - *Good.* Tree is healthy and vigorous as indicated by color of foliage and density, has no apparent signs of insect, disease, structural defects or mechanical injury. Tree has good form and structure.

[1] Per UVSP Tree Standards, page 118, acacias (6" DBH or greater) were mapped with a GPS location but were not tagged or inventoried.

  - *Fair.* Tree is in average condition and vigor for the area, but may show minor insect, disease, or physiological problems. Trees rated as fair may be improved with correctional pruning.
  - *Poor.* Tree that is in a general state of decline and may show severe structural or mechanical defects which may lead to failure, may have insect or disease damage, but is not dead.
  - *Dead/Snag.* Dead standing tree.

- Multi-stemmed trees were recorded as one (1) tree if the root crown (the point where the trunk meets natural grade) was contiguous. Multi-stemmed tree DBH was calculated by taking the square root of the squared sum of all stems measured ($\sqrt{}$[Stem 1 DBH^2+ Stem 2 DBH^2+ Stem 3 DBH^2...]). This equation returns to the diameter at the base of the tree (Chojnacky, 1999).
- Tree dripline (also known as the "tree protection zone" [TPZ]) was calculated as 1.5 feet for every one (1) inch DBH.
- Critical root zone (CRZ) was calculated as one (1) foot for every one (1) inch DBH in accordance with American National Standards Institute (ANSI) A300 Part 8 & Part 5 (ANSI, 2023).

3. RESULTS

DD&A inventoried 44 Monterey cypress (*Hesperocyparis macrocarpa*) trees within or directly adjacent to the project site (**Figure 2; Appendix A**) [2]. DD&A inventoried three (3) dead trees, 17 trees in poor health, and the remaining 24 in fair health. Fifty-two percent of the trees inventoried are in fair condition; they are in average vigor for the area but are showing signs of diseases and insect infestations, including pitch canker, foamy bark canker, beetle evidence (i.e. saw dust and small symmetrical holes), sooty mold, and *Phytophthora* root and crown rot. (**Figure 3**). The remaining 48% of trees inventoried were determined to be either in a state of decline, in poor condition, or dead due to biotic and abiotic stressors including but not limited to neglect, fire (homeless encampments), sooty mold, and *Phytophthora* root and crown rot, or boring beetles. No symptoms of sudden oak death were observed.

[2] Two (2) trees (Trees 728 and 730) were included in this calculation due to their proximity to the project site.

Tree Survey Results and Removal Plan
Mercedes Benz Project

Date
2/11/2026

Scale
1 in = 85 ft

DENISE DUFFY & ASSOCIATES, INC.
Planning and Environmental Consulting

Figure
2
70

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Tree Survey Results Health Ratings
Mercedes Benz Project

Date
2/11/2026

Scale
1 in = 85 ft

DENISE DUFFY & ASSOCIATES, INC.
Planning and Environmental Consulting

Figure
3

Path: D:\GIS\GIS_Projects\2022-55 Dunes Phase 3\2022-55 Dunes Phase 3\2022-55 Dunes Phase 3 OP3 OP4 2025.aprx

4. DISCUSSION/CONCLUSION

4.1 Tree Preservation

The project proposes to retain one (1) Monterey cypress (Tree No. 732). Efforts were made to retain two (2) additional Monterey cypress trees (Tree Nos. 712 and 752) through design modifications; however, these efforts were determined to be infeasible. Meetings with the project's Civil Engineer (Whitson Engineers) explored options to preserve Tree Nos. 712 and 752, but it was ultimately concluded that preservation would require the construction of extensive retaining walls. The retaining walls would significantly impact over 30% of the CRZ of these trees and the ultimate survival of the two (2) trees cannot be guaranteed.

Alternatively, DD&A, Whitson, as well as the project landscape architect (vanderToolen Associates Inc.) recommend the removal of Tree Nos. 712 and 752 in order to grade the area to a more natural slope. This would allow the area to be revegetated with native plant species which would provide long term beneficial erosion control and restoring and revegetating a more natural slope was determined to be the more feasible and sustainable approach.

4.2 Tree Removal

As a result of the proposed project, 41 Monterey cypress trees would require removal for the construction of the project pursuant to existing plans (**Figure 2, Appendices C & D**). The removal of the 41 trees would impact the existing windbreak; however, a majority of the windbreak would be retained within the California Department of Transportation right-of-way adjacent to the western project boundary. Therefore, the removal of these trees is not anticipated to completely remove the windbreak. A tree removal permit from the City is required for all living trees. Three (3) trees proposed for removal are dead; therefore, a tree removal permit is required for the remaining 38 live trees. Tree removal must incorporate the mitigation measures and regulatory requirements of the FEIR, the MMRP, and the UVSP Tree Standards, as follows:

- Pre-construction surveys for active [bird] nests shall be conducted by a qualified biologist within 250 feet of proposed construction activities no more than 30 days prior to construction. If active nests are found and the biologist determines that construction activities would adversely affect the nest or cause nest abandonment, then those activities shall be avoided in these areas until the young have fledged, as by the qualified biologist. Once the young have fledged, construction activities may resume in the vicinity and no further mitigation measures shall be required.

- Prior to the removal of large trees, a qualified biologist shall survey the trees for presence of roosting bats. If special-status bat species are present, the following measures shall be implemented:

    - Tree removal should not occur if maternity bat roosts are present (between April 15 and August 1) in the trees to be removed.
    - No tree removal should occur within 300 feet of the maternity roost until all young bats have fledged, as determined by a qualified biologist.
    - If special-status bats are present but there is not an active maternity roost, a Memorandum of Understanding (MOU) with the California Department of Fish and Wildlife (CDFW) should be obtained in order to remove the animals prior to tree removal. Alternate habitat may need to be provided if bats are to be excluded from

maternity roosts. A roost with comparable spatial and thermal characteristics should be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by CDFW that includes relocating all bats found on-site to an alternate suitable habitat. A Mitigation and Monitoring Plan that mitigates for loss of bat roosting habitat should be prepared by a qualified biologist and approved by CDFW prior to tree removal.

- Existing trees in good or fair condition which are removed shall be replaced on site at a ratio of two replacement trees for each tree removed (2:1) in compliance with MMC and UVSP Standards. DD&A also recommends trees to be retained, and replanting's follow the Tree Replacement Plan outlined in Section 5 and Tree Protection Plan outlined in Section 6 below.

4.3 Transplanting

Transplanting trees within this parcel was also explored and discussed. Tree No. 691 was relocated from this parcel to a roundabout located within the Dunes community at the intersection of 8th Street and Ocean Bluffs Ave; however, this was a free-standing tree. Free standing trees do not have the same transplanting limitations as those located within a contiguous forest environment. These limitations are described further below.

Transplanting several larger trees was considered to mitigate the loss of tree removal; however, this was determined to be infeasible due to the contiguous forest present along the western project boundary. Trees within a contiguous forest are not recommended for transplanting due to the intertwining of roots with adjacent trees and lack of reaction wood. These trees are not typically capable of supporting themselves without the structural support of the surrounding forest. Mass damping is a natural mechanism where branches and foliage sway to absorb and dissipate wind energy, allowing trees to minimize structural loads on the trunk and roots and increase mechanical stability during storms. Mass damping is vital to the structural stability of trees and forests and when you have a contiguous forest like the one on the western portion of the project all these trees work together against the natural elements.

Mass damping can be critically disrupted when trees are transplanted, causing the tree to sway more and increasing failure risk. Transplanted trees from a contiguous forest do not have the reaction wood and are not resistant to natural elements like single standing trees. Additionally, transplanting causes stress (transplant shock), often resulting from significant root mass reduction and associated water stress. Therefore, it is not recommended to transplant any trees from the survey area as they are located within a contiguous forest and are unlikely to survive.

5. TREE REPLACEMENT PLAN

Per UVSP Tree Standards, mitigation (i.e., tree replacement) is only required for the removal of healthy trees. Of the 38 living trees planned for removal, 22 are in fair condition and 16 are in poor condition (**Appendix A**). As a result, a total of 44 replacement plantings are required to mitigate for the removal of 22 healthy trees. Tree replacement shall follow the specifications outlined below.

5.1. Planting Locations

Planting locations for replacement trees shall be as follows:

1. Spacing replacement plantings shall be approximately ten (10) feet from any adjacent established tree or replacement planting or in the most appropriate offset feasible for the site. This spacing allows for efficient early growth and establishment.
2. Any compacted soil shall be scarified to an approximate depth of six (6) inches using hand tools, a rototiller, or similar equipment. Based on site observations, the need for soil decompaction is expected to be minimal. Soil decompaction shall not be performed within ten (10) feet of any existing tree to avoid impacting the root system or trunk.

5.2. Planting Methods

Planting methods for replacement trees shall be as follows:

1. Planting shall occur during the cool season after several winter rain events have moistened the soil to a depth of at least six (6) inches and shorter photoperiods and cooler daily temperatures reduce the stress on new plants (typically November – February). When feasible, planting will be scheduled during periods of cool weather when precipitation is forecasted. Installing container stock during the winter when soil is moist maximizes the odds of success.
2. Following the determination of tree location by the restoration practitioner or arborist, a planting pit shall be excavated at each location that is equal to the depth of the container and approximately twice the width of the container. Each tree shall be carefully removed from the container and placed upright in the planting pit so that the stem is vertical and the root crown is level with existing grade. Each pit shall be backfilled with existing native soil. Soils shall be compressed around the rootball to remove air pockets, and a water retention basin of at least two (2) feet diameter shall be constructed around each tree. Following planting, each tree shall be watered with approximately five (5) gallons of water.
3. Mulch shall be placed approximately 2-4-inches deep around container stock plantings to improve retention of soil moisture and suppress weed growth around new plantings. Mulch shall be placed six (6) inches away from the base of the plantings to allow the tree to respire and avoid the propagation of root rot. Mulch products may include clean wood chips (placed to a thickness of two inches) from a known source, coir weed mats, or similar biodegradable natural products. Mulch with plastic or other non-biodegradable materials shall be prohibited.
4. Tree plantings shall be watered for at least one (1) year after planting to promote successful establishment. Irrigation may be completed by hand or by a drip irrigation system. Irrigation is expected to be required primarily during the dry months between May and early October and during periods of prolonged dry conditions (i.e., >2 weeks) during the winter.

5. A qualified arborist shall inspect replacement plantings for the first two (2) years to monitor survivability and growth progress. If the arborist determines replacement plantings are declining, they shall be replaced at a 1:1 ratio in compliance with measures outlined in this report, and the monitoring period will be reset.

6. TREE PROTECTION PLAN

6.1 Protective Fencing

All trees which will be retained during construction but whose Tree Protection Zone (TPZ) lies within or partially within the project site shall be protected prior to and during construction per the following specifications:

1. Fencing or barricades shall be installed along the entire perimeter of a tree's TPZ to the extent feasible; generally, no less than 75 percent of a tree's TPZ shall be within the fenced area. However, fencing location may be adjusted or omitted in coordination with a certified arborist.
2. Fencing shall consist of either chain link, supported snowdrift or plastic mesh, hay bales, or field fence. Fencing shall have cross bracing (typically 2x4 material) on both the top and lower edges of the fencing material to prevent sagging and provide lateral support. Fencing shall stand a minimum height of five (5) feet above grade.
3. Fenced areas and the trunk protection materials shall remain in place during the entire construction period. Torn or damaged roots shall be cleanly cut to sound wood wherever possible to minimize decay entry points. Any root found that must be cut should be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment. No tree seals shall be used as seal material promotes decay.

6.2 Soil Related Construction Activities

All activities within the CRZ shall be coordinated with the project arborist prior to entering if changes from this plan are proposed. All recommended measured below shall only be modified with coordination with the project arborist and/or the city.

<u>Prohibited Activities within TPZ</u>

4. No parking of vehicles or equipment, or storage of materials shall be permitted with.in the dripline of the trees designated to remain.
5. Staging areas and access routes shall be designed to avoid trees and tree canopies.
6. Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials is not permitted within the CRZ for trees on the property.

<u>Permitted Activities Under Direct Supervision of the Project Arborist</u>

7. Soil disturbance (e.g., over excavation, sub excavation, grading, compaction or trenching) beyond a feature to be built within or near a TPZ shall be reduced to a maximum extent possible to reduce or avoid soil related impacts within TPZ. In no instance should disturbance exceed the following distances towards a tree's trunk: 12 inches for a curb, gutter, walkway or 24 inches for retaining walls, foundations and concrete pads.

8. For protected trees where the TPZ was reduced from the dripline at the direction of the project forester or arborist, a mulch layer up to approximately four (4) inches deep shall be applied to the ground following construction. Only one (1) to two (2) inches of mulch should be applied within one (1) to two (2) feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated on-site.
9. All trenching, soil scraping, over excavation, and grading (soil cuts, over excavation, fill, and finish-grading) shall be avoided within the TPZ, as feasible or under the direct supervision of the project arborist.

6.3 Root Pruning and Protection

Pursuant to ANSI A300 Standards for Root Pruning and Tree Protection the following measures shall be implemented throughout construction:

10. If roots must be left exposed for more than eight (8) hours, cover them with wet burlap and mist with water to prevent them from drying out.
11. Roots greater than two (2) inch will be inspected and evaluated by the project arborist. If necessary, the root will be retained, wrapped in protective material (foam pipe wrap) and avoided.
12. Never cut roots over two (2) inches diameter without prior consultation from the project arborist, as these are typically structural roots and critical to the tree's health and stability.
13. Roots shall be cut clean with a sharp saw or loppers to encourage wound closure and discourage decay.
14. Fill the area where root was exposed or pruned with quality topsoil. A layer of mulch helps retain moisture and encourages new root growth.
15. Water the area thoroughly and monitor the tree for signs of stress or pests, especially if rainfall is inadequate.
16. All pruning shall be following the Tree Pruning Guidelines (International Society of Arboriculture) and/or the ANSI A300 Pruning Standard (American National Standard for Tree Care Operations) and adhere to the most recent edition of ANSI Z133.1.

7. REFERENCES

Chojnacky, David C. 1999. Converting Tree Diameter Measured at Root Collar to Diameter at Breast Height.

City of Marina Municipal Code, 2026. Chapter 17.62 – Tree Removal, Preservation, and Protection.

Dunster and Dunster, 1996. Dictionary of Natural Resource Management, Dunster and Dunster.

8. GLOSSARY

Definitions provided by Dunster and Dunster, 1996. Dictionary of Natural Resource Management

Critical Root Zone (CRZ) – The area of soil around a tree's trunk that contains the majority of its important, fine, and absorbing roots—vital for water and nutrient uptake. This zone is essential for the tree's health and stability.

Mass Dampening – The process by which smaller, flexible branches sway at different frequencies than the main trunk, absorbing and dissipating wind energy rather than transferring it all to the trunk and roots.

Reaction Wood – Specialized wood produced by trees to correct structural imbalances caused by leaning, wind, or heavy snow, acting as a gravitational response to restore verticality.

Root Zone – refers to the area of soil surrounding a tree's roots that is critical for water and nutrient uptake. This zone typically extends beyond the tree's drip line—the outermost edge of the canopy. The critical root zone, often defined as the area within the drip line, is vital for the tree's stability and health; damaging roots in this area can cause significant dieback or even death.

Tree Protection Zone (TPZ) – a designated area surrounding a tree, established during construction or development, that must be kept free from disturbance to protect the tree's health and structural stability.

ATTACHMENT A

Project Civil Plans
and
Landscaping Plans

ATTACHMENT B

Tree Table

Appendix B – Tree Table for the Mercedes Benz Project

Tree Number	Species	Common	DBH per Stem				Total DBH	Dripline per MMC (ft)	CRZ (ft)	Health	Status	Comment
696	Hesperocyparis macrocarpa	Monterey Cypress	9				9	11	3	Fair	Remove	
697	Hesperocyparis macrocarpa	Monterey Cypress	8				8	10	3	Fair	Remove	
698	Hesperocyparis macrocarpa	Monterey Cypress	58	30	29	18	74	92	25	Poor	Remove	Sooty mold, Structural
699	Hesperocyparis macrocarpa	Monterey Cypress	12				12	15	4	Fair	Remove	
700	Hesperocyparis macrocarpa	Monterey Cypress	11				11	14	4	Poor	Remove	
701	Hesperocyparis macrocarpa	Monterey Cypress	14				14	18	5	Poor	Remove	
702	Hesperocyparis macrocarpa	Monterey Cypress	30				30	38	10	Poor	Remove	Sooty mold, Structural
703	Hesperocyparis macrocarpa	Monterey Cypress	7				7	9	2	Fair	Remove	
704	Hesperocyparis macrocarpa	Monterey Cypress	22				22	28	7	Fair	Remove	
705	Hesperocyparis macrocarpa	Monterey Cypress	18				18	23	6	Fair	Remove	
706	Hesperocyparis macrocarpa	Monterey Cypress	16				16	20	5	Fair	Remove	
707	Hesperocyparis macrocarpa	Monterey Cypress	30				30	38	10	Fair	Remove	
708	Hesperocyparis macrocarpa	Monterey Cypress	10				10	13	3	Fair	Remove	
709	Hesperocyparis macrocarpa	Monterey Cypress	16				16	20	5	Fair	Remove	
710	Hesperocyparis macrocarpa	Monterey Cypress	19				19	24	6	Poor	Remove	Sooty mold, Structural
711	Hesperocyparis macrocarpa	Monterey Cypress	20				20	25	7	Fair	Remove	
712	Hesperocyparis macrocarpa	Monterey Cypress	68				68	85	23	Fair	Remove	
713	Hesperocyparis macrocarpa	Monterey Cypress	20				20	25	7	Poor	Remove	Sooty mold
714	Hesperocyparis macrocarpa	Monterey Cypress	12				12	15	4	Poor	Remove	Sooty mold
715	Hesperocyparis macrocarpa	Monterey Cypress	14				14	18	5	Fair	Remove	
731	Hesperocyparis macrocarpa	Monterey Cypress	17				17	21	6	Fair	Remove	
732	Hesperocyparis macrocarpa	Monterey Cypress	36				36	45	12	Fair	Retain	
733	Hesperocyparis macrocarpa	Monterey Cypress	18				18	23	6	Poor	Remove	Sooty mold, Structural
734	Hesperocyparis macrocarpa	Monterey Cypress	12				12	15	4	Poor	Remove	Sooty mold
735	Hesperocyparis macrocarpa	Monterey Cypress	29				29	36	10	Fair	Remove	
736	Hesperocyparis macrocarpa	Monterey Cypress	21	21			30	37	10	Fair	Remove	
737	Hesperocyparis macrocarpa	Monterey Cypress	30				30	38	10	Fair	Remove	
738	Hesperocyparis macrocarpa	Monterey Cypress	31				31	39	10	Poor	Remove	Sooty mold, Structural
739	Hesperocyparis macrocarpa	Monterey Cypress	33				33	41	11	Poor	Remove	Sooty mold, Structural
740	Hesperocyparis macrocarpa	Monterey Cypress	28				28	35	9	Poor	Remove	Sooty mold, Structural

Tree Number	Species	Common	DBH per Stem				Total DBH	Dripline per MMC (ft)	CRZ (ft)	Health	Status	Comment
741	Hesperocyparis macrocarpa	Monterey Cypress	50				50	63	17	Fair	Remove	
742	Hesperocyparis macrocarpa	Monterey Cypress	21				21	26	7	Poor	Remove	Sooty mold, Structural
743	Hesperocyparis macrocarpa	Monterey Cypress	62				62	78	21	Fair	Remove	
744	Hesperocyparis macrocarpa	Monterey Cypress	28				28	35	9	Poor	Remove	Sooty mold, Structural
746	Hesperocyparis macrocarpa	Monterey Cypress	37				37	46	12	Poor	Remove	Sooty mold, Structural
747	Hesperocyparis macrocarpa	Monterey Cypress	17				17	21	6	Dead	Remove	
748	Hesperocyparis macrocarpa	Monterey Cypress	16				16	20	5	Dead	Remove	Burned
749	Hesperocyparis macrocarpa	Monterey Cypress	19				19	24	6	Dead	Remove	Burned
750	Hesperocyparis macrocarpa	Monterey Cypress	9				9	11	3	Poor	Remove	Canker
751	Hesperocyparis macrocarpa	Monterey Cypress	18				18	23	6	Fair	Remove	
752	Hesperocyparis macrocarpa	Monterey Cypress	60				60	75	20	Fair	Remove	
745b	Hesperocyparis macrocarpa	Monterey Cypress	20				20	25	7	Fair	Remove	

ATTACHMENT C

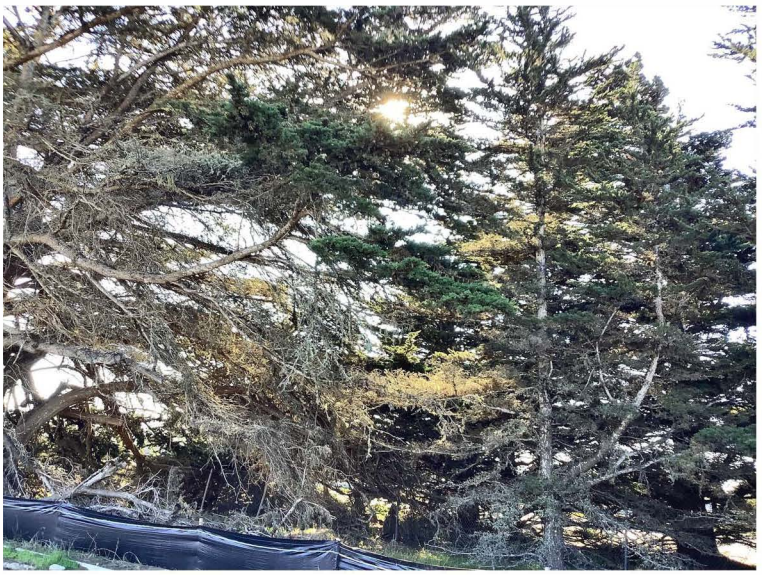
Photo Log

Tree 696.

Tree 697.

Tree 698.

Tree 699.



Tree 700.

Tree 701.

Tree 702.

Tree 703.

Tree 704.

Tree 705.

Tree 706.

Tree 707.

Tree 708.

Tree 709.

Tree 710.

Tree 711.

Tree 712.

Tree 713.

Tree 714.

Tree 715.

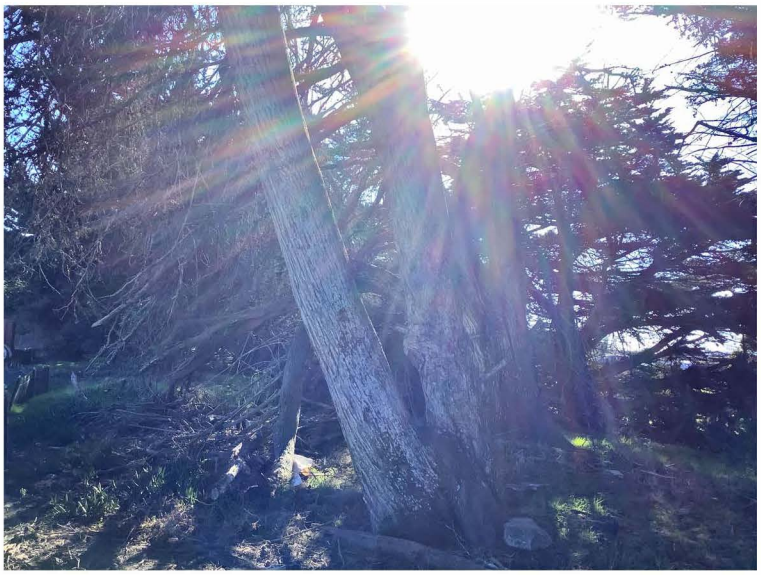
Tree 731.

Tree 732.

Tree 733.

Tree 734.

Tree 735.



Tree 736.

Tree 737.

Tree 738.

Tree 739.

Tree 740.

Tree 741.

Tree 742.

Tree 743.

Tree 744.

Tree 745b.

Tree 746.

Tree 747.

Tree 748.

Tree 749.

Tree 750.

Tree 751.

Tree 752.

EXHIBIT 13

PLANNING COMMISSION RESOLUTION NO. 2025-08

A PLANNING COMMISSION RESOLUTION APPROVING THE REMOVAL OF APPROXIMATELY ELEVEN TREES WITHIN PHASE 3 OF THE DUNES DEVELOPMENT, AND SPECIFICALLY OPPORTUNITY AREA 4.3 LOCATED AT THE NORTHWEST CORNER OF SECOND AVENUE AND DIVARTY STREET, FOR A POTENTIAL MEDICAL FACILITY, AND FIND THE ACTION WAS ADEQUATELY ADDRESSED IN EIR NO. 2004091167, CERTIFIED FOR THE UNIVERSITY VILLAGES SPECIFIC PLAN.

WHEREAS, on April 30, 2025, at a duly noticed public hearing held on the property located at the northwest corner of First Avenue and Divarty Street, the Tree Committee considered a tree removal permit request to remove fifty-two trees within Phase 3 of the Dunes Development and specifically within opportunity areas 3.2, 4.2 and 4.3; and

WHEREAS, at the conclusion of the April 30, 2025 meeting the item was continued for further review to the May 15, 2025 Tree Committee meeting; and

WHEREAS, on May 15, 2025 the Tree Committee recommended that the Planning Commission approve the removal of the fifty-two (52) trees; and

WHEREAS, after the May 15, 2025 Tree Committee meeting a request was made by Shea Homes to separate the tree removal permit for Planning Commission review into two separate actions to expediate the feasibility of Opportunity Area 4.3 for a future medical facility; and

WHEREAS, pursuant to Chapter 17.59 of the Marina Municipal Code, the Community Development Director has the authority to have the Planning Commission review permits if doing so increases transparency and public participation in the permit review process for items deemed to be in public interest or having broad effect on the community; and

WHEREAS, removal of eleven (11) trees within Opportunity Area 4.3 for a future medical facility is necessary to accommodate the completion of the Dunes Development Project (formerly the University Village Specific Plan); and

WHEREAS, by removing trees from the site and making it a viable medical office use property, the tree removal permit will be implementing the 2000 General Plan via policies 2.74 and 4.79; and

WHEREAS, applicant shall replace all qualifying trees at a 2:1 ratio per Marina Municipal Code (MMC 17.62.060.D.2) based upon the combined DBH of the replacement trees equal to the combined DBH of the healthy trees to be removed; and

WHEREAS, the City of Marina is a lead agency under the California Environmental Quality Act (CEQA) and has determined that project will not result in new significant environmental impacts or effects or a substantial increase in the severity of significant effects previously identified in EIR No. 2004091167, which was certified for the University Villages Specific Plan; and

WHEREAS, this does not constitute approval of removal or disturbance of trees on Opportunity Area 3.2, the location of a car dealership site, as this permit will be reviewed by the Planning Commission in the near term; and

WHEREAS, this approval does not constitute approval of a grading permit within Opportunity Area 3.2 (Car Dealership site) or Opportunity Area 4.3 (Medical Facility Site); and

NOW THEREFORE BE IT RESOLVED that the Planning Commission, based on findings, conditions of approval, and the CEQA determination referenced herein, does hereby:

1- Incorporate by reference the recitals listed above.
2- Approve the removal of eleven (11) trees within Opportunity Area 4.3 (Medical Facility Use) subject to Chapter 17.62 of the Marina Municipal Code.
3- Require that the applicant (Marina Community Partners) replant replacement trees at a 2:1 ratio for every tree that is removed.
4- Require that the applicant comply with the conditions of approval and the recommendations in the arborist reports submitted by Denise Duffy and Associates on April 18, 2025 and May 12, 2025, incorporated by reference into this resolution.
5- Determine that this approval does not constitute approval of the removal of any trees identified in the April 18, 2025 arborist report except those within Opportunity Area 4.3 (Medical Facility Site).
6- Find that any environmental impacts from the recommended action have been previously reviewed in the environmental impact report for the University Village Specific Plan EIR (EIR NO. 2004091167.
7- If trees are removed from the car dealership site (Opportunity Area 3.2) prior to the Planning Commission granting expressed authorization to do so, replacement trees shall be planted at six to one replacement ratio per the Marina Municipal Code.
8- The current applicant, Shea Homes, and future successors to the medical facility site (Opportunity Area 4.3) shall be responsible for planting the twenty replacement trees prior to occupying a structure on the property.
9- City staff are directed to work with the applicant to identify the long-term viability of tree #1829, as identified in the April 18, 2025 arborist report and to confirm that tree #1924 shall be removed.

PASSED AND ADOPTED by the Planning Commission of the City of Marina at a duly noticed special on the 12th day of June 2025, by the following vote:

AYES, MEMBERS: Woodson, Baron, Rana, Jacobsen, St. John, Cheng
NOES, MEMBERS: None
ABSENT, MEMBERS: Walton
ABSTAIN, MEMBERS: None

Glenn Woodson, Chair

ATTEST:

for
Guido F. Persicone
Community Development Director
City of Marina

Attachment 2-Conditions of Approval

1. **Arborist Report**. Removal of the eleven trees within Opportunity Area 4.3 shall be in accordance with the arborist report submitted to the City of Marina by Denise Duffy and Associates, dated April 18, 2025. The Planning Commission approval does not constitute approval of removal of any other trees identified in the April 18, 2025 arborist report.

2. **Special Surveys.** Prior to the removal of trees, a qualified biologist shall survey the trees for presence of roosting bats. If special-status bat species are present, the following measures shall be implemented:
   a. Tree removal shall not occur if maternity bat roosts are present (between April 15 and August 1) in the trees to be removed.
   b. No tree removal may occur within 300 feet of the maternity roost until all young bats have fledged, as determined by a qualified biologist.
   c. If special-status bats are present but there is not an active maternity roost, a Memorandum of Understanding (MOU) with the California Department of Fish and Wildlife (CDFW) must be obtained in order to remove the animals prior to tree removal. Alternate habitat may need to be provided if bats are to be excluded from maternity roosts. A roost with comparable spatial and thermal characteristics must be constructed as directed by a qualified biologist. In the event that adult bats need to be handled and relocated, a qualified biologist shall prepare and implement a relocation plan subject to approval by CDFW that includes relocating all bats found on-site to an alternate suitable habitat. A Mitigation and Monitoring Plan that mitigates for loss of bat roosting habitat must be prepared by a qualified biologist and approved by CDFW prior to tree removal.

3. **Display of Tree Removal Permit.** Prior to and during the removal of any tree approved for removal, a copy of the tree removal permit shall be displayed on site. If no tree removal permit is displayed, the City will issue a stop work order and commence the City's administrative fine process.

4. **Replacement Trees**. Upon completion of the development at Opportunity Area 4.3 (OP 4.3), existing trees in good or fair condition which are removed shall be replaced on site at a ratio

of two replacement trees for each tree removed (2:1), which is at least twenty (20) trees. If said replacement trees will not be planted at Opportunity Area 4.3 (Medical Facility Site) the applicant (Marina Community Partners) shall submit a written plan for planting replacement trees within another property within the Dunes Development for approval by the Community Development Director. The current applicant, Shea Homes, and future successors to the medical facility site (Opportunity Area 4.3) shall be responsible for planting the twenty replacement trees prior to occupying a structure on the medical facility property (Opportunity Area 4.3).

5. **Replacement Planting.** There shall be fifteen-gallon trees in locations with the greatest openings to minimize competition and maximum sunlight. (If fifteen-gallon sizes are unavailable, smaller sizes may be substituted.) The spacing between trees shall be at least eight (8) feet. Watering for establishment within the first two (2) months shall be at least once (1) per week, then every two (2) weeks during the late spring, summer, and fall for two (2) years.

6. **Site Restoration Plan.** The ground surface shall be restored in the vicinity of the tree removals. Restoration shall include but not be limited to the removal of tree stumps and filling of any holes left by the removal.

7. **New Trees.** Tree starts that are less than six inches in diameter and that grow larger than six inches in diameter prior to the grading of the site must be replaced at 2:1 ratio, subject to the approval of the Community Development Director.

8. **No Grading Permit Opportunity Area 4.3**. This approval does not constitute the issuance of a grading permit for Opportunity Area 4.3 (Medical Facility Site). This will be a separate approval granted to the applicant by the City of Marina.

9. **No Grading Opportunity Area 3.2.** This approval does not constitute approval of a grading permit for Opportunity Area 3.2 (Car Dealership Site) nor does it authorize any cut and fill on the site. This will be a separate approval granted to the applicant by the City of Marina. The permit is only to temporarily stockpile dirt on Opportunity Area 3.2 (Car Dealership) in a manner that does not negatively impact the trees on the property.

10. **Not a Tree Removal Permit-Opportunity Area 3.2.** No disturbance of trees shall occur on Opportunity Area 3.2 (Car Dealership Site) as this will be reviewed by the Planning Commission at a meeting in the near term along with a design review permit for the property pursuant to Section 17.62.060 of the Marina Municipal Code. If trees are removed from the car dealership site (Opportunity Area 3.2) prior to the Planning Commission granting expressed authorization to do so, replacement trees shall be planted at six to one replacement ratio per the Marina Municipal Code.

11. City staff are directed to work with the applicant to identify the long-term viability of tree #1829, as identified in the April 18, 2025 arborist report and to confirm that tree #1924 shall be removed.

Attachment 3-Tree Removal Permit Findings

MMC 17.62.060.C. *Required Findings for Approval of Tree Removal Permit.* The finding is in standard font with Staff's response following in *italics*.

1. The tree is in poor condition and is in danger of falling within proximity to existing structures, high pedestrian traffic areas such as parking lots, playgrounds and pedestrian walkways, or interference with utility services that cannot be controlled or remedied through reasonable preservation and/or preventive procedures and practices; or

A qualified arborist assessed the eleven (11) trees proposed for removal and found the majority to be in fair condition. When final grading plans are prepared, it may be possible to retain trees that are not needed for construction. In this event, these trees will be retained and protected. [Note that the Planning Commission is not required to make this finding because the Committee can instead make findings 5-8; see MCC § 17.62.060C.]

2. The tree is host to a plant, or insect, or other parasitic organism which endangers other adjacent healthy trees; or

A qualified arborist assessed the 11 trees proposed for removal and found the majority to be in fair condition. [Note that the Planning Commission is not required to make this finding because the Committee can instead make findings 5-8; see MCC § 17.62.060C.]

3. The location of more than three (3) trees conflicts with the construction of street or sidewalk improvements, storm drain, traffic signals or signs; or

Infrastructure improvements and the development of Opportunity Area 4.3 (Medical Facility Site) conflict with the health of the trees on the site. The location of multiple trees proposed for removal would interfere with these improvements, as documented on the Site Plan and in the Arborist Report.

4. The number of trees on the site is in excess of the number of healthy trees the site is able to support, based on such considerations as tree species, growth characteristics, general health of the stand, tree age, solar orientation and soil condition; or

A qualified arborist assessed the health of individual trees within the project area but did not offer an opinion on the number of healthy trees the site is able to support. [Note that the Tree Committee is not required to make this finding because the Planning Commission can instead make findings 5-8; see MCC § 17.62.060C.]

5. The applicant outlines other clearly documented and compelling reasons for the removal or relocation of a tree which do not include the elimination of falling leaves or shade, or improving a view; and

All eleven trees proposed for removal, including the ten trees that are in fair or good condition, directly impede the grading and construction of the site for commercial development.

6. The tree does not serve as part of a windbreak system, or assist in drainage or in the avoidance of soil erosion, or serve as a component of a wildlife habitat, or otherwise play a prominent role in maintaining the existing urban forest; and

Most of the trees proposed for removal were found by an arborist to be in good or fair condition. The trees do not serve as part of a windbreak system. Mitigation measures described in the Arborist Report and in the Conditions of Approval above will reduce impacts of tree removal related to drainage, soil erosion, and wildlife habitat. Trees will be replaced at a 2:1 ratio ensuring preservation of the City's urban forest.

7. Due to the tree's contribution to the aesthetic beauty of the area, the removal would not have a substantial detrimental effect on neighboring property values; and

Although aesthetic judgements are subjective, the City has established a process for designating aesthetically significant trees as landmark trees (MMC Section 17.62.070). None of the trees proposed for removal have been designated as a landmark tree. Because the trees are generally in good or fair condition, located within an existing transportation corridor or on vacated land within the former Fort Ord, and located more than 200 feet away from commercial and residential properties, removal of the trees is unlikely to have a substantial detrimental effect on neighboring property values.

8. If the removal request is concurrent with development plans for the property and the development plans indicate that it is necessary to remove or relocate the tree to enable reasonable and conforming use of the property which is otherwise prevented by the location of the tree.

To accommodate the required infrastructure, 11 trees must be removed. The trees will be replaced at a 2:1 ratio or an in-lieu fee provided consistent with the requirements of MMC Section 17.62.060.

Tree Survey Results and Removal Plan
Mercedes Benz Project

Date
2/11/2026

Scale
1 in = 85 ft

DENISE DUFFY & ASSOCIATES, INC.
Planning and Environmental Consulting

Figure
2
100

Path: D:\GIS\GIS_Projects\2022-55 Dunes Phase 3\2022-55 Dunes Phase 3\2022-55 Dunes Phase 3 OP3 OP4 2025.aprx

Exhibit E-Car Dealership Arborist Reports:

https://www.cityofmarina.org/1198/Current-Development-Projects

April 23, 2026

Marina Planning Commission
211 Hillcrest Avenue
Marina, CA 93933

RE: Item 7A – 2101 1st Mercedes Benz Car Dealership

Dear Members of the Planning Commission:

Monterey-Salinas Transit District (MST) provides public transportation throughout Monterey County and provides an extensive transit network including at the Marina Transit Exchange in the City of Marina. MST currently serves two (2) bus stops within the vicinity of the proposed Mercedes Benz Car Dealership along 2nd Avenue. These bus stops are served daily by Line 18, which provides hourly service between Sand City and Marina via Monterey Road and CSU Monterey Bay.

The proposed Mercedes Benz Car Dealership site is also located within close proximity to MST's future SURF! Busway and Bus Rapid Transit Project at the 5th Street Station, currently under construction. Previous coordination between the City of Marina and MST resulted in MST constructing a sidewalk and a Class I bike lane along the west side of 1st Avenue *(Attachment 1).* The intention is for future developments to connect to this Class I multiuse trail along 1st Avenue all the way from 8th Street to Divarty. The multiuse trail is an important connection to State Parks at the 8th Street bridge and at Divarty. MST is pleased to see the applicant has included an extension of the bike lane along its project frontage, so there will be a seamless connection to the infrastructure MST installed.

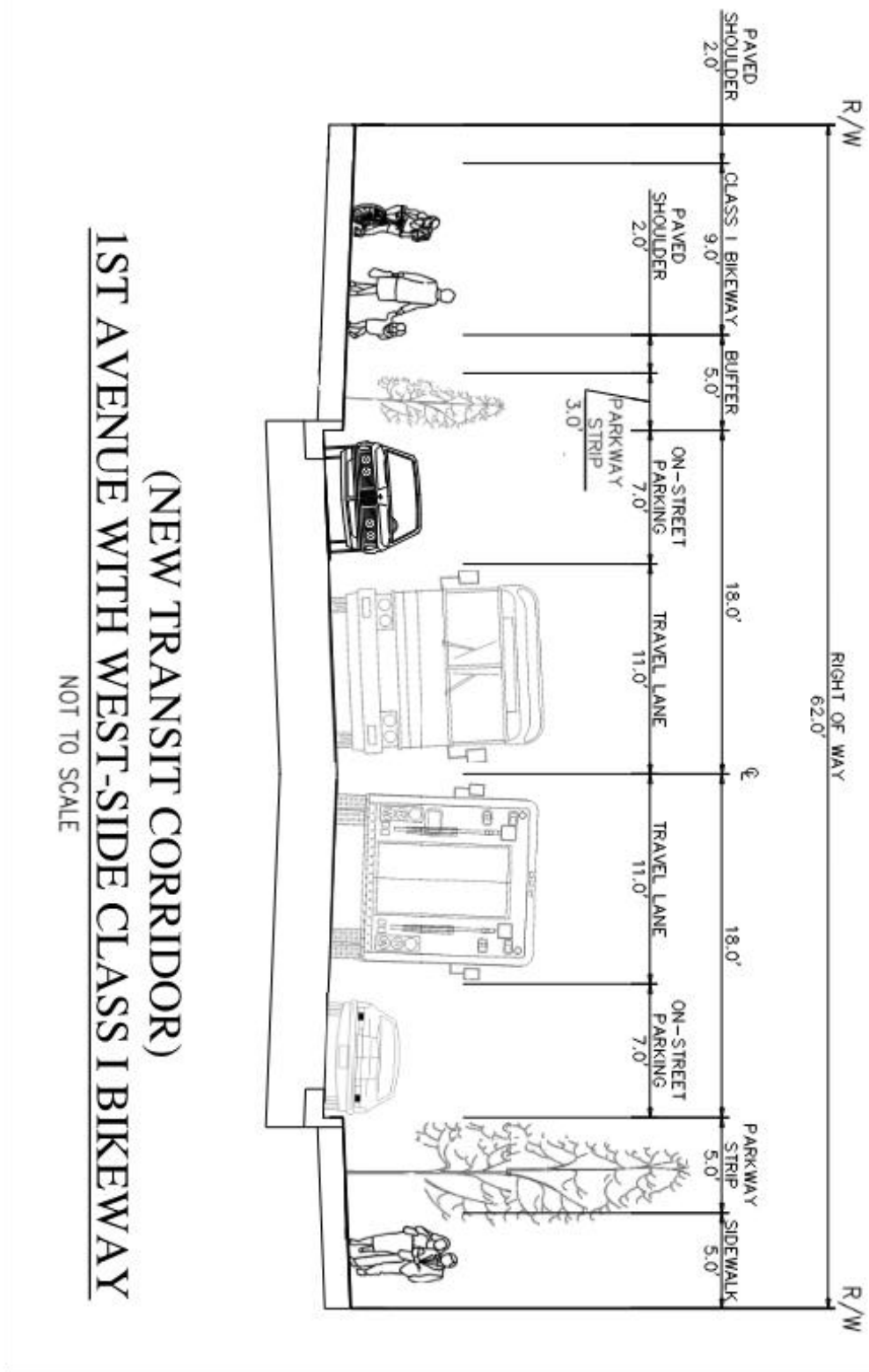
If at any point during construction, access to MST facilities must be temporarily blocked or modified, MST requests that City staff or contractors coordinate with MST prior to construction to ensure appropriate arrangements can be made for the temporary closure and restoration of MST facilities. Advanced notification should be sent to commctr@mst.org. **If you have any questions about the above, please do not hesitate to contact me at movermeyer@mst.org or 831-264-5877.**

Sincerely,

Michelle Overmeyer
Director of Planning and Innovation

CC: Liesbeth Visscher, Mayor Pro-Tem & MST Board Member
Guido F. Persicone, Marina Community Development Director

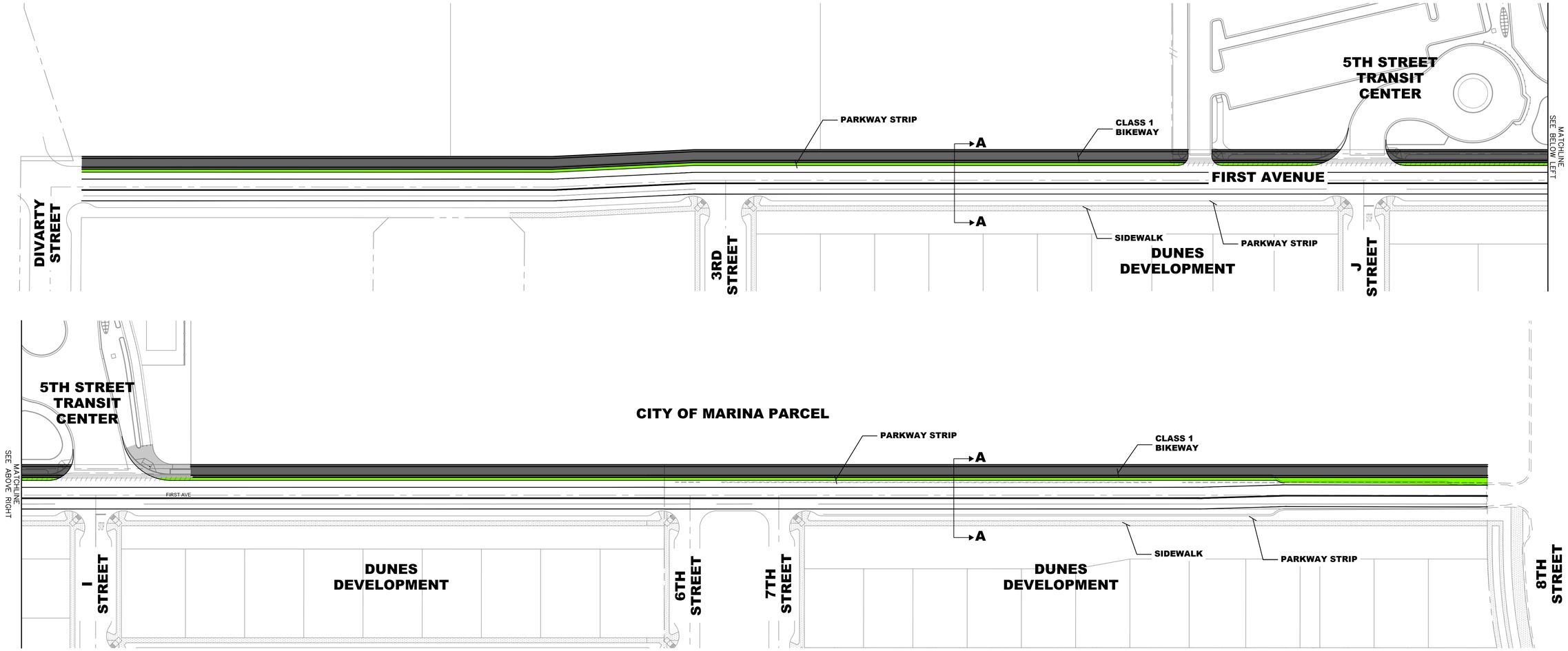
Attachment 1: 1st Avenue West Class I Bikeway

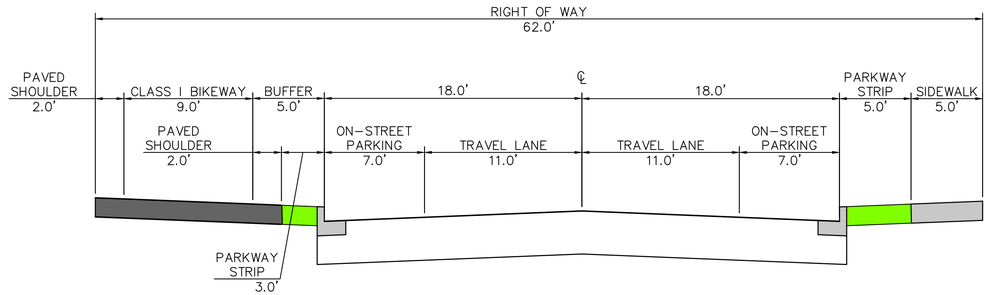


(NEW TRANSIT CORRIDOR)

1ST AVENUE WITH WEST-SIDE CLASS I BIKEWAY

NOT TO SCALE





SECTION A-A

Kimley»Horn

December 22

MST SURF! BRT PROJECT

1ST AVENUE WEST CLASS I BIKEWAY

GRAPHIC SCALE IN FEET
0 25 50 100

NORTH

RESOLUTION NO. 2026-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING AN AMENDMENT TO THE SALES TAX REVENUE SHARING AGREEMENT BETWEEN THE CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY.

WHEREAS, on May 20, 2025, the City Council approved a Sales Tax Revenue Sharing Agreement between the City of Marina and Unstoppable Automotive MBMCA LLC including an Economic Development Subsidy Report pursuant to Government Code Section 53803 (AB 562 Report); and,

WHEREAS, on July 18, 2025, the City Council approved an amendment to the Sales Tax Revenue Sharing Agreement allowing the dealership signage to be changed from "Mercedes-Benz of Marina" to "Mercedes-Benz of Monterey; and,

WHEREAS, there is no change in subsidy amount to the approved Sales Tax Revenue Sharing Agreement; and

WHEREAS, the amendment changes the commencement of construction date from January 1, 2026, to September 10, 2026, and changes the completion of construction from no later than fifteen (15) months after commencement of construction to no later than eighteen (18) months after commencement of construction.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina do hereby:

1. Adopting Resolution No. 2026- approving an amendment to the construction timelines in the approved Sales Tax Revenue Sharing Agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to assist with the construction costs and site development of an automobile dealership; and

2. Authorizing the City Manager to execute the amendment subject to review by the City Attorney.

PASSED AND ADOPTED, by the City Council of the City of Marina at a regular meeting duly held on the 21st day of April 2026 by the following vote:

AYES: COUNCIL MEMBERS: McAdams, McCarthy, Biala, Delgado, Visscher
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

_____
Liesbeth Visscher, Mayor Pro Tem

ATTEST:

_____
Anita Sharp, Deputy City Clerk

SALES TAX REVENUE SHARING AGREEMENT

This Sales Tax Revenue Sharing Agreement (this "**Agreement**") is entered into on _____, 2025 by and between the City of Marina, a California municipal corporation (the "**City**"), and Unstoppable Automotive MBMCA LLC, a California limited liability company ("**Developer**"). The City and Developer are collectively referred to herein as the "**Parties**" and individually as a Party.

RECITALS

A. The City and Marina Community Partners ("**MCP**") entered into that certain Development Agreement dated July 8, 2005 and recorded in the Official Records of Monterey County as Document No. 2005080655 on August 5, 2005, as modified by that Administrative Modification to Development Agreement dated May 28, 2010 and that Second Administrative Modification to Development Agreement dated March 29, 2013 (collectively, the "**Development Agreement**") with regards to that certain development commonly referred to as the Dunes on Monterey Bay. The Dunes development is a mixed-use development including retail, office, hotel and residential uses.

B. MCP entered into a Disposition and Development Agreement with the former Redevelopment Agency of the City of Marina dated as of May 31, 2005 as modified by that certain Implementation Agreement Regarding University Village dated September 6, 2006 and that certain Second Implementation Agreement dated August 5, 2008, that certain Operating Agreement Clarifying and Modifying Certain Project Approvals for the Specific Plan for the Dunes on Monterey Bay dated December 17, 2019, that certain University Villages Settlement Agreement between MCP, the City of Marina and Save Our Peninsula Committee and that certain Order of The Court of Appeal dismissing appeal filed September 20, 2006 and that certain Stipulation Between Plaintiffs Monterey/Santa Cruz County Building And Construction Trades Council; International Brotherhood of Electrical Workers, Local 234; Mechanical Contractors Council of Central California and Ranae and William Gary Martin and Defendants Marina Community Partners, LLC; Shea Properties LLC; W.L. Butler Construction, Inc.; City of Marina Redevelopment Agency and Board of the City of Marina Redevelopment Agency; Cypress Marina Heights LP and East Garrison Partners I LLC and Order of Approval filed October 9, 2008 (collectively, the "**DDA**") setting forth rights, terms, conditions and requirements for the acquisition and development of certain real property described therein (the "**Site**") and referred to originally as University Villages and currently referred to as the Dunes. The City has succeeded to the former Redevelopment Agency's rights and obligations under the DDA.

C. Developer is proposing to acquire certain property consisting of a portion of the Site and more particularly described in Exhibit A attached hereto ("**Property**") upon which Developer proposes to develop and operate an approximately 60,000 square foot automobile dealership for the sale and service of Mercedes Benz automobiles and Sprinter Vans and AMG service department ("**Development**"). Developer, as a condition of acquiring the automobile dealership to be located in the Development is required by the car manufacturer to develop the Development consistent with the manufacturer's standards resulting in development costs that exceed the amount Developer can reasonably be expected to recover from operation of the Development.

D. The City has determined that the Development is an important catalyst for the continued development of the Dunes Project and that development of the Development will provide substantial direct and indirect benefits to the City and economic opportunities, including sales tax revenues, increased property tax revenues and increased jobs in the region, will enhance the City's position as a regional retail and commercial destination and serve as a catalyst for additional retail and commercial development.

E. The City has determined that the development and operation of the Development in accordance with this Agreement is in the best interest of the City and will provide significant benefits to the City and the community and therefore is willing to enter into this Agreement to provide financial assistance to the Developer in accordance with the terms and conditions set forth below and in exchange for the Developer's agreement to develop and operate the Development.

F. The City has determined that an economic development subsidy to the Developer as set forth in this Agreement is appropriate because of the costs associated with the construction of the Development, the sales tax and property tax benefits to the City, and the increased employment expected from the Development all as more specifically described in the Economic Impact Analysis attached as Exhibit C and incorporated herein.

G. City is a Charter City. The subject matter of this Agreement is a municipal affair and, therefore, except for those provisions of state law expressly adopted by City, the provisions of state law applicable to general law cities do not apply to this Agreement.

H. City Council of the City approved this Agreement on May 20, 2025 pursuant to Resolution No. 2025-48, as amended by Resolution No. 2025-83 adopted on adopted on July 18, 2025 attached as Exhibit D and incorporated herein (collectively "**City Resolutions**").

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants contained in this Agreement, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties agree as follows:

ARTICLE 1.
DEFINITIONS

Section 1.1 Definitions. In addition to the terms defined elsewhere in this Agreement, the following capitalized words shall have the following meanings:

(a) "Agreement" means this Sales Tax Revenue Sharing Agreement.

(b) "City" is defined in the preamble.

(c) "Conditions Precedent" means all of the following: (i) the Developer has completed the Development within the time set forth in Section 3.2 below; (ii) the Developer has submitted a cost certification pursuant to Section 3.3 below to the City that the Development Costs are not less than Forty Million Dollars ($40,000,000); and (iii) no Developer Event of Default shall have occurred.

(d) "Developer" is defined in the preamble.

(e) "Developer Event of Default" is defined in Section 4.3.

(f) "Developer Sales Tax Share" means fifty percent (50%) of the Sales Tax generated by the Development during the Term of this Agreement.

(g) "Effective Date" is defined in Section 2.1.

(h) "Fiscal Year" means the fiscal year of City beginning on July 1 and ending on June 30 of each year.

(i) "Fiscal Year Quarter" means each three month period of a Fiscal Year commencing with July 1 of each Fiscal Year.

(j) "Force Majeure Event" is defined in Section 3.8.

(k) "Indemnitees" means City and its councilmembers, officers, officials, employees, volunteers, representatives, attorneys, and consultants.

(l) "Opening" means the date that the Development opens for business for sales and services to Developer's customers during normal business hours.

(m) "Party" means either the City or Developer.

(n) "Parties" means collectively the City and Developer.

(o) "Sales Tax Law" means the Bradley-Burns Uniform Local Sales and Use Tax Law (California Revenue and Taxation Code section 7200, et seq.). If the Bradley-Burns Uniform Local Sales and Use Tax Law is further amended, terminated or rescinded, and Sales Taxes are calculated in an alternate manner or are replaced by an alternate revenue stream (i) arising from the retail sale, use or other consumption of tangible personal property from or on the Property, or (ii) designated as being a replacement for Sales Taxes previously generated by the retail sale, use or other consumption of tangible personal property on or from the Property, then "Sales Taxes" shall also mean those revenues attributable to sales, services or consumption of tangible personal property on or from the Property, collected for City in the alternate manner of calculation, so long as City receives its portion of such revenues and has the legal right under California and/or federal Law to retain and control the disposition of all of its portion thereof.

(p) "Sales Taxes" means for each Fiscal Year Quarter during the Term, that portion of taxes actually received by City from the imposition of Sales Tax Law attributable to the sales, services or business activities of Developer at the Development to the extent allocated and paid by the State Board of Equalization to City for its use, in a particular Fiscal Year Quarter. The defined term "Sales Taxes" shall not include any of the following: (i) any sales tax levied by, collected for or allocated to the State of California, the County, or any district or entity (including an allocation to a statewide or Countywide pool) other than City; (ii) any administrative fee charged by the State Board of Equalization or the County; (iii) any sales tax subject to any sharing, rebate, offset or other charge imposed pursuant to any applicable Law; (iv) any sales tax (or other funds measured as sales tax) required by the State of California to be paid over to another public entity (including the State) or set aside and/or pledged to a specific use other than for deposit into City's general fund; (v) the district sales tax imposed by the City of Marina currently set at 1.5%; (vi) any other sales tax that is imposed

within the boundaries of City and which is intended to fund a specific activity or project, rather than to be used by City as general fund revenues, or which has specific voter approved limitations on its uses. No Sales Taxes shall be considered to have been received by City until City is able to confirm the amount of City's actual receipt thereof from the State Board of Equalization.

(q) "Term" is defined in Section 2.2.

ARTICLE 2.
EFFECTIVE DATE AND TERM

Section 2.1 Effective Date. This Agreement shall take effect the date this Agreement is signed by both Parties (the "Effective Date").

Section 2.2 Term. The term of this Agreement begins on the Effective Date and ends on the later of (i) the October 1st immediately following the fifth (5th) anniversary of the Opening of the Development, subject to a year-for-year tolling in the event of a Force Majeure Event, or (ii) the date on which the Developer shall have received $5,000,000 in City Payments under this Agreement, unless terminated pursuant to the express provisions of this Agreement (the "**Term**").

ARTICLE 3.
DEVELOPER REIMBURSEMENT

Section 3.1 Payment of Development Costs. Developer shall be responsible for the payment of all costs associated with the Development, including, but not limited to costs of construction, permit and impact fees, costs of any off-site improvements required as a condition of approval of the Development and any other costs.

Section 3.2 Development. Developer shall commence construction of the Development no later than September 1, 2026, and complete construction no later than eighteen (18) months after commencement as evidenced by a certificate of occupancy or final permit sign off by the City. The time frames for commencement and completion are subject to extension pursuant to Section 3.8. The Development shall be constructed consistent with the concept design plan submitted by the Developer to the City and attached hereto as Exhibit B and any City approvals including, but not limited to the City Resolutions.

Section 3.3 Development Costs. The City payments provided herein are being provided because the costs of the Development exceed the amounts that the Developer can reasonably expect to recover from the operation of the Development. In order to verify the costs of the Development, the Developer shall provide the City within thirty (30) days of completion of construction of the Development a cost certification showing all costs associated with the acquisition, entitlement, construction and marketing of the Development, together with fixtures, furnishings and equipment, including, but not limited to all land costs, design and engineering costs, hard and soft costs, permit and impact fees and all other costs to complete the Development and open for business (collectively, "**Development Costs**"). Upon receipt of the Developer's cost certification, the City may request additional information and supporting documentation including but not limited to construction contracts, contractor payment applications, invoices and other evidence of payments. Submission of a cost certification along with such evidence as the City may require to verify costs documenting that at least Forty Million Dollars ($40,000,000) was spent on the Development Costs is a Condition Precedent to the City payments set forth in Section 3.6.

Section 3.4 Developer Annual Report. No later than sixty (60) days following the end of each Fiscal Year, commencing upon the end of the first Fiscal Year after the Opening the Developer shall provide the City with a report on the performance of the Development, including, but not limited to, annual gross sales, total number of employees as well as the total full time equivalent employees with a breakdown of the job types and the number of employees that are Marina residents. The City may from time to time request additional information to be included in the annual reports. The City shall have the right by written notice to the Developer to review Developer's books and records to confirm information provided in the annual report.

Section 3.5 City Business License. Developer shall maintain a City Business License at all times that the Development is open for business.

Section 3.6 City Payments.

(a) Subject to satisfaction of all Conditions Precedent, commencing on the date that is ninety (90) days following the end of the first full Fiscal Year Quarter after the Development Opening occurs and ninety (90) days following the end of each Fiscal Year Quarter thereafter throughout the Term, the City shall pay to Developer the Developer Sales Tax Share of the Sales Tax based on the Sales Tax actually received by the City during the immediately previous Fiscal Year Quarter, along with a certification by the City's Finance Director specifying the total amount of Sales Tax received from the operation of the Development during the previous Fiscal Year Quarter ("City Payment(s)"). Nothing contained in this Agreement shall obligate or otherwise commit the City to pay any amount to Developer unless and until the City receives the Sales Taxes attributable to sales, services or business activities of Developer at the Development.

(b) Developer shall, at the request of the City, provide the City with its Sales Tax reporting forms submitted to the State Board of Equalization to verify the Sales Tax reported to the Board of Equalization. Developer shall designate the Property as the point of sale for sales tax purposes for all goods and services sold or leased on the Property, whose sales or leases originate from the Property.

(c) Following receipt of the City's certification of the Sales Tax for the prior Fiscal Year Quarter, Developer shall review the amount of Sales Tax determined by the City's Finance Director and shall either approve or disapprove the amount within thirty (30) days of receipt. Failure to notify the City of Developer's disapproval within thirty (30) days of receipt shall be deemed Developer's approval of the City Finance Director's calculations. Any disapproval shall state in writing the reasons for disapproval and the requested changes and shall provide any additional information or documentation available to Developer to support Developer's determination of the Sales Tax. The City, upon receipt of a disapproval by Developer and the additional information, shall review all information provided by Developer and either re-determine the Sales Tax for the previous Fiscal Year Quarter or provide Developer with a statement of disagreement with regards to the Sales Tax received by the City. In the event the City and Developer cannot agree on any item of the certification, the City and Developer shall submit the item mediation pursuant to Section 4.5 below.

Section 3.7 Failure to Operate. If the Development ceases to operate for a period of sixty (60) consecutive days absent a Force Majeure Event, the City shall have the right to terminate this Agreement, and the City shall have no obligation to make any further payments to Developer. Any expansion, renovation, repair or restoration of damage by Developer shall not be deemed a discontinuance of operations under this Section.

Section 3.8 Force Majeure. In addition to specific provisions of this Agreement, performance by any Party hereunder shall not be deemed to be in default where delays or defaults are due to war; insurrection; riots; pandemics, floods; earthquakes; fires; or casualties (a "**Force Majeure Event**"). An extension of time for Force Majeure Event shall only be for the period of the enforced delay, which period shall commence to run from the time of the notification of the delay by the Party requesting the extension to the other Party. The Party requesting an extension of time under this Section 3.8 shall give notice promptly following knowledge of the delay to the other Party. If, however, notice by the Party claiming such extension is sent to the other Party more than thirty (30) days after knowledge of the commencement of the delay, the period shall commence to run upon the earliest of (i) thirty (30) days prior to the giving of such notice; (ii) the date that the other Party received knowledge of the events giving rise to the delay or (iii) if the Force Majeure Event is one that results in the temporary closure of the Developer Store, the date of such closure.

Section 3.9 Limited City Obligation. The obligations arising from this Agreement are not a debt of the City, nor a legal or equitable pledge, charge, lien, or encumbrance upon any of its property or upon any of its monies, income, receipts, or revenues, except the revenues from the Sales Tax as provided herein. Neither the general nor any other fund of the City shall be liable for the payment of any obligations arising from this Agreement. The credit or taxing power of the City is not pledged for the payment of any obligation arising from this Agreement. Nothing herein shall provide Developer any right to compel the forfeiture of any of the City's property to satisfy any obligations arising from this Agreement. The obligations created by this Agreement do not create an immediate indebtedness of the City, but rather create a liability only when a payment becomes due hereunder.

ARTICLE 4.
DEFAULT AND REMEDIES

Section 4.1 Application of Remedies. The provisions of this Article shall govern the Parties' remedies for breach of this Agreement.

Section 4.2 Fault of City.

(a) Event of Default. Following notice and opportunity to cure as set forth in subsection (b) below, each of the following events constitutes a "**City Event of Default**" and a basis for Developer to take action against the City:

(i) The City fails to make any payment to Developer when required under this Agreement.

(ii) The City breaches any other material provision of this Agreement.

(b) Notice and Cure Procedure. Upon the occurrence of any of the above-described events, Developer shall first notify the City in writing of its purported breach or failure, giving the City thirty (30) days from receipt of such notice to cure such breach or failure. In the event the City does not then cure the default within such thirty (30)-day period (or, if the default is not reasonably susceptible of cure within such thirty (30)-day period, the City fails to commence the cure within such period and thereafter to prosecute the cure diligently to completion), then Developer shall be entitled to pursue any or both of the following remedies: (1) terminating this Agreement by written notice to the City; and (2) exercising its remedies as provided in Section 4.4. If Developer elects to terminate this Agreement, the provisions of this Agreement that are specified to survive such termination shall remain in full force and effect.

Section 4.3 Fault of Developer.

(a) Event of Default. Following notice and opportunity to cure as set forth in subsection (b) below, each of the following events constitutes a "**Developer Event of Default**" and a basis for the City to take action against Developer:

(i) Developer fails to construct the Development or fails to Open the Development.

(ii) Developer fails to maintain a valid City Business License or fails to comply with any other material City laws or regulations.

(iii) Developer: (1) files for bankruptcy, dissolution, or reorganization, or fails to obtain a full dismissal of any such involuntary filing brought by another party before the earlier of final relief or ninety (90) days after the filing; (2) makes a general assignment for the benefit of creditors; (3) applies for the appointment of a receiver, trustee, custodian, or liquidator, or fails to obtain a full dismissal of any such involuntary application brought by another party before the earlier of final relief or ninety (90) days after the filing; (4) becomes insolvent; or (5) fails, is unable or admits in writing to its inability to pay its debts as they become due.

(iv) Developer breaches any other material provision of this Agreement.

(b) Notice and Cure Procedure. Upon the happening of any of the above-described events the City shall first notify Developer in writing of its purported breach or failure, giving Developer thirty (30) days from receipt of such notice to cure such breach or failure. If Developer does not cure the default within such thirty (30)-day period (or if the default is not reasonably susceptible of being cured within such thirty (30)-day period, Developer fails to commence the cure within such period and thereafter to prosecute the cure diligently to completion), then the City shall be entitled to pursue any or both of the following remedies: (1) terminating this Agreement by written notice to Developer; (2) exercising its remedies pursuant to Section 4.4. If the City elects to terminate this Agreement, the provisions of this Agreement that are specified to survive such termination shall remain in full force and effect.

Section 4.4 Remedies.

(a) Either Party may, in addition to any other rights or remedies that it may have available in law or equity (excluding punitive damages and consequential damages), institute legal action to cure, correct, or remedy any default by the other Party to this Agreement, to enforce any covenant or agreement herein, or to enjoin any threatened or attempted violation hereunder or to seek specific performance. For purposes of instituting a legal action under this Agreement, any City Council determination under this Agreement as it relates to an alleged default hereunder shall be deemed a final agency action. Developer acknowledges that it may not collect for future years based on a current or prior default, and that the City's obligation to pay with respect to any Fiscal Year Quarter is contingent upon receipt of Sales Taxes for that Fiscal Year Quarter and dependent upon the amount of those Sales Taxes and fees for determination of the amount to be paid.

(b) The Parties hereby acknowledge and agree that it is a material part of Developer's consideration to City that Developer, on the one hand, and the City, on the other hand, for themselves, their successors and assignees, hereby release one another's officers, trustees, directors, agents and employees from any and all claims, demands, actions, or suits of any kind or

nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth and Fourteenth Amendments of the United States Constitution, or any other law or ordinance which seeks to impose any money damages, whatsoever because of the terms of this Agreement, or because of the manner of implementation or performance of this Agreement.

Section 4.5 Mediation. If Developer and City have any disputes relating to this Agreement, the Sales Tax amount, each Party's respective performance or obligations hereunder or a notice of default has been issued, then, upon the written request of either Party given within ten (10) days after written notice of the dispute or the notice of default, as applicable, the issue shall be submitted to nonbinding mediation with a neutral mediator selected by mutual agreement of the Parties. Failure of either Party to timely request mediation shall be deemed a waiver of the mediation process. The mediator shall be selected and the mediation scheduled as soon as is reasonably practicable. The cost of mediation shall be borne equally by the Parties. At the mediation meeting, the mediator shall attempt to bring the Parties together to close the gap between their respective positions, in an effort to settle the dispute or claim, without deciding the matter for the Parties.

ARTICLE 5.
GENERAL PROVISIONS.

Section 5.1 General Indemnity. Developer shall indemnify, defend (with counsel approved by the City) and hold harmless the City, Councilmembers, officials, employees, agents, consultants, and contractors (collectively, the "**Indemnitees**") from and against any and all liabilities, losses, costs, expenses (including without limitation attorneys' fees and costs of litigation), claims, demands, actions, suits, causes of action, writs, judicial or administrative proceedings, penalties, deficiencies, fines, orders, judgments and damages (all of the foregoing collectively "**Claims**") which in any manner, directly or indirectly, in whole or in part, are caused by, arise in connection with, result from, relate to, or are alleged to be caused by, arise in connection with this Agreement, including the negligent or wrongful performance of this Agreement by Developer or any contractor or subcontractor of Developer. This indemnity includes the fees and costs reasonably incurred by the City by its own in-house or special counsel retained to protect the City's interests. Each Party is entitled to legal counsel of its choice, at Developer's expense. The Parties and their respective counsel shall cooperate with each other in the defense of any such actions, including in any settlement negotiations. If a court in any such action awards any form of money damages to such third party, or any attorneys' fees and costs to such third party, Developer shall bear full and complete responsibility to comply with the requirements of such award, and hereby agrees to timely pay all fees and costs on behalf of City. This indemnity obligation shall not extend to any claim to the extent arising solely from the City's gross negligence or the City's failure to perform its obligations under this Agreement, and shall survive termination of this Agreement.

Section 5.2 Challenges to Agreement. Developer hereby agrees to defend (with counsel approved by the City), indemnify, protect and hold harmless the Indemnitees from any costs, losses, damages, claims including reasonable attorneys' fees and costs, resulting from any challenges brought by any third parties to the City's authority to enter into this Agreement or to make the payments provided for herein. In the event of any such third-party challenge, the Parties shall meet and confer on the defense of such litigation; and Developer may elect, in Developer's sole discretion, in lieu of defending (or continuing to defend) against such third-party challenge, to terminate this Agreement.

Section 5.3 Notices, Demands and Communications. Any approval, disapproval, demand, document or other notice to be provided under this Agreement shall be given in writing and shall be

sent (i) for personal delivery by a delivery service that provides a record of the date of delivery, the individual to whom delivery was made, and the address where delivery was made; (ii) by first-class United States mail, postage prepaid, return receipt requested; or (iii) by a nationally recognized overnight courier service, marked for next day business delivery. All notices shall be addressed to the Party to whom such notice is to be given at the address stated in this Section 5.2 or to such other address as a Party may designate by written notice to the other; notices sent by a Party's attorney on behalf of such Party shall be deemed delivered by such Party.

City Notice Address:

City of Marina
211 Hillcrest Avenue
Marina, CA 93933
Attn: City Manager

With copies to:

City of Marina
c/o Shute, Mihaly & Weinberger, LLP
550 California Street, Suite 1200
San Francisco, CA 94104
Attn: City Attorney

Developer Notice Address:

Unstoppable Automotive MBMCA LLC
40910 Temecula Center Dr
Temecula, CA 92591
Attn; Garth Blumenthal
Email: garth@unstoppablegroup.com

With a copy to:

Tribune Law Firm, LLP
601 University Ave, Suite 288
Sacramento, CA 95825
Attn: Sylvia Arostegui
Email: sylvia@tribunelaw.com

All notices shall be deemed effective on the earliest of (a) actual receipt; (b) rejection of delivery; (c) if sent by first class mail, the third day on which regular United States mail delivery service is provided after the day of mailing or; (d) if sent by overnight delivery service, on the next day on which such service makes next-business-day deliveries after the day of sending.

Section 5.4 No Assignment. Developer may not assign any of its rights or obligations under this Agreement without the prior written consent of the City, which may be withheld or granted in its sole discretion. Notwithstanding the foregoing, Developer shall have the right to assign its rights without the prior written consent of the City in connection with the following: (i) any assignment to an affiliate or related party, or (ii) any assignment for financing purposes or for collateral purposes,

provided that prior to any such assignment, the Developer shall provide the City with notice of such assignment and a signed assignment agreement.

Section 5.5 No Joint Venture. It is expressly agreed that City is not, in any way or for any purpose, a partner of Developer or any of Developer's partners, officers, members, directors, shareholders, principals, agents, employees, contractors or subcontractors, or its or their successors or assigns (each, a "**Developer Party**") in the conduct of its or their business or a member of a joint enterprise with Developer or any Developer Party. Neither City nor Developer shall be deemed or construed for any purpose to be the agent of the other, and City does not assume any responsibility for Developer or any Developer Party's conduct or performance of this Agreement.

Section 5.6 Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which taken together shall constitute one and the same instrument.

Section 5.7 No Waiver. A waiver by either Party of a breach of any of the covenants, conditions or agreements under this Agreement to be performed by the other Party shall not be construed as a waiver of any succeeding breach of the same or other covenants, agreements, restrictions or conditions of this Agreement.

Section 5.8 Modifications. Any alteration, change, amendment or modification of or to this Agreement, in order to become effective, shall be made in writing and in each instance signed on behalf of each Party.

Section 5.9 Severability. If any provision of this Agreement or the application thereof to any person, entity or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Agreement, or the application of such provision to persons, entities or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each other provision of this Agreement shall be valid and be enforceable to the full extent permitted by Law.

Section 5.10 Legal Advice. Each Party represents and warrants to the other the following: they have carefully read this Agreement, and in signing this Agreement, they do so with full knowledge of any right which they may have; they have received independent legal advice from their respective legal counsel as to the matters set forth in this Agreement, or have knowingly chosen not to consult legal counsel as to the matters set forth in this Agreement; and, they have freely signed this Agreement without any reliance upon any agreement, promise, statement or representation by or on behalf of the other Party, or its officers, officials, agents, employees, volunteers, representatives, attorneys, or consultants, except as specifically set forth in this Agreement, and without duress or coercion, whether economic or otherwise.

Section 5.11 Cooperation. Each Party agrees to cooperate with the other in this transaction and, in that regard, shall execute any and all documents which may be reasonably necessary, helpful, or appropriate to carry out the purposes and intent of this Agreement.

Section 5.12 Conflicts of Interest. No member, official or employee of City shall have any personal interest, direct or indirect, in this Agreement, nor shall any such member, official or employee participate in any decision relating to the Agreement which affects his or her personal interests or the interests of any corporation, partnership or association in which he or she is directly or indirectly interested.

Section 5.13 Applicable Law. The laws of the State of California, without regard to conflict of laws principles, shall govern the interpretation and enforcement of this Agreement.

Section 5.14 No Third-party Beneficiaries. There are no third-party beneficiaries to this Agreement.

Section 5.15 Interpretation. The captions preceding the sections of this Agreement have been inserted for convenience of reference only and such captions shall in no way define or limit the scope or intent of any provision of this Agreement. This Agreement has been negotiated at arm's length and between persons sophisticated and knowledgeable in the matters dealt with herein and shall be interpreted to achieve the intents and purposes of the Parties, without any presumption against the Party responsible for drafting any part of this Agreement. Provisions in this Agreement relating to number of days shall be calendar days. Use of the word "including" means "including, without limitation." As used in this Agreement, masculine, feminine or neuter gender and the singular or plural number shall each be deemed to include the others where and when the context so dictates. The recitals to this Agreement and all exhibits attached hereto are incorporated by reference, as though fully restated herein.

Section 5.16 Time of Essence. Time is of the essence with respect to all obligations of Developer under this Agreement.

Section 5.17 City Approvals and Actions. Whenever a reference is made herein to an action or approval to be undertaken by City, the City Manager or his or her designee is authorized to act on behalf of City unless specifically provided otherwise or the context should require otherwise.

Section 5.18 Attorneys' Fees. In the event that either Party to this Agreement brings an action or proceeding for a declaration of the rights of the parties under this Agreement, for injunctive relief or for an alleged breach or default of this Agreement, or in any other action arising out of this Agreement or the transactions contemplated by this Agreement, the predominantly prevailing party in any such action shall be entitled to an award of reasonable attorneys' fees and any court costs incurred in such action or proceeding, in addition to any other damages or relief awarded, regardless of whether such action proceeds to final judgment.

Section 5.19 Land Use Entitlements and Permits. The execution of this Agreement does not constitute the grant of any required land use entitlement or permit, and all land use entitlements and permits contemplated by this Agreement and required from the City, shall be granted, denied, or conditionally granted in accordance with the City's established procedures and in compliance with all applicable laws, rules, regulations and requirements including but not limited to the requirements of CEQA and the CEQA Guidelines. Notwithstanding any language in this Agreement that may be construed to the contrary, the City retains its full discretion to grant, deny or conditionally grant any and all entitlements or permits sought by Developer for the Development, and such discretion includes but is not limited to the discretion to exercise its independent judgment and impose on such approvals all mitigation measures and conditions that City determines are required or appropriate under CEQA and the CEQA Guidelines. No action by Developer or the City with reference to this Agreement shall be deemed a representation or warranty to Developer, or to any other person or entity, that the City will issue or approve any entitlements or permits, nor constitute a waiver of any state or City requirements that are applicable to the Development.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the Effective Date.

CITY OF MARINA, a municipal corporation

By: _____
Layne Long, City Manager

Approved as to form:

By: _____
René Ortega, City Attorney

UNSTOPPABLE AUTOMOTIVE MBMCA LLC, a California limited liability company

By: _____
Garth Blumenthal, Manager

EXHIBIT A

PROPERTY DESCRIPTION

EXHIBIT B

CONCEPT DESIGN

EXHIBIT C

ECONOMIC IMPACT ANALYSIS

CITY OF MARINA
ECONOMIC DEVELOPMENT SUBSIDY REPORT PURSUANT TO GOVERNMENT CODE SECTION 53803 (AB 562 REPORT)

MARINA CITY COUNCIL PUBLIC HEARING
MAY 20, 2025

Legislative Intent

With the adoption of Assembly Bill 562 in 2013, now codified as California Government Code Section 53083, the California Legislature recognized the authority of local officials to use their regulatory powers, direct spending, and tax policies to influence where, when, and how the private sector invests capital and improves real property. The Legislature also intended to promote transparency and accountability in economic development subsidies, similar to annual financial reporting and local fiscal decisions. The legislation requires that subsidies to local businesses in the amount of $100,000 or more – those intended to increase employment, enhance the local tax base, and attract or retain desirable businesses – be detailed in a written report and placed on an agenda for a public hearing at a regularly scheduled meeting. The City of Marina has determined that the development of the proposed Mercedes-Benz automobile dealership in Marina will provide substantial fiscal and economic benefits to Marina and the broader region, including sales tax revenues and new jobs. It will enhance the City's position as a regional retail and commercial destination and will serve as a catalyst for additional new development. Because of these benefits and the consideration that the cost of developing the new dealership consistent with the manufacturer's standards will exceed the amount that the dealership's owner can reasonably be expected to recover from the operation of the dealership, the City intends to provide a financial subsidy to the owner of the dealership. The terms of the tax sharing agreement are detailed in the proposed "Sales Tax Revenue Sharing Agreement" between the City of Marina ("City") and the owner of the dealership (Developer). This report is intended to satisfy the requirements of Government Code 53083, and is being made available to the public prior to consideration of the proposed Agreement and authorization of the economic development subsidy.

Legal Requirements

In accordance with Government Code Section 53083, the following elements must be addressed in written form, and be made available to the public (including posting on the City's website) prior to the approval of the proposed economic development subsidy:

1) The name and address of all corporations or any other business entities, except for sole proprietorships, that are the beneficiary of the economic development subsidy, if applicable.

2) The start and end dates and schedule, if applicable, for the economic development subsidy.

3) A description of the economic development subsidy, including the estimated total amount of the expenditure of public funds by, or of revenue lost to, the local agency as a result of the economic development subsidy.

4) A statement of the public purposes for the economic development subsidy.

5) Projected tax revenue to the local agency as a result of the economic development subsidy.

6) Estimated number of jobs created by the economic development subsidy, broken down by full-time, part-time, and temporary positions.

Proposed Agreement

The City of Marina, in an effort to generate additional sales tax revenue, create additional local jobs, and enhance economic vitality, proposes to provide the type of subsidy included in Government Code Section 53083. The City and Developer intend to enter into a Sales Tax Revenue Sharing Agreement (Agreement). Under the terms of the Agreement, the Developer will purchase a development site within the Dunes project at the former Fort on which it will develop an approximate 60,000 square foot Dealership in accordance with all design and quality requirements stipulated by Mercedes Benz USA. Under the terms of the Agreement, the payment of the subsidy to the Developer is conditioned on:

1. The Developer will privately fund all development costs including City building permit and development impact fees and provide documentation demonstrating that expended development costs exceed $40 million; and
2. The Developer shall commence construction of the Dealership by no later than January 1, 2026, and subject to Force Majeure, complete construction no later than fifteen (15) months after commencement.

The City will provide Subsidy Payments "[1] to the Developer equal to 50% of the actual amount of annual sales tax revenues that the City receives from the application of the 1% Bradley-Burns Uniform Local Sales Tax Rate ("1% Sale Tax") to the actual annual amount of taxable sales that the Dealership generates until the earlier of: a) the date that the cumulative total of Subsidy Payments to the Developer equals $5 million; or b) the Agreement terminates due to non-performance terms provided in the Agreement.

[1] Subsidy Payments will be made on a quarterly basis.

Financial Feasibility Analysis and Project's Need for a Subsidy

While not required by California Government Code Section 53083, the amount of the City subsidy has been determined based on an analysis of the development economics of the Marina Dealership, including the cost to develop the new 59,000 square foot facility, annual debt service costs, projected sales volume of the Dealership, and the automobile industry standard relationship between debt service costs and dealership sales volume for luxury dealerships. The cost to develop the Dealership is anticipated to exceed $40 million, which is unusually high due to the impact fees and prevailing wage requirements that apply to all development at the former Fort Ord and the high design standards required by Mercedes-Benz of USA. Without the subsidy from the City, the cost of developing the Dealership exceeds the amount that the Developer can reasonably expect to recover from the operation of the Dealership. The tax sharing subsidy has been sized to effectively reduce debt service costs, so that the Dealership's debt service costs as a percent of revenues is more aligned with the industry standard for automobile dealerships in the United States.

1. ***The name and address of all corporations or any other business entities, except for sole proprietorships, that are the beneficiary of the economic development subsidy.***

   The Agreement is with Unstoppable Automotive MBMCA LLC, which is the sole beneficiary of the economic development subsidy.

   Unstoppable Automotive MBMCA LLC
   40910 Temecula Center Drive
   Temecula, CA 92591

2. ***The start and end dates and schedule, if applicable, for the economic development subsidy.***

   Quarterly Subsidy Payments from the City to the Developer will commence ninety days from the date that the City receives its first quarterly sales tax payment from the State of California of sales tax generated by the Dealership. Quarterly Subsidy Payments will end on the date that cumulative Quarterly Subsidy payments made to the Developer equals $5 million.

3. ***A description of the economic development subsidy, including the estimated total amount of the expenditure of public funds by, or of revenue lost to, the local agency as a result of the economic development subsidy.***

   The economic development subsidy shall be in the form of the City sharing 50% of the amount of sales tax revenue that the City actually receives from the application of the 1% Tax Rate to the actual amount of taxable sales generated by the Dealership until the cumulative total of Subsidy Payments to the Developer equals $5 million. It is estimated that the cumulative total

of Subsidy Payments paid to the Developer will equal $5 million during the Dealership's 7th operating year.

	Projected Subsidy/Sales Tax Revenue Sharing Payments from City to Developer, with Cumulative Total to Not Exceed $5,000,000 (rounded to nearest $1,000)
1st 12-month Operating Year	$468,000
2nd Operating Year	$562,000
3rd Operating Year	$674,000
4th Operating Year	$809,000
5th Operating Year	$970,000
6th Operating Year	$1,116,000
7th Operating Year	$401,000
Cumulative 7-Yr. Total	$5,000,000

4. ***A statement of the public purposes for the economic development subsidy.***

The proposed Agreement is consistent with City's economic development goals and objectives. Specifically, the following public purposes are achieved:

- The City has determined that the Dealership is an important catalyst for the continued development of the Dunes Project and that the Dealership will provide substantial direct and indirect benefits to the City and economic opportunities, including sales tax revenues, increased property tax revenues, and increased jobs in the region. It will enhance the City's position as a regional retail and commercial destination and serve as a catalyst for additional retail and commercial development.

- The tax revenues to be generated by the Dealership to the City will be used to fund City services, from public safety to operating recreational facilities and programs.

- The Dealership will diversify the City of Marina's economic base by being the City's first automobile dealership to sell new vehicles. The Dealership will sell and provide service for Mercedes-Benz ICE passenger cars, EQ electric vehicles, Sprinter ICE commercial vans, and E-Sprinter electric commercial vans. The dealership will also be one of only fifty Mercedes-Benz dealerships in the Country that will receive an allocation of Mercedes-Benz AMG model vehicles. By being the first luxury automotive franchise in Marina, it also has the potential to attract other luxury franchises and new businesses to Marina.

- The Dealership will attract customers from a large geographic area, extending from Santa Cruz to the North, Fresno to the East, and Carmel to the South. The

customers will be introduced to Marina's world-class recreational areas as well as shopping and dining opportunities and new residential offerings at the Dunes.

5. ***The projected tax revenue to the local agency as a result of the economic development subsidy.***

The dealership will generate significant annual tax revenue to the City of Marina. As shown in the following chart, total taxable revenues to be directly generated by the Dealership are anticipated to total $882,000 during the first operating year and increase to $3.20 million by the seventh operating year. Cumulate tax revenues generated during the Dealership's first seven operating years to the City of Marina net of the subsidy payments to the Developer are estimated to approximate $11.64 million.

Projected Tax Revenues to be Generated by Mercedes-Benz Dealership to the City of Marina

12-Month Operating Year of Dealership	1% Base Sales Tax Levy (Apply to Total Taxable Sales), Net of 50% share to Developer	Measure N 1.5% Tax (Apply to Parts Sales)	Gross Receipts Tax (.2% of Gross Receipts)	VLF Property Tax Revenue	Total New Annual Direct City Tax Revenues
1st Year	$468,000	$145,000	$203,000	$66,000	**$882,000**
2nd Year	$562,000	$174,000	$244,000	$67,000	**$1,047,000**
3rd Year	$674,000	$209,000	$293,000	$69,000	**$1,245,000**
4th Year	$809,000	$251,000	$352,000	$70,000	**$1,482,000**
5th Year	$970,000	$301,000	$422,000	$71,000	**$1,764,000**
6th Year	$1,116,000	$346,000	$485,000	$73,000	**$2,020,000**
7th Year	$2,165,000	$398,000	$558,000	74,000	**$3,195,000**
Cumulative 7-Year Total	$6,764,000	$ 1,824,000	$2,557,000	$490,000	**$11,635,000**

Marina's 1.5% Measure N Tax will also apply to the sale of automobiles. However, this tax revenue is received by the buyer's jurisdiction of residence. Given that Marina represents a relatively small fraction of the population within the Dealership's trade area, for purposes of this analysis, Measure N revenues from the sale of automobiles have not been included in the calculation of projection tax revenues to Marina.

The Dealership's sales are also anticipated to increase the City's share of the County-wide pool of sales/use tax revenue generated by on-line sales. It is estimated that Marina could annually receive an additional $100,000 to over $400,000 of revenue from the Count-pool of sales/use tax. The actual amount to be generated will be driven by several factors, including the size of the County-wide pool of tax revenue and the relative amount of taxable sales generated by each jurisdiction within the County.

6. ***The estimated number of jobs created by the economic development subsidy, broken down by full-time, part-time, and temporary positions.***

   The Dealership anticipates employing 80 full-time employees during the first operating year and increasing employment annually as sales grow; the Dealership expects to employ over 150 full-time employees by its fifth operating year due to the projected increase in sales volumes.

EXHIBIT D

CITY COUNCIL RESOUTION NO. 2025-48 and 2025-83

RESOLUTION NO. 2025-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING A SALES TAX REVENUE SHARING AGREEMENT BETWEEN THE CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY

WHEREAS, the City desires to encourage private investment and economic development within the City's commercial areas; and

WHEREAS, the Unstoppable Automotive MBMCA LLC (Developer) proposes to construct and operate a new Mercedes-Benz automotive dealership located in the Dunes development within the City of Marina; and

WHEREAS the project involves a capital investment estimated at over $40 million dollars, which includes land purchase, site development, construction of facilities and equipment; and

WHEREAS, the dealership is anticipated to generate substantial local sales tax revenue and other direct tax revenue for the City and create quality jobs; and

WHEREAS, in consideration of the Developer's significant capital investment and contribution to the City's economic base, the City agrees to rebate 50% of its local (1%) sales tax revenue for five years to support the financial feasibility of the project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve the sales tax revenue sharing agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to assist in covering high site development and construction costs associated with developing a Mercedes-Benz automobile dealership in Marina, with the following conditions:
   a. The City Council shall have final approval after review from the Tree Committee and the Planning Commission for Site Plan and Architectural Design Review;
   b. That the dealership produce an accurate computer simulation video prior to Planning Commission review;
   c. That any gateway sign be consistent with City monument design requirements and that any dealership signage refer to "Mercedes of Marina";
   d. That the proposed lighting for the dealership site minimizes impact to the night sky;
   e. To consider future specific agreement amendments subject to mutual agreement by City and Developer; and
   f. Implement preference for local hires when feasible.
2. Authorize the City Manager to execute the agreement subject to final review by the City Attorney, and:
3. Authorize the Finance Director to make the necessary budgetary and accounting entries.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on May 20, 2025, by the following vote:

AYES: COUNCIL MEMBERS: McAdams, McCarthy, Biala Delgado, Visscher
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

ATTEST:

Bruce C. Delgado, Mayor

Anita Sharp, Deputy City Clerk

RESOLUTION NO. 2025-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING AN AMENDMENT TO THE SALES TAX REVENUE SHARING AGREEMENT BETWEEN THE CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY

WHEREAS, the City on May 20, 2025, approved a sales tax revenue sharing agreement with the Unstoppable Automotive MBMCA LLC;

WHEREAS, the Unstoppable Automotive MBMCA LLC proposes to change one of the conditions changing the name from Mercedes-Benz of Marina to Mercedes-Benz of Monterey.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve amending the sales tax revenue sharing agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to change the dealership name from Mercedes-Benz of Marina to Mercedes-Benz of Monterey
2. Clarification on the Gateway Sign:
    a. Consistent with city monument design requirements to say "City of Marina";
    b. Designed, constructed and maintenance to be paid for by developer; and
    c. To exist in perpetuity.
3. That the two parties discuss revenue sharing/contribution by developer to City at some future point in time, like the 10-year or 15-year mark, once Mercedes-Benz is established and doing well.
4. All other conditions of approval of May 20, 2025, to remain the same.
5. Authorize the City Manager to execute the amendment subject to final review by the City Attorney, and:

PASSED AND ADOPTED by the City Council of the City of Marina at a special meeting duly held on July 18, 2025, by the following vote:

AYES: COUNCIL MEMBERS: McCarthy, Biala, Visscher, Delgado
NOES: COUNCIL MEMBERS: McAdams
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

April 15, 2026 Item No. **13d**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of April 21, 2026

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2026- , APPROVING AN AMENDMENT TO THE SALES TAX REVENUE SHARING AGREEMENT BETWEEN THE CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY.

REQUEST:

It is recommended that the City Council consider adopting Resolution No. 2026 -:

1. Approving an amendment to the Sales Tax Revenue Sharing Agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to assist in covering high site development and construction costs associated with developing a Mercedes-Benz automobile dealership in Marina, and;

2. Authorizing the City Manager to execute the amendment subject to review by the City Attorney.

BACKGROUND:

At the May 20,2025 City Council meeting, the City Council adopted Resolution No. 2025-48 approving with conditions a Sales Tax Revenue Sharing Agreement with the Unstoppable Automotive MBMCA LLC ("Agreement") group to assist in covering the high site development and construction costs associated with developing a Mercedes-Benz automobile dealership in Marina. On July 18, 2025, the City Council adopted Resolution No. 2025-83, approving an amendment to the Agreement, with conditions.

The Agreement provides a $5 million dollar incentive achieved by a 50% rebate from the sales tax received by the City of Marina based on a 1 percent sales tax. It is estimated that it will take approximately seven years to meet the $5 million dollar incentive cap. The Economic Development Subsidy Report prepared by Keyser Marston, Exhibit C to the approved Agreement, shows that the dealership will generate significant annual tax revenue to the City of Marina and that the cumulative tax revenues generated during the dealership's first seven operating years to the City of Marina net of the subsidy payments to the dealership are estimated to be approximately $11.64 million dollars. Once the incentive sharing agreement cap is reached, the City's estimated annual direct tax revenue will be approximately $3,195,000.

ANALYSIS:

The Sales Tax Revenue Sharing Agreement requires that the developer shall commence construction of the development no later than January 1, 2026, and complete construction no later than fifteen (15) months after commencement as evidenced by a certificate of occupancy or final permit sign off by the City.

Due to delays in getting final approval from Mercedes-Benz USA, securing financing, impacts from tariffs and other economic changes and delays in getting final architectural designs completed, the dealership could not begin construction by January 1, 2026. The dealership is requesting a minor amendment to the Section 3.2 of the Agreement to amend the construction start date and completion. That provision will be amended to state: "Developer shall commence construction of the Development no later than **September 10, 2026**, and complete construction no later than **eighteen (18) months** after commencement as evidenced by a certificate of occupancy or final permit sign off by the City." There are no other changes to the Agreement, nor the amount of the subsidy.

The developers' site plan and design review permit will be going before the Planning Commission on April 23, 2026, and as requested by the City Council final approval will come to the City Council which we expect will be at the May 5th or May 19th City Council meeting.

FISCAL IMPACT

There is no change in subsidy from the approved Sales Tax Revenue Sharing Agreement. First year direct new tax revenue is estimated to be $882,000. Cumulative tax revenue to the City over seven years, is estimated to be $11,635,000.

CONCLUSION:

This request is submitted for City Council consideration and approval.

Respectfully submitted,

_____

Layne Long
City Manager
City of Marina

Attachments:
Exhibit A – Amended Sales Tax Revenue Sharing Agreement

RESOLUTION NO. 2025-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING AN AMENDMENT TO THE SALES TAX REVENUE SHARING AGREEMENT BETWEEN THE CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY

WHEREAS, the City on May 20, 2025, approved a sales tax revenue sharing agreement with the Unstoppable Automotive MBMCA LLC;

WHEREAS, the Unstoppable Automotive MBMCA LLC proposes to change one of the conditions changing the name from Mercedes-Benz of Marina to Mercedes-Benz of Monterey.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve amending the sales tax revenue sharing agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to change the dealership name from Mercedes-Benz of Marina to Mercedes-Benz of Monterey
2. Clarification on the Gateway Sign:
    a. Consistent with city monument design requirements to say "City of Marina";
    b. Designed, constructed and maintenance to be paid for by developer; and
    c. To exist in perpetuity.
3. That the two parties discuss revenue sharing/contribution by developer to City at some future point in time, like the 10-year or 15-year mark, once Mercedes-Benz is established and doing well.
4. All other conditions of approval of May 20, 2025, to remain the same.
5. Authorize the City Manager to execute the amendment subject to final review by the City Attorney, and:

PASSED AND ADOPTED by the City Council of the City of Marina at a special meeting duly held on July 18, 2025, by the following vote:

AYES: COUNCIL MEMBERS: McCarthy, Biala, Visscher, Delgado
NOES: COUNCIL MEMBERS: McAdams
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

RESOLUTION NO. 2025-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING A SALES TAX REVENUE SHARING AGREEMENT BETWEEN THE CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY

WHEREAS, the City desires to encourage private investment and economic development within the City's commercial areas; and

WHEREAS, the Unstoppable Automotive MBMCA LLC (Developer) proposes to construct and operate a new Mercedes-Benz automotive dealership located in the Dunes development within the City of Marina; and

WHEREAS the project involves a capital investment estimated at over $40 million dollars, which includes land purchase, site development, construction of facilities and equipment; and

WHEREAS, the dealership is anticipated to generate substantial local sales tax revenue and other direct tax revenue for the City and create quality jobs; and

WHEREAS, in consideration of the Developer's significant capital investment and contribution to the City's economic base, the City agrees to rebate 50% of its local (1%) sales tax revenue for five years to support the financial feasibility of the project.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Approve the sales tax revenue sharing agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to assist in covering high site development and construction costs associated with developing a Mercedes-Benz automobile dealership in Marina, with the following conditions:
    a. The City Council shall have final approval after review from the Tree Committee and the Planning Commission for Site Plan and Architectural Design Review;
    b. That the dealership produces an accurate computer simulation video prior to Planning Commission review;
    c. That any gateway sign be consistent with City monument design requirements and that any dealership signage refer to "Mercedes of Marina";
    d. That the proposed lighting for the dealership site minimizes impact to the night sky;
    e. To consider future specific agreement amendments subject to mutual agreement by City and Developer; and
    f. Implement preference for local hires when feasible.
2. Authorize the City Manager to execute the agreement subject to final review by the City Attorney, and:
3. Authorize the Finance Director to make the necessary budgetary and accounting entries.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on May 20, 2025, by the following vote:

AYES: COUNCIL MEMBERS: McAdams, McCarthy, Biala Delgado, Visscher
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

ATTEST: _____
Liesbeth Visscher, Mayor Pro Tem

_____
Anita Sharp, Deputy City Clerk

SUPPLEMENTAL REPORT

May 20, 2025 Item No: **13a**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 20, 2025

SUPPLEMENTAL STAFF REPORT TO ITEM 13A: CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2025-, APPROVING A SALES TAX REVENUE SHARING AGREEMENT BETWEEN CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY.

ANALYSIS:

The Unstoppable Group, LLC has approached the City to revise the terms of the draft tax sharing agreement to provide for a firm incentive of $5 million dollars, rather than $5 million dollars over a 5-year period. The original discussions with staff revolved around providing an incentive of $5 million dollars within a 5-year period. However, there appears to have been an assumption by the Unstoppable Group that a $5 million dollar incentive would be achievable in 5-years, based on the assumption that there would be a 50% rebate from the sales tax received based on a 1 ½ percent sales tax. The 1 ½ percent sales tax they were looking at is the additional 1 ½ percent tax approved by the voters and would not be subject to the tax sharing agreement. The City's base tax rate, which is 1 percent, would be applicable to the sharing agreement. Applying the City's 1 percent sales tax to expected sales over the 5-year period as provided in the agreement resulted in a $3.48 million dollar estimated incentive, less than the $5 million initial incentive proposed by the Unstoppable Group.

As a result of this request, City staff worked with its consultant to determine whether extending the 5-year cap to a $5 million dollar cap would still make financial sense to the City. The attached revised Economic Development Subsidy Report shows that to meet the $5 million cap, the cost-sharing time period would need to be extended from five to seven years. The report shows that the City will receive an estimated $11,635,000 over the 7-year period. Once the incentive sharing agreement is over in year seven, the city's estimated annual direct tax revenue will be $3,195,000.

In addition to clarifying the original intent of staff and the Unstoppable Group with respect to the incentive in the tax sharing arrangement, a couple of other clarifications were requested, including by staff:

- Fixing title of the Agreement
- Providing for quarterly payments to the Unstoppable Group; and
- Designating the property in the City of Marina as the point of sale for any internet sales.

A revised economic development subsidy report and agreement are attached to this supplemental report for Council consideration.

FISCAL IMPACT:

First year direct new tax revenue to the City will be $882,000. Cumulative over seven years, the new direct tax annual revenue will be $11,635,000. The revenue will go to the General Fund. Additionally, the City's portion of the Monterey County pooled sales tax could increase an additional $100,000 to $400,000.

CONCLUSION

This request is submitted for City Council consideration and direction.

Respectfully submitted,

_____

Layne Long
City Manager
City of Marina

May 15, 2025 Item No: **13a**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 20, 2025

CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2025-, APPROVING A SALES TAX REVENUE SHARING AGREEMENT BETWEEN CITY OF MARINA AND UNSTOPPABLE AUTOMOTIVE MBMCA LLC TO ASSIST WITH THE CONSTRUCTION COSTS AND SITE DEVELOPMENT OF AN AUTOMOBILE DEALERSHIP, AND; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, SUBJECT TO FINAL REVIEW BY THE CITY ATTORNEY.

REQUEST:
It is requested that the City Council consider:

1. Adopting Resolution No. 2025-, approving a sales tax revenue sharing agreement between the City of Marina and Unstoppable Automotive MBMCA LLC to assist in covering high site development and construction costs associated with developing a Mercedes-Benz automobile dealership in Marina, and;
2. Authorize the City Manager to execute the agreement subject to final review by the City Attorney, and:
3. Authorize the Finance Director to make the necessary budgetary and accounting entries.

BACKGROUND:
The City of Marina has actively sought to attract high-value commercial businesses that can stimulate economic development, create jobs, expand the tax base, and generate sustainable revenue for the City. This dealership provides a new revenue stream to help meet the public safety, service needs, infrastructure, and maintenance demands of Marina. In alignment with the City's Mission and Vision Statement and the City Council's goals and objectives, staff have been in discussions with the Unstoppable Automotive group who are interested in constructing a Mercedes-Benz dealership on a parcel within the Dunes development area.

The Dunes development is a mixed-use development that includes retail, commercial, office, hotel, residential and affordable housing uses. A Specific Plan adopted for the Dunes development guides the development and land use of this development.

The Unstoppable Automotive LLC is proposing to acquire land from the Dunes development (Marina Community Partners) to develop a new Mercedes-Benz automobile dealership. The proposed dealership represents a significant capital investment estimated at over $40 million dollars that includes land acquisition, site development and construction of dealership facilities with a new showroom and service center. This dealership will generate substantial new sales tax revenue for the City and is expected to create over 80 full-time equivalent jobs, initially, and expanding to over 140 full-time equivalent jobs over five years. **("EXHIBIT A")**

The dealership has requested a sales tax revenue sharing agreement to support the significant upfront capital investment costs that will enhance their long-term competitiveness in the regional automotive market area.

The dealership will serve as an important catalyst for the continued economic growth and development needs of the City. The project will provide substantial direct and indirect benefits to the City and economic opportunities, including sales tax revenues, increased property tax revenues, and increased jobs in the region. It will enhance the City's position as a regional retail and commercial destination and serve as a catalyst for additional retail and commercial development opportunities.

In general, the City typically does not provide economic incentive agreements to businesses. However, the former Fort Ord property area has some unique challenges due to constraints placed on the property when it was transferred from the Army to the Fort Ord Reuse Authority and then to the City of Marina. Some of the unique constraints of these properties include requirements for all first-generation construction to pay a prevailing wage for all new construction which in many cases can double the constructions costs verses other cities in the area or state. There are also blighted military housing units that have lead and asbestos which add a significant cost to remove; decaying water and sewer infrastructure to replace; various endangered species that must be mitigated; and housing and water allotment caps.

Other major developments in the former Fort Ord properties in Marina have needed an economic incentive to be able to move forward. Examples include the current Dunes development, Marina Heights development (now Sea Haven), Cinemark theatre, Marriott Springhill Suite, and most recently the 225,000 square foot manufacturing building constructed by Joby Aviation at the Marina Municipal Airport.

ANALYSIS:

Mercedes-Benz, as a premier luxury auto brand, is anticipated to bring notable economic and brand value to the City of Marina. The dealership is projected to generate substantial annual sales revenue, which in turn would increase the City's share of local sales tax and the City's share of the Monterey County pooled sales tax.

To help offset the upfront capital burden of the development, the dealership has requested a temporary sales tax revenue sharing agreement. The proposed agreement includes the following terms: **("EXHIBIT B")**

- The City will rebate fifty percent (50%) of the City's portion of the one percent (1%) local share of sales tax revenue generated by the dealership for a period of up to five (5) years
- Commence construction no later than January 1, 2026, and complete construction no later than fifteen (15) months after commencement.
- A high building design standard
- Annual report that includes annual gross sales, total number of employees, total full-time employees, breakdown of job types and number of employees that are Marina residents.

The firm Keyser Marston Associates was hired to evaluate the fiscal and economic benefits associated with the Mercedes-Benz automobile dealership. Included with their evaluation is a tax revenue analysis, an economic impact analysis, along with an assessment of the justification of the sales tax revenue sharing agreement. **("EXHIBIT C"**

The new facility will be over 60.000 square feet, consisting of a showroom, service area, and detail bay. Sales will include new vehicles, used vehicles, parts and service sales.

The sales tax generated by the dealership goes to the City's General Fund for city-wide benefit and use and is not limited to the former Fort Ord area.

A premium brand like Mercedes-Benz will likely generate high sales volumes, particularly since this will be the only dealership in Santa Cruz County, San Benito County, South Santa Clara County and Monterey County. Significant short-term economic activity will occur from site development and construction of the dealership facility. When completed it is expected to attract regional shoppers. Visitors to the dealership may spend additional money at nearby restaurants, gas stations, and hotels.

Estimated Fiscal Impact

	Year 2027	Year 2031
Annual Taxable Sales	$93, 593,200	$194,074,694
Sales Tax Revenue (1%)	$935,932	$1,940,747
50% Rebate to Dealership	$467,966	$970,373
Annual Net to City	$467,966	$970,373

Over five years, the cumulative total net sales revenue to City is approximately $3,482,411. In addition to sales tax revenue, the City will receive Measure N (1.5%) tax on parts, business license gross tax receipts, vehicle in lieu property tax revenues. The cumulative total new direct tax revenue the City will receive over the five-year rebate will be $6,420,000. After year five, 100% of the sales tax revenue will come to the City.

FISCAL IMPACT:

First year direct new tax revenue to the City will be $882,000. Cumulative over five years, the new direct tax annual revenue will be $6,420,000. The revenue will go to the General Fund.
Additionally, the City's portion of the Monterey County pooled sales tax is expected to increase annually by an estimated additional $150,000.

CONCLUSION

This request is submitted for City Council consideration and direction.

Respectfully submitted,

_____

Layne Long
City Manager
City of Marina

1920056.3

May 11, 2026 Item No. **13a**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2026

CITY COUNCIL TO CONSIDER ADOPTING RESOLUTION NO. 2026-, AWARDING THE CONSTRUCTION MANAGER-AT-RISK CONTRACT FOR THE MARINA RECREATOIN AND AQUATIC CENTER TO OTTO CONSTRUCTION, INC., OF MONTEREY, CA; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACT DOCUMENTS AND ALL CHANGE ORDERS FOR THE PRECONSTRUCTION SERVICES PHASE OF THE CMAR CONTRACT WITH A NOT-TO-EXCEED FEE OF $175,000 SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES.

REQUEST:

It is requested City Council consider:

1. Adopting Resolution No. 2026-, awarding the Construction Manager-At-Risk contract for the Marina Recreation and Aquatic Center to the highest ranked proposer, Otto Construction, Inc., of Monterey, CA; and
2. Authorizing the City Manager to negotiate and execute contract documents and all change orders for the Preconstruction Services phase of the CMAR contract with a Not-to-Exceed fee of $175,000 subject to final review and approval by the City Attorney; and
3. Authorizing the Finance Director to make necessary accounting and budgetary entries.

BACKGROUND:

The Recreation and Aquatics Center has been a priority project for several years with the City Council. Numerous open houses, community input sessions, surveys, and public hearings have been held that have influenced and refined the project scope and designs to ensure that the design and construction of the facility meets our community needs.

The new Recreation and Aquatics Center is designed and programmed to be as inclusive as possible to serve the broadest possible demographic of residents youth, and seniors, and to provide year-round health, fitness, and aquatics programs indoors. The planned facility is approximately 75,000 square feet, including indoor aquatics, fitness and gymnasium space, community meeting rooms, and supporting amenities.

On March 4, 2025, the City Council approved the previous final concept design and gave staff approval to work with COAR on preparing the 100% construction document design.

At the City Council Meeting of September 3rd, 2025, and the Special Meeting on November 6, 2025, the City Council approved the use of the Construction Manager-At-Risk (CMAR) project delivery method and approved the release of a Request for Proposals (RFP), with modified language to include Labor Standards within the RFP.

On March 12, 2026, City staff received five (5) proposals from qualified firms to perform the CMAR contract for the construction of the Marina Recreation and Aquatic Cener; Otto Construction, Inc., Swinerton Inc, Truebeck Construction, Inc., Ausonio Inc., and FLINT Builders. After reviewing proposals City Staff moved forward to the interview stage with four of the five proposers; Otto Construction, Inc., Swinerton Inc, Truebeck Construction, Inc., and Ausonio Inc. City staff conducted interviews, in partnership with COAR Design Group, on April 29th and April 30th, 2026.

At the end of the proposal review and interview stages, Otto Construction, Inc., was determined to be the highest ranked firm and best value proposer. Otto Construction, Inc. is a union contractor and met the labor standards requirements set forth in the RFP advertisement.

The next step in the project delivery and CMAR process is to begin preconstruction services including constructability reviews and value engineering reviews to ultimately prepare the final 100% Construction Documents for construction.

ANALYSIS:

Under the CMAR process, the City hires a construction manager during the final design phase, who works collaboratively with the architect and City to provide pre-construction services including cost estimating, value engineering construction plan review and scheduling. The CMAR ultimately provides a Guaranteed Maximum Price (GMP) for construction, assumes risk for cost and schedule, and manages subcontractors.

While the CMAR offers a GMP, it may not always yield the absolute lowest construction cost compared to traditional Design-Bid-Build, where the lowest bidder is usually selected. The CMAR delivery method is not expected to increase the project costs, and we anticipate it will reduce overall costs through early collaboration, design modification, improved scheduling, enhanced cost control, and reduced project risks.

Pre-construction services will be funded through the approved project budget, under Construction Expenditures. The Capital Improvement Project (CIP) Number for this project is QLF2004. The current CIP Project budget is shown in the table below:

Expenditures	Prior Expenditures to date	Estimated Expenditures	Total Budget
Preliminary Study	$75,000	$ -	$75,000
Design	$1,107,574.20	$502,425.80	$1,610,000
Construction	$ -	$40,044,000	$40,044,000
Total	**$1,182,574.20**	**$40,546,425.80**	**$41,729,000**

The anticipated Not to Exceed cost for Preconstruction Services is $175,000. This includes the NTE fee of $121,500 pre-construction services Otto Construction, Inc. included in the proposal, and a 45% contingency for Optional Preconstruction Services pending coordination of the current and future design plans prepared by COAR design group.

The current estimate for the CMAR contractor's Construction Phase Services includes a Fixed Price General Conditions cost for Otto Construction of $1,448,607 and a CMAR Fee of 5% of the Direct Cost of the Work. These services and fees are not included in this request. The cost for these services and fees will be determined after the 100% Construction Documents are completed and bids are received.

The final construction contract for the Recreation and Aquatic Center, which will include the final GMP, CMAR Construction Phase Services, and CMAR Fee, will be brought back to the City Council for approval before construction begins. The current opinion of probable construction cost for the GMP and associated CMAR contract fees for construction phase services of the Marina Recreation and Aquatic Center is $30 Million, per the table above the current CIP budget for Construction phase is $40 Million.

Yearly maintenance and operations costs are currently being analyzed and will be brought before the Council for discussion at a future date once initial cost estimates are coordinated by the Recreation and Cultural Services Department and Public Works Department.

FISCAL IMPACT:

There is sufficient budget in CIP Project No. QLF2004 to fund the Preconstruction phase services for Otto Construction, Inc. Staff anticipates sufficient remaining budget for the final GMP and associated CMAR fees for construction phase services and will come back to Council for the final award and approval of the GMP.

Respectfully submitted,

_____

Scott Shepard, P.E.
City Engineer
City of Marina

REVIEWED/CONCUR:

_____

Ismael Hernandez
Public Works Director
City of Marina

_____

Layne P. Long
City Manager
City of Marina

Exhibits:
Exhibit A – Sample Contract

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF MARINA AWARDING THE CONSTRUCTION MANAGER-AT-RISK CONTRACT FOR THE MARINA RECREATOIN AND AQUATIC CENTER TO OTTO CONSTRUCTION, INC., OF MONTEREY, CA; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE CONTRACT DOCUMENTS AND ALL CHANGE ORDERS FOR THE PRECONSTRUCTION SERVICES PHASE OF THE CMAR CONTRACT WITH A NOT-TO-EXCEED FEE OF $175,000 SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY; AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES.

WHEREAS, the Recreation and Aquatics Center has been a priority project for years with the City Council; and

WHEREAS, numerous open houses, community input sessions, surveys, and public hearings have been held that have influenced the project scope and designs to ensure that the design and construction of the facility meets our community needs; and

WHEREAS, the new Recreation and Aquatics Center is designed and programmed to be as inclusive as possible to serve the broadest possible demographic of residents youth, and seniors, and to provide year-round health, fitness, and aquatics programs indoors; the planned facility is approximately 75,000 square feet, including indoor aquatics, fitness and gymnasium space, community meeting rooms and supporting amenities; and

WHEREAS, on March 4, 2025, the City Council approved the previous final concept design and gave staff approval to work with COAR on preparing the 100% construction document design; and

WHEREAS, the process the City typically uses is the Design-Bid-Build (DBB) project delivery method; and

WHEREAS, due to the project's complexity, cost constraints, scheduling concerns, and potential cost escalation, Staff is recommending utilizing the Construction Manager-At-Risk process (CMAR); and

WHEREAS, the construction manager hired pursuant to the CMAR project delivery process ultimately provides a Guaranteed Maximum Price (GMP) for construction, assumes risk for cost and schedule, and manages subcontractors; and

WHEREAS, the advantages of the CMAR process are: collaboration; cost control; time savings; risk management; and flexibility as more fully set in the Staff Report; and

WHEREAS, on November 6, 2025, the City Council approved the release of a Request for Proposals for the CMAR contract; and

WHEREAS, on March 12, 2026, City staff received five (5) proposals from qualified firms; and

WHEREAS, on April 29th and April 30th, 2026, City staff conducted interviews with selected firms; and

WHEREAS, after the proposal and interview phases Otto Construction, Inc. was determined as the highest ranking and best value proposer; and

WHEREAS, preconstruction services will be funded through the approved project budget, with a not-to-exceed fee of $175,000 and the final contract for construction, which will include the GMP and associated CMAR construction services fees, will be brought back to the City Council for approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Award the Construction Manager-At-Risk contract for the Marina Recreation and Aquatic Center to the highest ranked proposer, Otto Construction, Inc., of Monterey, CA; and
2. Authorize the City Manager to negotiate and execute contract documents and all change orders for the Preconstruction Services phase of the CMAR contract with a Not-to-Exceed fee of $175,000 subject to final review and approval by the City Attorney; and
3. Authorize the Finance Director to make necessary accounting and budgetary entries.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 19th Day of May 2026 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

DOCUMENT 00 52 13

AGREEMENT

This agreement is made and entered into on _____, 202_____, by and between the City of Marina ("City or "Owner"") and _____ _____ ("Contractor" or "CMAR") ("Agreement"). The City and the Contractor agree as follows:

1. **The Work:** Contractor shall furnish all tools, equipment, apparatus, facilities, labor, material ,and services (including preconstruction and construction and project delivery services) necessary to perform and complete in a good and workmanlike manner, the services and work of the following project:

   City of Marina Sports And Aquatic Center Project ("Project" or "Contract" or "Work")

   The Work shall be performed and completed as required in the Contract Documents as defined in the General Conditions including, without limitation, the Drawings and Specifications, under the direction and supervision of, and subject to, the approval of the City or its authorized representative.

   The Work shall be performed in Phases identified as follows:

   Phase 1 Pre-Construction Work
   Phase 2- Construction

2. Option. The City may require the performance of the Work under Phase 2 by exercising its option in writing, directing the Contractor to proceed with performance under Phase 2. The option for Phase 2 may be exercised at any time after the Notice to Proceed is issued for Phase 1 but no later than _____. It is within the City's sole distraction to exercise the Option to proceed with Phase 2.

3. **The Contract Documents**:

   3.1. The complete Contract consists of all Contract Documents as defined in the General Conditions and incorporated herein by this reference. All obligations of the City and Contractor are fully set forth and described in the Contract Documents. The Contract Documents are intended to cooperate so that Work called for in one and not mentioned in the other or vice versa is to be performed the same as if mentioned in all Contract Documents.

   3.2. **Interpretation of Contract Documents/Order of Precedence**: Questions concerning the intent, precedence, or meaning of the Contract Documents, including the Drawings or Specifications, shall be submitted to the City for interpretation. Inconsistencies in the Contract Documents shall be resolved by giving precedence in the following order:

   3.2.1. City-approved modifications, beginning with the most recent (if any);
   3.2.2. This Agreement and Exhibits attached thereto;
   3.2.3. Supplementary Conditions;
   3.2.4. General Conditions;
   3.2.5. Remaining Division 0 documents (Documents beginning with "00");
   3.2.6. Division 1 Documents (Documents beginning with "01");
   3.2.7. Division 2 through Division 49 documents (Technical Specifications);
   3.2.8. Figured dimensions;
   3.2.9. Large-scale drawings;

3.2.10. Small-scale drawings.

In case of conflict, the greater quantity and/or higher standard of workmanship shall apply unless the City expressly in writing (e.g., via a Change Order) accepts a lesser quantity or lower quality of workmanship and the Contract Price is adjusted accordingly. The decision of the City in the matter shall be final.

2.3 By executing this Agreement. Contractor represents:

2.3.1 Contractor has examined all the Contract Documents and accepts all of the terms and conditions of the Contract Documents, Document 001116 (Invitation to Bid) and Document 002113 (Instructions to Bidders).

2.3.2 Contractor has visited the Project Site and performed all tasks, research, investigation, reviews, examinations, and analysis and given notices regarding the Project and Site.

2.3.3 Contractor has had adequate opportunity to and has given City prompt written notice of all conflicts, errors, ambiguities, or discrepancies, if any, that it has discovered in or among the Contract Documents, as-built drawings, and actual conditions, and the written resolution thereof through Addenda issued by City is acceptable to Contractor.

2.3.4 Contractor agrees that, in accordance with Document 007213 (General Conditions), liquidated damages for failure to complete work within the times specified in the Contract Documents shall be as set forth in this Agreement.

4. Scope - General

4.1. Contractor shall furnish and deliver to City, as authorized, preconstruction services and construction management-at-risk services for the Guaranteed Project Costs and Prices for the construction of the Project, in accordance with the covenants, conditions, agreements, and terms set forth in this Agreement and the Exhibits attached hereto.

4.1.1. CMAR agrees to provide or perform the services and tasks set forth herein and in the Contract Documents and any other services that are necessary, normal, customary, or incidental to the performance of Contractor's responsibilities for the Project and under any Phase. Accordingly, Contractor shall be responsible for providing or retaining sufficient number(s) of specialists, workers, and subcontractors with requisite skills and experience as appropriate for the successful completion of the Project.

5. Scope - Preconstruction Services

5.1. Preconstruction Services shall consist of general preconstruction services and conducting the Guaranteed Project Costs procurement for the Project.

5.2. The terms and conditions pertaining to the performance of said Services are set forth in **Exhibit A** to this Agreement.

5.3. The payment provisions for said Services are set forth in **Exhibit B** to this Agreement.

5.4. The Contractor shall perform the Preconstruction Services pursuant to the schedule indicated in **Exhibit C** to this Agreement.

5.5. The Preconstruction Services scope is not guaranteed and is subject to City's sole discretion whether to proceed. City has the sole and unilateral right to authorize the Preconstruction Services and any phases thereof, if any. Said authorization shall be made in the form of a Notice to Proceed, which shall authorize the appropriate scopes and applicable payment terms in accordance with those set forth herein].

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6. Scope – Construction Services and Project

6.1. Construction services shall consist of general contracting services as the prime contractor for the Project.

6.2. The terms and conditions pertaining to the performance of said Services are set forth in **Exhibit A** to this Agreement.

6.3. The payment provisions for said Services are set forth in **Exhibit B** to this Agreement.

6.4. The Construction Services scope is not guaranteed and is subject to City's sole discretion whether to proceed. City has the sole and unilateral right to authorize the Construction Phase and any phases thereof, if any. Said authorization shall be made in the form of a Notice to Proceed, which shall authorize the appropriate phase and applicable payment terms in accordance with those set forth herein.

6.5. **Notice(s) to Proceed.** Should City issue a Notice to Proceed to Contractor pursuant to the Contract for each Phase of the Project, Contractor shall proceed with construction of the corresponding Project phase, pursuant to the Contract Documents. Upon issuance of such Notice to Proceed and as a condition of authorization of Construction Services, Contractor agrees to execute an Amendment and/or other instruments under this Agreement to complete all exhibits, prices, and amounts consistent with the terms set forth in this Agreement and each Exhibit. The City reserves the right to issue multiple Notices to Proceed, each for separate Phases of the Project. For each Notice to Proceed following the initial Notice to Proceed, the Parties may, if required, agree to adjust the Construction Schedule as provided herein.

6.6. **Project Site Conditions and Contract Documents**. Contractor acknowledges that it has and will perform certain special services (to be defined later) in preparation to construct the Project.

6.7. **Construction of Project**.

6.7.1. Contractor agrees to cause the Project to be developed, constructed, and installed in accordance with the terms hereof and the Contract Documents, including those things reasonably inferable in the Contract Documents as being within the scope of the Work and necessary to produce the stated result even though no mention is made in the Contract Documents.

6.7.2. **Contract Time / Construction Schedule.**

6.7.2.1. The Construction shall be performed pursuant to the construction schedule(s), attached hereto as **Exhibit C** ("**Schedule(s)**")**.** The time period between the initial **Notice to Proceed** and **Completion** shall be the total Contract time ("**Contract Time**").

6.7.2.2. The Schedules for Construction phases shall be developed during the Preconstruction Services and amended to be included herein. Once approved, City and Contractor may, if agreed to in writing, approve changes in the construction Schedules.

6.7.3. **Schedule of Values.** The Contractor has provided a schedule of values, approved by the City, which is attached hereto as **Exhibit D** ("**Schedule(s) of Values**")**.** The Schedule of Values must be approved by the City prior to the City approval of the Contractor's first Application for Payment.

6.7.4. **Guaranteed Project Costs**. Contractor will cause the Project to be constructed within the Guaranteed Project Costs applicable to the corresponding construction Phase, as set forth and defined in the Guaranteed Project Cost Provisions indicated in **Exhibit B,** and Contractor will not seek additional compensation from City in excess of that amount. The Guaranteed Project Cost may also be referred to herein and in the Contract Documents as the "Contract Price" with regard to the corresponding scope of the Contract.

7. Completion-Extension of Time: If Contractor fails to complete the Work within the Contract Time, due

allowance being made for the contingencies provided for herein, Contractor shall become liable to City for all loss and damage that City may suffer on account thereof. Contractor shall coordinate its Work with the work of all other contractors. The City shall not be liable for delays resulting from Contractor's failure to coordinate its Work with other contractors in a manner that allows for timely completion of Contractor's Work. Contractor shall be liable for delays to other contractors caused by Contractor's failure to coordinate its Work with the work of other contractors.

8. **Liquidated Damages**: Time is of the essence for all Work to be performed. It is hereby understood and agreed that it is and will be difficult and/or impossible to ascertain and determine the actual damage that City will sustain in the event of and by reason of Contractor's delay; therefore, pursuant to Government Code section 53069.85 and Public Contract Code section 7203, Contractor shall forfeit and pay to City the following sum(s) as liquidated damages ("Liquidated Damages"):

   Submittal of any item on approved Submittal Schedule:

   Milestone No. 1: $[TBD – prior to signing Phase 2 GMP] per day as Liquidated Damages for each and every day's delay beyond the time herein prescribed in finishing the Work of Milestone No. 1.

   Milestone No. 2: $[TBD – prior to signing Phase 2 GMP] per day as Liquidated Damages for each and every day's delay beyond the time herein prescribed in finishing the Work of Milestone No. 2.

   - **Project Substantial Completion:** [TBD – prior to signing Phase 2 GMP] per day as Liquidated Damages for each and every day's delay beyond the Contract Time to complete all the Work.

   8.1. Each portion of the Liquidated Damages shall be calculated cumulatively. For example, if Contractor is late in completing two milestones and the entire Project, Contractor will forfeit and pay three separate Liquidated Damages amounts. It is hereby understood and agreed that neither the total cumulative Liquidated Damages amount nor any portion of the Liquidated Damage amount are penalties.

   8.2. City may deduct Liquidated Damages from money due or that may become due Contractor under this Agreement. Contractor's forfeiture of Liquidated Damages to City, and City right to retain Liquidated Damages, are as indicated in Government Code section 53069.85 and as indicated herein and in the General Conditions. Liquidated Damages are automatically and without notice of any kind forfeited and payable by Contractor upon the accrual of each day of delay. Neither City's failure or delay in deducting Liquidated Damages from payments otherwise due the Contractor, nor City's failure or delay in notifying Contractor of the forfeiture and payment of Liquidated Damages, shall be deemed a waiver of City's right to Liquidated Damages and/or the City's right to withhold Liquidated Damages from any amounts that would otherwise be payable to the Contractor.

   8.3. Contractor and Surety shall be liable for and pay to City the entire amount of Liquidated Damages including any portion that exceeds the amount of the Contract Price then held, retained or controlled by City.

   8.4. Liquidated Damages shall be in addition, and not in lieu of, City's right to charge Contractor for the City's cost of completing or correcting items of the Work.

9. **Insurance and Bonds**: Contractor shall provide all required certificates of insurance, and payment and performance bonds, in form as are provided in the Contract Documents. Payment and performance bonds shall be obtained for all construction phases of the Project, in amounts reflecting at least the determined GPCs.

10. **Performance of Work**: If Contractor fails to perform the Work properly or fails to perform any provisions of this Contract, the City, may, pursuant to the General Conditions and without prejudice to any other remedy it may have, cure the deficiencies and deduct the cost thereof from the payment then or thereafter due

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Contractor.

11. **Authority of Architect, Project Manager and/or Project Manager**: Contractor hereby acknowledges that the Architect(s), the Project Manager, and local building inspectors have authority to approve and/or stop Work if Contractor's Work does not comply with the requirements of the Contract Documents and all applicable laws. Contractor shall be liable for any delay caused by its non-compliant Work.

12. **Assignment of Contract**: Neither the Contract, nor any part thereof, nor any moneys due or to become due thereunder, may be assigned by Contractor without the written approval of City, nor without the written consent of the Surety on Contractor's Performance Bond (the "Surety"), unless the Surety has waived in writing its right to notice of assignment.

13. **Classification of Contractor's License**: Contractor hereby acknowledges that it currently holds valid Type "A" and/ or "B" Contractor's license(s) issued by the State of California, Contractor's State Licensing Board, in accordance with division 3, chapter 9, of the Business and Professions Code and in the classification called for in the Contract Documents.

14. **Payment of Prevailing Wages**: Contractor and all Subcontractors under Contractor shall pay all workers on Work performed pursuant to this Contract not less than the general prevailing rate of per diem wages and the general prevailing rate for holiday and overtime work as determined by the Director of the Department of Industrial Relations, State of California, for the type of work performed and the locality in which the work is to be performed within the boundaries of the City, pursuant to sections 1770 et seq. of the California Labor Code.

15. **Contractor & Subcontractor Registration**: Contractor shall comply with the registration and compliance monitoring provisions of Labor Code section 1771.4, including complying with any applicable enforcement by the Department of Industrial Relations.

16. **Authority of Contractor's Representative**: Contractor hereby certifies that its legal representative as defined in the General Conditions and the person(s) it employes on the Project at or above the level of project superintendent, each have the authority to legally bind the Contractor.

17. **Severability**: If any term, covenant, condition, or provision of the Contract Documents is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remainder of the provisions in the Contract Documents shall remain in full force and effect and shall in no way be affected, impaired, or invalidated thereby.

IN WITNESS WHEREOF, accepted and agreed on the date indicated above:

Dated: _____, 20_____	Dated: _____, 20_____
City of Marina	_____ **CONTRACTOR**
By: _____	By: _____
Print Name: _____	Print Name: _____
Print Title: _____	Print Title: _____

NOTE: If the Contractor is a corporation, Contractor must attach a certified copy of the corporation's by-laws, or of the resolution of the Board of Directors of the corporation, authorizing the above person to

execute this Agreement and the bonds required by the Contract Documents.

END OF DOCUMENT

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May 15, 2026 Item No. **13b**

Honorable Mayor and Members of the Marina City Council — City Council Meeting of May 19, 2026

Honorable Chairperson and Members of the Successor Agency to Marina Redevelopment Agency — Successor Agency Meeting of May 19, 2026

Chair and Board Members of Abrams B Non-Profit Corporation — Corporation Meeting of May 19, 2026

Chair and Board Members of Preston Park Sustainable Community Non-Profit Corporation — Corporation Meeting of May 19, 2026

Chair and Board Members of Airport Commission — Commission Meeting of May 19, 2026

RECOMMENDATION TO ADOPT RESOLUTION 2026-XX OF THE CITY COUNCIL OF THE CITY OF MARINA, SUCCESSOR AGENCY TO THE MARINA REDEVELOPMENT AGENCY BOARD, ABRAMS B NPC BOARD, PRESTON PARK SUSTAINABLE COMMUNITY NPC BOARD AND AIRPORT COMMISSION ADOPTING FISCAL YEAR 2026-27 MID-CYCLE BUDGET ADJUSTMENTS, AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE ALL NECESSARY ACCOUNTING AND BUDGETARY ENTRIES

RECOMMENDATION:

It is recommended that the City Council, Boards, and Commission:

1) Consider adopting Resolution No. 2026-, approving the Fiscal Year 2026-27 mid-cycle budget adjustments as outlined in the staff report, and
2) Provide direction for any other Council desired adjustments, and
3) Authorizing the Finance Director to make all necessary accounting and budgetary entries

BACKGROUND:

The City operates on a two-year budget cycle. In June 2025, the City Council adopted a two-year budget for Fiscal Years 2025-26 and 2026-27. Between the two-year budget period, it is customary to provide a mid-cycle financial update to the City Council, including proposed adjustments to revenues and expenditures. The mid-cycle review also offers an opportunity for the City Council to provide direction to staff for other adjustments.

ANALYSIS:

The General Fund is the City's main operating fund that supports Police, Fire, Public Works, Recreation and Cultural Services, Community Development, and administrative departments. The information presented in this report will primarily focus on the General Fund budget and any significant proposed changes. An overview of the General Fund fiscal year-end estimates and recommended budgetary changes for Fiscal Year 2026-27 are included in **EXHIBIT A**. Additional updates to other funds are included in **EXHIBITS B and C**. While the City's fiscal year ends on June 30th, the City accrues or applies revenues and expenditures that were incurred during the fiscal year through the end of August. In addition, accounting adjustments and reconciliations take place through September. The amounts listed for Fiscal Year 2025-26 are listed as "estimated"; however these amounts can change based on the year-end processes and actual receipts. The final year-end results will be provided in the Annual Comprehensive Financial Report (ACFR).

General Fund Revenues

Major Revenues

Staff continuously monitors the City's budgetary performance. In Fiscal Year 2025-26, General Fund revenues are expected to be $42.5 million, which is $4.0 million greater than the original budgetary projections. This increase is primarily due to interest earnings that are projected to be approximately $2.6 million greater than the adopted budget; tax revenue performance that builds upon the prior year's actual receipts, and strong revenue performance in other categories. Property tax, transient occupancy tax, and sales tax are considered major revenues and represent over 67.6% of the General Fund's on-going receipts. In Fiscal Year 2025-26, these three revenues are projected to be $773,000 more than the adopted budget; however, this is only 1.1% greater than the prior year actual receipts.

An overview of the revenue performance as it relates to the budget is presented in Table I.

Tables I: Fiscal Year 2025-26 Major Revenues

	FY 2025-26 Adopted	FY 2025-26 Estimated	Variance
Property Tax	$10,790,000	$11,285,000	$495,000
Sales Tax	10,355,000	10,713,000	358,000
Transient Occupancy Tax	6,490,000	6,410,000	(80,000)
Combined Major Revenues	$27,635,000	$28,408,000	$773,000

The Fiscal Year 2025-26 property tax revenues include a Fort Ord Reuse Authority (FORA) property tax surplus payment of $260,000 and a Recognized Obligation Payment Schedule (ROPS) residual property tax distribution of $472,000. The City's residual ROPS distribution has ranged from $84,000 to $863,000 over the last five years. Fiscal Year 2025-26 represents the third year, the City has received a FORA property tax surplus payment, with the annual receipts averaging $198,000.

The Fiscal Year 2026-27 projected on-going revenues build upon the prior years' performance and are projected to be $40.6 million or $39.6 million, when a one-time transfer is excluded. While this may appear to be an overall decrease, when compared to the prior year, unique one-time revenues contribution to the variance. The City's three primary revenue sources are anticipated to be $29.0 million, which is $466,000 greater than the original adopted budget; and $578,000 or 2.0% higher than the Fiscal Year 2025-26 year-end estimate. This includes a conservative ROPS residual property tax of $481,000 and a FORA property tax surplus payment of $198,000.

An overview of the proposed revision to the City's three major revenue sources is provided in Table II.

Table II: Fiscal Year 2026-27 Major Revenues

	FY 2026-27 Adopted	FY 2026-27 Proposed Revision	Variance
Property Tax	$11,254,000	$11,568,000	$314,000
Sales Tax	10,614,000	10,880,000	266,000
Transient Occupancy Tax	6,652,000	6,538,000	(114,000)
Combined Major Revenues	$28,520,000	$28,986,000	$466,000

Additional General Fund Revenues

Use of Money and Property – Interest

Interest returns increased substantially over the last three years as a result of Federal Reserve's response to inflation. These rates were initially expected to decline as economic conditions improved. In Fiscal Year 2025-26, interest earnings are projected to reach $3.4 million, as compared to $4.1 million in the prior year. While this is a decrease when compared to the prior year, it is approximately $2.6 million greater than the budgetary estimate. The is the result of interest rates declining at a slower pace, as well as the General Fund's cash position. In Fiscal Year 2026-27, it is anticipated that the Federal Reserve will continue reduce the federal lending rate; and more cash will be expended as approved capital projects will enter into the construction phase. This may bring the annual receipts closer to the previous five-year average of $516,000. Based on these factors, the Fiscal Year 2026-27 interest earnings are projected to be closer to $750,000.

Licenses, permits, and fees

In Fiscal Year 2025-26, licenses, permits, and fees are estimated to generate $1.2 million in revenues, which is $393,013 greater than the budgeted amount. This was primarily driven by an increase in residential construction permits and engineering permits. While development activities are expected to continue, these revenues are conservatively projected to be closer to the three-year average of $929,000.

Other Revenues

Revenues within this category are likely to vary with each year. In Fiscal Year 2025-26, Other Revenues are anticipated to be approximately $314,000, which is $226,000 greater than amended budget. This is primarily due to one-time receipts of $34,733 from an opioid settlement, $65,600 for a utility easement at Glorya Jean Tate Park; $55,000 in in-lieu tree revenues; and $97,000 in insurance reimbursements. The Fiscal Year 2026-27 budget represents the average annual budgeted amount, as well as a confirmed opioid settlement payment of approximately $30,000.

Estimated year-end amounts, as well as proposed revisions to the Fiscal Year 2026-27 budgeted amounts can be found in **EXHIBIT A**.

General Fund Expenditures

In Fiscal Year 2025-26, it is estimated that the operating expenditures will be approximately $38.3 million or $585,385 greater than the amended budget. This is primarily due to a $2.1 million estimated increase groundwater stabilization litigation costs and related settlement costs. This increase is offset by approximately $2.6 million in salary savings from position vacancies; and $1.1 million in additional services, supplies, and materials. The additional services and materials include $536,000 in reimbursable or staffing augmentation costs; $220,000 for additional facility, vehicle, and traffic-related maintenance, $151,000 in temporary additional irrigation costs for the new landscaping at the Imjin Parkway Widening Project; and various other costs.

The Fiscal Year 2025-26 also includes additional capital outlay and capital transfer requests in the amount of $2.2 million. Additional details are included in the Capital Outlay and Capital Project section of this report.

The Fiscal Year 2026-27 Budget represents an increase of $1.8 million, when compared to the adopted budget. This includes $509,234 in on-going expenditures for the new Information Technology Manager and Senior HR Analyst positions; and compensation adjustments associated with employee agreements. The proposed additional adjustments of $1,247,105 include approximately $800,000 for additional groundwater stabilization litigation costs, $151,000 for miscellaneous one-time costs, $79,000 for new positions, a $67,105 change in estimate for on-going operating costs, and $150,000 for temporary increased water costs associated with the Imjin Parkway Widening Project. The increase in water costs are anticipated to decline after two years, once the landscaping becomes more

established. Detailed information relating to new position costs are provided within the additional budget recommendations section.

ADDITIONAL BUDGET RECOMMENDATIONS

In addition to revenue projections, staff have also analyzed current operational needs, as well administrative changes. Key changes to expenditures within the General Fund, Capital Improvement, Vehicle and Equipment, Airport Capital Improvement funds are listed below.

Authorized Positions

Delete two half-time non-benefitted Senior Management Analyst positions in the Police Department and add one full-time Senior Manager Analyst *Estimated Annual Cost: $29,000*

The Police Department is currently staffed with two half-time Senior Management Analysts. The individuals who occupy these positions are responsible for training compliance and internal technology administration. It is anticipated that either one or both of the individuals will leave the City within 6-8 months. The establishment of a regular full-time position will contribute to a more sustainable structure, as well as assist attracting a strong pool of candidates. The Fiscal Year 2026-27 budget also includes approximately $27,000 to allow for a three-month overlap of the part-time positions to assist with cross-training on these vital functions.

Addition of a 1.0 Accounting Tech *Estimated Annual Cost: $100,000*
Estimated Fiscal Year 2026-27 costs for half of a year: $50,000

The Finance Department staff recently assumed the responsibilities of a contract accountant. In addition there has been an increased demand for financial grant management, administration of community facility district finances, monitoring project accounting, and financial reporting. The City also has not formally implemented purchase orders to assist with financial control and contract management. There was a previous discussion of potentially adding an Accounting Technician position to provide additional support for the new Aquatic and Sports Center, as well as assist with increased demands. The Fiscal Year 2026-27 proposed amendments include a half year of funding for this position, which aligns with the projected initial set-up up of the Aquatics and Sports Center. It is anticipated that a portion of the Finance Department costs may be allocated through a direct or indirect formula to the Aquatics and Sports Center, and possibly the Airport to assist in offsetting the General Fund costs. This could be accomplished through an internal study or a formal cost allocation as part of a forthcoming budget cycle.

Capital Outlay

The Fiscal Year 2026/27 Budget primarily includes additional funding for previously approved purchases. This includes costs of vehicle outfitting that were not included in the adopted budget, down payments on leased vehicles, and increased pricing. All capital outlay requests that are purchased through the Vehicle and Equipment Fund are funded through a previous allocation based on the estimated cost of replacing each fleet vehicle.

Fund and Description	2025-26	2026-27
General Fund		
Additional funds for a Public Works backhoe and dump truck	$ 22,210	$ -
Equipment Fund		
Additional funds needed for two (2) Ford flatbed trucks	$ 66,248	$ -
Down payment for three Police Department leased vehicles	89,054	
Additional annual lease costs for newly leased vehicles	64,340	49,887
Outfitting for a Police Department motorcycle, and two Caprices		79,352
Estimated appropriation from the Vehicle and Equipment Fund	$ 219,642	$ 129,239

Capital Projects

The following capital projects are included for consideration in the Fiscal Year 2025-26 and Fiscal Year 2026-27 Budget. All projects listed are funded from the identified unallocated fund balance, unless an external funding source is identified.

Dunes Park Development (Project QLP2017) - Additional Fund Request, Option 2A

Funding Sources:	
Preston Park Reserves	*$4,400,000*
Public Facility Impact Fees – Parks	*2,686,400*
General Fund	*2,000,000*
Combined Additional Resources	*$9,086,400*

The Dunes Park Project is currently funded at $10.4 million, which includes an $8.6 million developer contribution. At a prior Council Meeting, staff was directed to review funding alternatives for the following two Dunes Park Project designs: Option 2A with costs from $18.5-$19.5 million; and Option 2B, with projected costs from $17-$18 million. **EXHIBIT D** includes an overview of the amenities associated with these two options. Potential funding sources included appropriations from public facility impact fees, Preston Park reserves, General Fund emergency reserves, and the unallocated General Fund balance. Staff reviewed the projected year-end fund balances for each of the identified resources and determined there were sufficient funds to support a $9.1 million appropriation. This would support Option 2A, and bring the total project costs and resources to $19.5 million.

Glorya Jean Tate Park Improvements (Project QLP2119) – Additional Funding Request
Funding Source: Public Facilities Impact Fees - Parks *$725,000*

The current budget for the Glorya Jean Tate Park is approximately $7 million. Additional funds are needed to complete the existing project scope, as well as support redesigned paths for Marina Coast Water District (MCWD) access.

Citywide Street Shaving to Avoid Trips Hazards Project – HSR2605
Funding Source: General Fund *$155,000*

The Fiscal Year 2025-26 Budget included $250,000 to fund a Sidewalk Shaving Project. On April 21, 2026, the Council received an update on the status of city sidewalks. During this presentation, it was identified that approximately 50% of the sidewalks within the city were completed; however additional funds were needed to correct the remaining defects or uneven sidewalks. The appropriation of an additional $155,000, along with remaining project funds, would allow this project to move forward.

Taxiway B Construction (EDR2613/2101)

Funding Sources:	
Federal Aviation Association	*$721,525*
State Grants	*36,076*
Airport Capital Improvement Fund	*1,899*
Combined Project Costs	*$759,500*

This project was originally established as the Taxiway A Rehabilitation Project (2101). The total project costs were $1.4 million, with $77,000 funded through airport resources; and the remaining balance funded through FAA and State grants. Earlier in this fiscal year, the grant was adjusted for updated project costs, with a grant referencing a Taxiway B Construction Project. Staff learned that the actual name of the taxiway was incorrect in the first project; and that these were duplicate projects. This adjustment consolidates and realigns the funding to reflect the updated costs under project Taxiway B Construction (EDR 2613); and adjusts the original grant funds. This leaves approximately $75,000 in Airport funding available to be allocated to the subsequent T-Hangar Roofing Project.

T-Hanger Roofing Project (Project APF2335)
Funding Sources:

Reallocation/closure of existing airport fund	*$100,000*
Airport Capital Improvement Fund	*$52,000*
Total additional costs and resource	*$152,000*

The biennial budget includes $250,000 to re-roof and weatherproof the airport t-hangers. It was determined that additional funding was need to complete the project, as well as replace the aging gutters. Resources to support this project are proposed to come from closing the Airport Building 514 Improvement Project (2301), which were determined to be no longer needed; and the residual Airport funding from the taxiway projects (EDR2613/2101). The $52,000 in remaining funding will come from the unallocated Airport Capital Improvement Fund balance.

Airport Building 524 Gutter Replacement Project (New)
Funding Source: Airport Capital Improvement Fund *$70,000*
The gutters on this building have reached their end of useful life. The building is a hangar leased by Joby Aviation.

Airport Administrative Office Improvements, Building 520 (NEW)
Funding Source: Airport Capital Improvement Fund *$120,000*
The airport administrative building's interior is aging; and the exterior is weathered. The proposed project includes painting the interior and exterior of the building; disposal of old radiator vent and piping, replacing doors, installing new carpet, updating countertops, and patching gutters.

Balanced Budget Formula
City Council policy (Resolution 2012-46), requires the City to adopt a structurally balanced budget. This structural balanced budget is defined as recurring annual expenses not exceeding recurring annual revenues and excludes one-time transfers. The Fiscal Year 2025-26 and 2026-27 Budget was adopted with a structural deficit. The Council approved the budget with the anticipation that the new Mercedes-Benz dealership would be open within a two-year timeframe, as well as additional retail. To assist in bridging this shortfall, the City conservatively set aside $1.2 million to cover the operating deficit over a three-year period. At the end of Fiscal Year 2026-27, the remaining balance was initially projected to be $586,604.

The recommended General Fund adjustments result in a continued operating deficit; however the net difference is just $55,950 greater than the amount presented in the original budget. The table below shows the calculation of the Fiscal Year 2026-2027 balanced budget formula before and after the recommended budget adjustments. The revised net difference of revenues as compared to on-going expenses is a deficit of $642,574. The Fiscal Year 2026-27 proposed budget amendments include an additional allocation of $55,950 to align with the prior Council action and the updated projected on-going deficit. Staff has also attached **EXHIBIT E** to reconcile the full budget with the balanced budget formula that excludes one-time transactions.

Table III: Structural Budgets (Balanced Budget Formula)

Fiscal Year 2026-27 Structural Budget Formula			
	Original Budget Presentation	**Amended Budget**	**Proposed Revision**
Revenues	$38,745,620	$38,745,620	$39,390,187
On-going Expenses	39,332,424	39,841,658	40,032,941
Surplus (Deficit)	($586,604)	($1,096,038)	($642,754)

Emergency Reserve Policy
The City has a General Fund Emergency Reserve Policy that establishes a reserve level at 20% of operating revenues. The Fiscal Year 2026-27 Budget was adopted at this target level. At an earlier Council Meeting there was some discussion of reducing the reserve percentage to allow for an additional drawdown from reserves to support the Dunes Park Development Project; however, there was sufficient unallocated fund balances to cover the project costs. Staff recommends retaining this reserve level to align with the original budget adoption. Based on the updated revenues, the emergency reserves would require an additional contribution of $146,053 to meet the 20% target. This additional contribution has been incorporated into the Fiscal Year 2026-27 proposed budget revisions.

Facility Reserve
The projected Fiscal Year 2026-27 Public Facility Building Fund balance was initially projected to be $4.1 million. At a previous Council Meeting, there was some discussion of potentially allocating a portion of the Preston Park Fund reserves to support the replacement of key City replacement facilities, such as a new City Hall, Council Chamber, and public safety buildings. The proposed budget amendments include a $2.1 million allocation from the Preston Park Fund reserves. This would bring the estimated Fiscal Year 2026-27 facility reserve balance to $6.2 million.

Unallocated Fund Balance
The General Fund was initially anticipated to end Fiscal Year 2025-26 with an adjusted unassigned fund balance of $500,000; however, when the estimated performance is considered, as well as the proposed budget adjustments, the projected balance increases to $3.8 million. This is largely due to greater than anticipated revenue performance. Based on the proposed budgetary revisions, the General Fund ending unassigned fund balance for Fiscal Year 2026-27 is estimated to be $2.8 million.

OTHER FUNDS
Updates to other funds primarily focus on on-going revenues and expenditures with the exception of the proposed purchases listed in the capital outlay and capital project sections; and appropriations for the new grant-supported Permanent Local Housing Allocation (PLHA) Fund for housing programs; and the Marina Station Community Facilities District (CFD). A brief overview of the proposed changes is included in **EXHIBITS B and C.**

Additional detailed information will be presented at the Council Meeting. This will include an update on the FORA Dissolution Fund, which serves as the primary resource for funding the Aquatic and Sports Center and the repayment of the corresponding interfund loan.

FISCAL IMPACT:
The actions recommended in the report will allow the City to function in a fiscally responsible manner. All proposed changes are anticipated to result in a positive fund balance.

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

Respectfully submitted,

Tori A. Hannah
Finance Director
City of Marina

REVIEWED/CONCUR:

Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2026-XX
RESOLUTION NO. 2026-XX (S/A MRA)
RESOLUTION NO. 2026-XX (NPC)
RESOLUTION NO. 2026-XX (PPSC-NPC)
RESOLUTION NO. 2026-XX (MAC)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA, SUCCESSOR AGENCY TO THE MARINA REDEVELOPMENT AGENCY BOARD, ABRAMS B NPC BOARD, PRESTON PARK SUSTAINABLE COMMUNITY NPC BOARD AND AIRPORT COMMISSION ADOPTING THE FISCAL YEAR 2026-27 MID-CYCLE BUDGET ADJUSTMENTS, AND AUTHORIZING THE FINANCE DIRECTOR TO TAKE ALL NECESSARY ACCOUNTING AND BUDGETARY ENTRIES

WHEREAS, the City and Agency budget is an estimation of resources, revenues and expenditures for a fiscal year period, which is July 1st through June 30th and;

WHEREAS, the City Council previously adopted the two-year budget for Fiscal Years 2025-26 and 2026-27, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina, Boards, and Commission:

1. That the City Council, Boards, and Commission adopt the FY 2026-27 budget adjustments as detailed and recommended in the accompanying staff report and **Exhibits A-E** as adopted, and;

2. Authorize the Finance Director to make all necessary budgetary accounting entries, including the temporary transfer of cash due to timing of revenue payments.

PASSED AND ADOPTED by the City Council of the City of Marina at an adjourned regular meeting duly held on the 19th day of May 2026, 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

EXHIBIT A

General Fund Estimates

Tax Revenues	FY25/26 Amended	FY 25/26 Estimate	Budget Variance	FY 26/27 Adopted Budget	FY 26/27 Amended	Change in Estimate/New Items	FY 26/27 Proposed Revision
Property tax	$ 10,790,000	$ 11,285,000	$ 495,000	$ 11,254,000	11,254,000	314,000	11,568,000
Sales tax	10,355,000	10,713,000	358,000	10,614,000	10,614,000	266,000	10,880,000
Transient occupancy tax	6,490,000	6,410,000	(80,000)	6,652,000	6,652,000	(114,000)	6,538,000
Business License	1,910,000	1,966,000	56,000	1,956,000	1,956,000	-	1,956,000
Franchise tax	1,233,000	1,214,500	(18,500)	1,267,100	1,267,100	(22,600)	1,244,500
Cardroom	201,000	201,000	-	205,000	205,000	-	205,000
Cannabis	327,000	400,000	73,000	334,000	334,000	66,000	400,000
Subtotal Taxes	$ 31,306,000	32,189,500	$ 883,500	$ 32,282,100	$ 32,282,100	$ 509,400	32,791,500
Licenses, permits, and fees	$ 832,000	$ 1,225,013	$ 393,013	$ 854,000	$ 854,000	75,000	$ 929,000
Fines and penalties	83,000	78,000	(5,000)	84,000	84,000	-	84,000
Intergovernmental	488,500	500,153	11,653	496,500	496,500	(7,000)	489,500
Charges for services	1,420,654	1,336,654	(84,000)	1,440,754	1,440,754	(43,000)	1,397,754
Use of Money and Property	3,766,600	6,349,781	2,583,181	3,450,000	3,450,000	270,000	3,720,000
Other revenues	88,000	313,800	225,800	88,100	88,100	30,000	118,100
Subtotal Operating	**$ 37,984,754**	**$ 41,992,900**	**$ 4,008,146**	**$ 38,695,454**	**$ 38,695,454**	**$ 834,400**	**$ 39,529,854**
Transfers	550,166	550,166	-	1,050,166	1,050,166	46,167	1,096,333
Total Revenues	**$ 38,534,920**	**$ 42,543,066**	**$ 4,008,146**	**$ 39,745,620**	**$ 39,745,620**	**$ 880,567**	**$ 40,626,187**
Expenditures							
City Council	$ 182,689	$ 178,509	(4,180)	$ 187,975	$ 188,647	$ -	$ 188,647
City Mgr/HR/Risk	2,907,893	4,580,177	1,672,284	1,907,204	1,899,923	924,000	2,823,923
HR/Risk	670,545	660,421	(10,124)	613,430	774,077	-	774,077
Information Technology	583,241	738,702	155,461	459,400	649,582	-	649,582
Finance	1,201,758	1,244,848	43,090	1,262,718	1,267,026	50,195	1,317,221
City Attorney	824,000	824,000	-	849,000	849,000	-	849,000
Police	10,727,741	10,108,241	(619,500)	11,127,011	11,205,171	55,910	11,261,081
Fire	6,096,812	5,920,425	(176,387)	6,345,191	6,391,707	-	6,391,707
Public Works / Engineering	5,012,863	5,017,705	4,842	5,107,694	5,120,007	217,000	5,337,007
Community Development	2,178,401	2,027,869	(150,532)	2,235,181	2,252,564	-	2,252,564
Economic Development	345,364	201,257	(144,107)	349,972	350,566	-	350,566
Recreation & Culture	1,692,037	1,483,996	(208,041)	1,772,685	1,778,421	-	1,778,421
Citywide Non-Department	5,296,187	5,318,764	22,577	5,476,038	5,476,042	-	5,476,042
Subtotal Operating	**$ 37,719,531**	**$ 38,304,916**	**$ 585,385**	**$ 37,693,499**	**$ 38,202,733**	**$ 1,247,105**	**$ 39,449,838**
Non-Operating							
Capital Outlay	$ 2,292,482	$ 2,314,692	22,210	$ -	$ -	-	$ -
Citywide Transfers Out	11,524,246	13,679,246	2,155,000	14,313,925	14,313,925	-	$ 14,313,925
Subtotal Non-Operating	$ 13,816,728	$ 15,993,938	$ 2,177,210	$ 14,313,925	$ 14,313,925	$ -	$ 14,313,925
Total Expenditures	**$ 51,536,259**	**$ 54,298,854**	**$ 2,762,595**	**$ 52,007,424**	**$ 52,516,658**	**$ 1,247,105**	**$ 53,763,763**

EXHIBIT B

Other Funds - Proposed Fiscal Year 2025-26 Revenue Revisions and Fiscal Year 2026-27 Year-End Estimates

	Fiscal Year 2025-26			Fiscal Year 2026-27			
Fund Description	Amended Budget	Year-End Estimate	Difference	Adopted	Proposed Adjustments	Proposed Revision	Additional Details
Public Facility Building Fund	$ 3,401,831	$ 5,501,831	$ 2,100,000	$ 721,000	$ -	$ 721,000	Includes a $2.1 million transfer from the Preston Park Fund.
CDBG Urban County	150,000	-	(150,000)	150,000	300,000	450,000	Adjusted to reflect the proposed revenues to be received in both fiscal years.
General Plan Maintenance Fee	1,259,739	1,310,739	51,000	89,000	14,000	103,000	FY 25/26 adjusted for interest and fee revenues, FY 26-27 adjusted interest
Public Education Government (PEG)	101,000	88,000	(13,000)	104,000	(14,000)	90,000	Adjusted for declining revenues, with offsetting declines in expenditures
Public Facilities Impact Fees	4,079,000	6,647,464	2,568,464	3,815,000	-	3,815,000	Adjusted for increased fees in Fiscal Year 25/26, as well as interest earnings. Retained Fiscal Year 26/27 at conservative level.
Road Maintenance & Rehab Acct.	604,444	640,000	35,556	617,807	21,693	639,500	Adjustments for revenue increases.
Measure X Trans Sfty/Investment	1,035,000	1,102,500	67,500	1,065,900	37,100	1,103,000	Projected TAMC revenue increases.
FORA Dissolution	1,954,000	4,272,612	2,318,612	2,010,000	23,000	2,033,000	Adjusted FY 25/26 for revenues, primarily retained FY 26/27 for conservative low
CFD - Dunes Promenade 2024-1	-	652,000	652,000	-	682,000	682,000	FY 25/26 Based on actual levy, FY 26/27 based on preliminary estimate
CFD - Marina Station	40,000	70,000	30,000	20,000	35,000	55,000	Adjust for rents and interest earnings.
Permanent Local Housing Allocation	-	430,530	430,530	-	235,000	235,000	Addition of new grant-supported fund for housing programs.
2015 GO Refunding Bonds Library	604,000	637,000	33,000	600,500	45,000	645,500	Adjusted based on revised revenue estimates.
Measure-X C.O.P. Debt Service	799,575	775,575	(24,000)	799,575	(24,000)	775,575	Adjust for interest on debt proceeds that was moved to the Capital Projects - Measure X Fund.
Capital Projects - Measure X	2,550,000	3,162,000	612,000	2,636,000	158,000	2,794,000	Adjusted for interest earnings.
Airport Capital Projects	1,699,186	1,133,787	(565,399)	138,600	538,475	677,075	Adjustment for new projects and project consolidation. See agenda report for details.
City Capital Projects	37,659,996	47,626,396	9,966,400	1,000,000	-	1,000,000	Funds for Dunes Park Development, Sidewalk Shaving, and Glorya Jean Tate Park.
Marina Airport	2,511,401	2,444,301	(67,100)	2,567,882	(105,400)	2,462,482	Projected net reductions for tarmac, utility reimbursements, and fuel sales.
Preston Park NonProfit Corp	8,982,938	9,089,383	106,445	8,573,232	(9,198)	8,564,034	Adjusted Fiscal Year 25/26 for a $6.5 million transfer to the Dunes Park Project and Public Facility Building Fund; partial payment of debt principal on loan related financing costs; along with performance in FY 26/27.
Abrams B NonProfit Corp	4,028,480	3,996,129	(32,351)	4,028,480	81,945	4,110,425	Adjusted based on updated estimates.
Aquatic and Sports Center	27,571,418	28,404,418	833,000	14,301,050	-	14,301,050	Adjusted for interest earnings in Fiscal Year 2025-26.
Successor Agency Obligations	6,442,540	6,390,990	(51,550)	7,437,873	(343,755)	7,094,118	Adjusted based on most recent approved ROPS schedule.
Adjusted Totals	$ 103,877,062	$ 123,332,968	$ 19,455,906	$ 50,638,999	$ 1,136,385	$ 51,775,384	

EXHIBIT C

Other Funds - Proposed Fiscal Year 2025-26 Expenditure Revisions and Fiscal Year 2026-27 Year-End Estimates

	Fiscal Year 2025-26			Fiscal Year 2026-27			
Fund Description	Amended	Year-End Estimate	Difference	Adopted	Proposed Adjustments`	Proposed Revision	
Vehicle and Equipment	2,071,883	2,291,525	219,642	740,668	129,239	869,907	Adjustments for changes in estimates on vehicle purchases and leases.
CDBG Urban County	-	-	-	-	450,000	450,000	Administrative adjustment for two grant-funded projects that were presented to Council; however didn't include a budget amendment.
Public Educ Govt PEG	101,000	88,000	(13,000)	104,000	(14,000)	90,000	Adjusted to reflect projected declining revenues.
Public Facilities Impact Fee	3,680,530	7,091,930	3,411,400	1,000,000	-	1,000,000	Fiscal Year 25/26 adjusted for transfers to the Capital Improvement Fund.
CFD - Dunes Promenade 2024-1	-	282,815	282,815	-	282,815	282,815	Based on current distribution to commercial association, with actual assessment pending.
Marina Station CFD	-	-	-	-	59,000	59,000	Establishes fund based on preliminary estimates, actual assessment pending.
Housing Assistance Fund	177,945	8,000	(169,945)	183,326	10,764	194,090	Adjusted for position vacancies in the current year, with updated estimates for FY 26.27.
Permanent Local Housing Allocation (PI	-	234,190	234,190	-	431,340	431,340	Projected housing program expenditures.
Airport Capital Projects	3,683,768	3,340,369	(343,399)	319,454	-	319,454	Adjusted for various projects. Details included in the agenda report.
City Capital Projects	80,218,497	90,184,897	9,966,400	7,656,076	-	7,656,076	Adjusted for the Dunes Park Improvement, Sidewalk Shaving, and Glorya Jean Tate projects.
Marina Airport	2,450,572	2,235,579	(214,993)	2,560,567	(147,872)	2,412,695	Adjusted for corrected insurance estimates, as well as other costs.
Preston Park NonProfit Corp	8,344,071	21,232,819	12,888,748	8,164,071	38,933	8,203,004	Fiscal Year 2025-26 adjusted for $6.5 million transfer; and $6.3 million to pay down a portion of the principal on the Preston Park loan, along with refinancing costs.
Aquatic and Sports Center	27,552,154	27,454,970	(97,184)	14,638,708	-	14,638,708	Reduced for non-operations in the current fiscal year. Retained at full budget for new fiscal year to allow for flexibility.
	$ 145,137,301	$ 170,590,440	$ 25,453,139	$ 52,820,663	$ 958,224	$ 53,778,887	

MARINA DUNES PARK

Budget and phasing discussion

Amenities Included

- Demolish, grade & hydroseed overall site
- Parking lot at Sand Dune Ave.
- Inclusive playground
- Main entry allée/connection to Sports & Aquatic Center
- Central art courtyard
- Entrance plaza
- Great Lawn
- Phase one restroom
- Four group picnic areas
- National Fitness Court
- Family activity area
- Pickleball courts
- Tennis court
- Detention basins
- Dune gardens
- Multi-modal trail

Amenities Not Included

- Vine trellis
- Sand volleyball courts
- Multisport court
- Signage
- Walled garden
- Memorial trails
- Raised boardwalk
- Amphitheater
- Phase 2 restroom & concession stand

Amenities Included

- Demolish, grade & hydroseed overall site
- Parking lot at Sand Dune Ave.
- Inclusive playground
- Main entry allée/connection to Sports & Aquatic Center
- Central art courtyard
- Entrance plaza
- Great Lawn
- Phase one restroom
- Three group picnic areas
- National Fitness Court
- Family activity area
- Detention basins
- Dune gardens
- Multi-modal trail

Amenities Not Included

- Pickleball courts
- Tennis court
- Vine trellis
- Sand volleyball courts
- Multisport court
- Signage
- Walled garden
- Memorial trails
- Raised boardwalk
- Amphitheater
- Phase 2 restroom & concession stand

$17M-$18M

Future cost - $15.5M-$16.5M

Bid Alts – ($600k)

EXHIBIT E

Balanced Budget Calculation

Proposed General Fund Budget	Adopted FY 2026-27	Amended FY 2026-27 [1]	With Proposed Adjustments FY 2026-27
Revenues	**$ 39,745,620**	**$ 39,745,620**	**$ 40,626,187**
Adjustments for one-time resources			
Transfer-in for special groundwater litigation	(1,000,000)	(1,000,000)	(1,000,000)
Interest adjustment	-	-	(236,000)
Estimated on-going revenues	**$ 38,745,620**	**$ 38,745,620**	**$ 39,390,187**
Expenditures	**$ 52,007,424**	**$ 53,316,658**	**$ 53,763,763**
Adjustments for 0ne-time expenditures			
Anticipated additional groundwater special litigation costs	-	-	(800,000)
Interfund Loan for the Aquatic and Sports Center	(11,800,000)	(11,800,000)	(11,800,000)
Two-year City Clerk / Deputy City Clerk transition	(154,000)	(154,000)	(154,000)
Funding overlap for the Police Sr. Mgmt. Analyst position	-	-	(26,822)
Transfer to the Facility Fund	(721,000)	(721,000)	(721,000)
Estimated reduction in costs with Imjin Road landscaping			(105,000)
Miscellaneous one-time costs		-	(124,000)
Estimated on-going expenses	**$ 39,332,424**	**$ 40,641,658**	**$ 40,032,941**
Net estimated on-going operating surplus/(deficit)	**$ (586,804)**	**$ (1,896,038)**	**$ (642,754)**

(1) The net estimated operating deficit between the adopted and amended budgets reflect the Fiscal Year 2025-26 addition of on-going expenditures. This includes an IT Manager, a Senior Human Resources Analyst; and compensation increases associated with employee agreements.

CONTINUED FROM MAY 5, 2026

April 30, 2026 Item No. **13c**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 19, 2026

CITY COUNCIL CONDISER RECIEVING A PRESENTATION ON (1) PAST AMENDMENTS TO THE COUNCIL RULES, (2) POTENTIAL FURTHER AMENDMENTS AND REFINEMENTS TO SUCH RULES, AND (3) PROVIDING DIRECTION ON OTHER REFINEMENTS OR AMENDMENTS TO SUCH RULES.

REQUEST:

It is recommended that the City Council consider (1) receiving a presentation on past amendments to the Council Rules, (2) further amendments and refinements to such Rules; and (3) providing direction to City Attorney and Staff on other refinements or amendments to such Rules.

BACKGROUND

The City Council's Rules and Procedures for the Conduct of Meetings were originally established by Resolution No. 80-71 on December 12, 1980, and have been amended multiple times over the decades to address meeting times and agenda ordering, among other issues. Beginning in 2022, the Council undertook a more substantive effort focused on two overarching goals: increasing public engagement and improving meeting efficiency. Council Resolution No. 2023-68 established the Council's current Rules and Procedures for the Conduct of the Meetings of the Marina City Council. **See Exhibit A**.

Chronology of Amendments

August 16, 2022 — Initial Amendments Presented

At its August 16, 2022 regular meeting, the Council considered a staff report prepared by Interim City Attorney proposing targeted amendments to Resolution No. 80-71 focused on public engagement and meeting efficiency. The proposed changes addressed Paragraphs 8, 9, 13, and 27 and included a redlined draft agenda as Exhibit B. In summary, the proposals restructured the per-item agenda sequence to place public comment before Council motion and discussion; reframed the minutes function as preparation of "action minutes"; allowed Councilmembers to speak twice on any subject; reduced public comment time from four to three minutes and eliminated the requirement that speakers state their name and address; and updated the agenda template to clarify public hearing procedures and Consent Agenda handling. The item was continued to September 20, 2022, but was not agendized until November 1, 2022. **See Exhibit B**.

November 1, 2022 — Direction to Staff; Integrated Resolution Ordered

At its November 1, 2022 regular meeting, the Council directed staff to prepare an integrated resolution incorporating the following: encouraging written email comments as an alternative to verbal comment; capping general public comment at thirty minutes at the start of meetings with overflow deferred to the end; establishing a one-minute limit for Council comments after a motion; clarifying the scope of permissible technical or clarifying questions prior to public comment; establishing a five-minute per-member speaking limit with no cap on the number of rounds; preserving the per-item agenda sequence for public hearings; prohibiting further comment or discussion after a vote; directing staff to review more efficient use of the Consent Agenda; refining quasi-judicial disclosure language; making AB 1234 reporting more publicly understandable; restricting Consent Agenda pulls to Councilmembers only; directing staff to return with a two-step process for Council for placing items on the agenda; and adding a Land Acknowledgement to all future agendas. **See Exhibit C**.

November 15, 2022 — Resolution 2022-138 Adopted; 5-0
At its November 15, 2022 regular council meeting, the Council considered the integrated rules resolution and adopted Resolution No. 2022-138, which repealed and replaced Resolution No. 80-71 and all prior amendments in their entirety. The resolution incorporated the changes directed on November1: separating Council and Staff Announcements from Public Comment, restructuring the per-item sequence to ensure public comment precedes Council discussion and motions, converting to action minutes, establishing per-member speaking time limits, prohibiting post-vote comment, reducing general public comment to three minutes at the Mayor's discretion with a thirty-minute overall cap, and adopting a new agenda template. **See Exhibit D**.

June 20, 2023 — Resolution 2023-68; Further Amendments Adopted; 5-0
At its June 20, 2023 regular council meeting, the Council considered further amendments to the Council rules and adopted the Resolution No. 2023-6 amending the Rules and Procedures by a unanimous vote, with the following modifications to the staff proposal: the proposed Paragraph 7 amendment addressing Council correspondence was deferred for future consideration; staff was directed to develop a video records retention policy; the public comment section was revised to clarify that public comment is welcomed by any means not disruptive to the meeting; the adjournment extension mechanism was changed from time-based to item-based; action minutes were required to include the name and topic of discussion; and the Council speaking limit was set at five minutes per member with a non-interruptive timekeeping method to be determined. **See Exhibit E**.

ANALYSIS:

Based on a review of Council meetings, including application of the Rules as well as specific feedback during such meetings, certain refinements would be helpful to clarify the Rules and formalize such procedures as Council's two-step process for Council-initiated agenda items. Below is a list of suggested new rules, refinements, and amendments, including to the Agenda Template:

I. Proposed New Rule: Two-Step Council-Initiated Agenda Items

Background
The current Rules and Procedures do not establish a formal process by which individual Councilmembers may place new items on a future agenda. In practice, this gap can result in items being agendized without adequate staff preparation, without a clear statement of purpose, or without the Council as a body having had an opportunity to weigh in on whether the item merits further attention. At the November 1, 2022 meeting, the Council recognized these concerns and directed staff to return with a proposed two-step process for Council-initiated agenda items, with reference to how other cities handle similar requests. A structured two-step process addresses the identified concerns while preserving each Councilmember's ability to bring matters forward for consideration.

This proposed rule serves three objectives. First, it ensures that staff has adequate notice and context to prepare even a brief summary before an item reaches the Council, avoiding uninformed deliberation. Second, it gives the full Council, rather than a single member, the opportunity to assess whether an item warrants the investment of staff time and resources required for a complete action item report. Third, it creates a consistent, transparent record of how items originate and progress to the agenda, which supports public understanding of the Council's legislative process.

Proposed Rule Language

Rule 36. Council-Initiated Agenda Items — Two-Step Process.

(a) Step One — Introduction and Direction. A Councilmember who wishes to place a new item on a future agenda shall first submit a written request to the City Manager describing the subject matter, the Councilmember's proposed objective, and any background information

relevant to the request. The City Manager shall place the item on the next available regular meeting agenda under a designated section titled "Council-Initiated Items." At that meeting, the Councilmember shall briefly introduce the item in no more than three (3) minutes. Staff shall provide a short summary of any known operational, fiscal, or legal considerations. The Council shall then have an opportunity to discuss the item and provide direction to City staff. No final action shall be taken at Step One.

(b) Step Two — Action Item. If the Council, by majority vote, directs staff to return with a full report, staff shall prepare a staff report and place the item on a future agenda as a regular action item in accordance with Paragraph 6 of these Rules. The staff report shall address the Council's stated objectives, relevant background, options for Council consideration, fiscal impact, and a staff recommendation.

(c) Exceptions. A Councilmember may request that a matter bypass Step One and be placed directly on the agenda as a full action item if: (i) the matter involves a time-sensitive issue that cannot reasonably await the two-step process; (ii) staff has already prepared or possesses sufficient background to support a full report; or (iii) the subject matter has previously been considered by the Council within the prior twelve months. Any such exception shall require the concurrence of the Mayor or, in the Mayor's absence, the Mayor Pro Tempore.

(d) Written Request Deadline. Written requests under subdivision (a) shall be submitted to the City Manager no later than 12:00 noon on the Wednesday preceding the meeting at which the Councilmember wishes the item to be introduced, consistent with the general agenda submission deadline established in Paragraph 6.

II. Proposed Rule Clarification: Public Comment on Pulled Consent Agenda Items

Proposed addition to **Rule 8** (Order of Business and Consideration and Sequence of Agenda Items) (**Exhibit A**):

(d) Public Comment on Consent Agenda Items Pulled for Separate Consideration. Public comment on all Consent Agenda items shall be heard during the general Public Comment period at the outset of the meeting. Any member of the public wishing to comment on a Consent Agenda item must do so at that time. If a Consent Agenda item is subsequently pulled by the Council for separate discussion and consideration, no additional public comment period shall be provided on that item, and Council deliberation shall proceed based upon the public input already received during general Public Comment. Notwithstanding the foregoing, the Council may, by majority vote, allow further public comment on a pulled item where the Council determines that additional input would materially assist its deliberation.

III. Proposed Agenda Template Revision: Standing Item 1.a: Councilmember Remote Attendance Announcements

It is recommended that the agenda template be revised to include a standing agenda item immediately following the Call to Order, designated as Item 1.a, with the following title and form:

1.a. Remote Attendance Announcement(s) by Councilmember(s) — Just Cause or Disability Accommodation (Gov. Code §§ 54953(c), 54953.8.3) *Any Councilmember participating in this meeting remotely shall at this time announce the basis for remote attendance. A Councilmember attending remotely for just cause shall briefly identify the applicable just cause ground. A Councilmember attending remotely as a disability accommodation shall confirm participation under Government Code section 54953(c). The Council shall take no vote on remote attendance under either provision. The City Clerk shall record the member's remote attendance and the stated basis in the minutes.*

Statutory Background; Effect of SB 707: The prior authority for just cause remote attendance by individual Councilmembers, Assembly Bill 2449, was codified at Government Code section 54953(f) and sunsetted on January 1, 2026. Senate Bill 707, effective January 1, 2026, comprehensively reorganized and expanded the Brown Act's teleconferencing framework. The just cause and emergency circumstances provisions formerly in section 54953(f) have been relocated and amended in new Government Code section 54953.8.3, and extended through December 31, 2029.

Just Cause Remote Attendance; Gov. Code § 54953.8.3: Under the successor provision, a Councilmember may attend a meeting remotely for just cause without triggering the traditional teleconferencing requirements, provided a quorum of the Council is physically present at the meeting location. SB 707 expanded the categories of qualifying just cause to include:

- Childcare or caregiving obligations for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner;
- A contagious illness that prevents in-person attendance;
- A physical or mental health condition not separately covered by the disability accommodation provision;
- Travel on official business of the legislative body or another public agency;
- The presence of an immunocompromised household or family member;
- A physical or family medical emergency; and
- Military service under official written orders for active duty or drill.

Notably, under SB 707 a member invoking just cause is not required to disclose any medical diagnosis or personal medical information beyond identifying the applicable ground.

Unlike the AB 2449 framework, SB 707 does not require a majority vote of the Council to approve a just cause remote attendance request. Instead, the statute requires only that the member's remote attendance and the specific just cause basis be recorded in the minutes of the meeting. No advance agenda notice of the remote attendance is required, though the Council may, in its discretion, adopt a practice of requesting advance notice to facilitate orderly meeting management.

Frequency limits apply: a Councilmember may not attend remotely for just cause more than five times per year if the Council meets twice per month.

Disability Accommodation; Gov. Code § 54953(c): SB 707 also permanently amended Government Code section 54953 to expressly authorize members of a legislative body with a disability to participate in meetings remotely as a reasonable accommodation under applicable law, including the Americans with Disabilities Act. Remote participation under this provision is treated as in-person attendance for all purposes, including quorum. The member must participate using both audio and video technology unless their disability requires an exception. The member must also disclose whether any other adult is present at their remote location and the general nature of that person's relationship to the member. Because the basis of this statutory provision is grounded in disability accommodation law rather than the just cause framework, it is not subject to the frequency limits applicable under section 54953.8.3.

Staff and City Attorney can prepare a brief reference sheet for Councilmembers summarizing the qualifying just cause grounds, frequency limits, disclosure requirements, and the distinction between just cause and disability accommodation under SB 707, to accompany adoption of this template change.

IV. Proposed Agenda Template Revision: Remote Participation Notice

It is recommended that the agenda template also be revised to include the following notice in a prominent location, such as immediately following the meeting access and participation information currently appearing at the top of each agenda:

> PLEASE NOTE: IF ALL COUNCILMEMBERS ARE PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE PRESIDING OFFICER.

This notice serves to clearly communicate to the public the legal status of remote participation access when all Councilmembers are physically present in Council chambers. Under the Brown Act, the City of Marina is not required to provide teleconference access to the public when members are present in person; remote access, when offered, is a courtesy.[1] The notice addresses potential public confusion due to a disruption when technical difficulties interrupt the Zoom feed during an otherwise properly convened in-person meeting. By setting expectations in advance and on the face of the agenda itself, the notice allows the Presiding Member to exercise discretion to continue the meeting without the appearance of disenfranchising the public or acting inconsistently with prior practice. It also reduces pressure on staff to indefinitely delay or adjourn a meeting due to a technical failure that has no legal bearing on the validity of the proceedings.

V. Suggested Refinements Based on Rosenberg's Rules of Order

The City's Rules and Procedures reference Robert's Rules of Order as the default governing authority (**Exhibit A**, Rule 24), but staff reports from the 2022 amendment process cited Rosenberg's Rules of Order, **Exhibit F**, as a potential model for structured deliberation. Robert's Rules of Order is a 714 page manual of parliamentary procedure originally published in the 19th Century by Henry Robert III. Rosenberg's Rules, published by the League of California Cities and designed specifically for small deliberative bodies like city councils, offer several refinements worth considering for further improving meeting efficiency. A simple comparison of the two sets rules is attached as **Exhibit G**.

1. **Motion Before Discussion.** Rosenberg's Rules recommend that a motion be placed before the body prior to opening general discussion/deliberations on an agenda item, on the theory that having a concrete motion on the floor helps focus deliberation on a specific proposed action. The City's current sequence (**Exhibit A**, Rule 8c) places the motion after public comment and Council discussion. The Council could consider clarifying that the Chair may invite a motion immediately after public comment closes and before Council discussion begins, consistent with Rosenberg's recommended format. Rule 8c can be amended to incorporate this change.

2. **Limiting Motions on the Floor.** Rosenberg's Rules establish a practical ceiling of three motions on the floor at any one time, with votes proceeding in reverse order of introduction. The City's current Rules (Rule 14) address motions and precedence but do not set an explicit numerical limit. Adding such a limit would give the Chair clearer authority to manage complex or contentious items and reduce procedural confusion.

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1 **SB 707: Eligible Legislative Body Requirements Not Applicable:** SB 707 introduced new Government Code section 54953.4, which imposes certain mandatory public remote access requirements, including provision of a two-way audiovisual platform and adoption of a written meeting disruption policy, on legislative bodies that qualify as an "eligible legislative body." Eligibility is determined by population thresholds based on the most recent applicable federal decennial census or qualifying estimate. Based on Marina's current population, the City does not meet the threshold required to qualify as an eligible legislative body under section 54953.4, and the mandatory public remote access requirements of that provision are therefore not applicable to the City Council. Accordingly, the provision of Zoom access to the public remains a discretionary courtesy rather than a statutory obligation.

3. **Friendly Amendments.** Rosenberg's Rules recognize the "friendly amendment" as a practical, informal tool that allows motions to be refined during discussion without requiring a formal separate motion to amend — provided both the maker and the seconder of the original motion agree. Council currently uses this tool, but it is not expressly permitted in the Rules and Procedures, **Exhibit A**. Expressly permitting this practice in the Rules would streamline deliberation on items where minor wording adjustments emerge naturally during Council discussion.

4. **Motion to Limit Debate.** Rosenberg's Rules provide for a formal "motion to limit debate" that, if seconded and passed by a two-thirds vote, cuts off further discussion and moves directly to a vote. Adding this mechanism would give the Council a formal parliamentary tool to manage unusually prolonged deliberation on any single item, beyond the existing per-speaker time caps.

If Council desires, Staff and City Attorney can prepare a brief reference sheet for handling of motions, including descriptions of motions not subject to debate.

FISCAL IMPACT
None.

CONCLUSION:
This request is submitted for City Council consideration.

Respectfully submitted,

_____
René Alejandro Ortega
City Attorney
City of Marina

REVIEWED/CONUR:

_____
Layne Long
City Manager
City of Marina

Attachments:
Exhibit A – Resolution No. 2023-68, Rules and Procedures for the Conduct of Meetings of the Marina City Council
Exhibit B – Staff Report and Resolution No. 2023-, June 20, 2023
Exhibit C – Staff Report, November 15, 2022
Exhibit D – Staff Report and Resolution No. 2022-, November 1, 2022
Exhibit E – Staff Report, August 16, 2022
Exhibit F – Rosenberg's Rules of Order
Exhibit G – Comparison of Rosenberg's Rules to Robert's Rules

EXHIBIT A

RESOLUTION NO. 2023-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING THE RULES AND PROCEDURES FOR THE CONDUCT OF MEETINGS

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures");

WHEREAS, the City Council previously amended the Rules and Procedures by adopting Resolution Nos. 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107 (collectively, "Amendments");

WHEREAS, at its meeting on November 15, 2022, the Council approved Resolution 2022-138 authorizing revisions to the Rules and Procedures;

WHEREAS, staff proposes further modifications to Rules and Procedures, as provided in Exhibit A attached hereto, specifically to Paragraph 7 regarding Council Correspondence, Paragraph 8 regarding the Consideration and Sequence of Agenda Items, Paragraph 13 regarding Debate, and new Paragraph 21 regarding Ex Parte Disclosures; and

WHEREAS, amendment of the Rules and Procedures is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Rules and Procedures. The Rules and Procedures shall be modified as set forth in Exhibit A, RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETINGS OF THE MARINA CITY COUNCIL AND AMENDMENTS, attached hereto and incorporated by reference.

Section 3. Effective Date of Resolution. This Resolution shall take effect on immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held this 20th day of June 2023, by the following vote:

AYES, COUNCIL MEMBERS: Visscher, McCarthy, Biala, Medina Dirksen, Delgado
NOES, COUNCIL MEMBERS: None
ABSENT, COUNCIL MEMBERS: None
ABSTAIN, COUNCIL MEMBERS: None

_____
Bruce C. Delgado, Mayor

ATTEST:

_____
Anita Sharp, Deputy City Clerk

Adopted by Resolution No. 2023-68

RULES AND PROCEDURES FOR
THE CONDUCT OF THE MEETINGS OF THE MARINA CITY COUNCIL
AND AMENDMENTS

1. Purpose. The purpose of these Rules is to establish the procedure for the presentation and determination of matters coming before the Marina City Council, to provide for the fair and efficient consideration of said matters, and to insure that the public is fully informed of the matters coming before the City Council and has an opportunity to witness the deliberations of the members thereof in the conduct of public business, and that proper public involvement in the deliberations of the council be encouraged.

2. Regular Meetings. The City Council shall hold regular meetings on the first and third Tuesday of each month convening at the hour of 5:00 p.m. if there is to be a closed session and convening in open session at the hour of 6:30 p.m. in the Council Chambers of City Hall, 211 Hillcrest Avenue in the City, or such other place within the City limits to which said meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in City Hall, the meetings may be held for the duration of the emergency at such other place and at such hour as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day.

3. Study Sessions. The City Council shall meet in a study session on the first and third Tuesdays of each month at the hour of 7:00 o'clock p.m. in the Council Chamber of the City Hall, or at such other place as may be determined by the Council, for the purpose of hearing reports from the staff and reviewing, discussing and debating matters of interest to the City. Such sessions shall be open to the public and press. No official action shall be taken at a study session; provided, however, that nothing herein shall be deemed to prevent the taking of an informal vote on any matter under discussion. The participation of the public in such sessions shall be subject to the discretion of the presiding officer.

4. Special Meetings. Special meetings may be called at any time by the mayor, or by three members of the City Council, by delivering personally or by mail written notice to each Council Member and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any Council Member who at or prior to the time the meeting convenes files with the City Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any Council Member who is actually present at the meeting at the time it convenes.

5. Meetings to be Public - Exception for Executive Sessions. All regular and special meetings of the City Council shall be public; provided, however, the City Council may hold executive sessions during a regular or special meeting, from which the public may be excluded,

for the purpose of considering the matters referred to in §§54957-54957.6 of the Government Code of the State of California, as may be amended.

No member of the City Council, employee of the City, or any other person present during an executive session of the Council shall disclose to any person the content or substance of any discussion which took place during said executive session unless the City Council shall authorize the disclosure of such information by majority vote.

6. Agenda. All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council at a regular meeting shall be delivered to the City Clerk not later than 12:00 o'clock noon on the Wednesday preceding the meeting. The City Clerk shall prepare an agenda of all such matters according to the order of business (paragraph 8 herein below). The agenda shall be delivered or otherwise made available to the Council Members on the Friday preceding the Tuesday Council meeting to which it pertains, and shall be made available to the public no later than 10:00 o'clock a.m. on the Monday preceding the meeting. All matters shall be considered by the Council in the order listed on the agenda, to the extent of time available; provided, however, that the order of the agenda may be changed at any time by the unanimous consent of all Council Members then present at a meeting. Agenda items not considered or completed for lack of time shall become agenda items at the following meeting in accordance with the foregoing policies. No matters other than those on the agenda shall be finally acted upon by the Council; provided, however, that a matter deemed to be an emergency by any Council Member, the City Manager or the City Attorney, or a matter which would become moot if not acted upon at the council meeting at which it is brought up, with an explanation of the emergency or other necessity for bringing it up stated in open council meeting, may be placed upon the agenda by a motion, seconded and carried, and then may be considered and acted upon by the Council.

7. Council Correspondence.

a) Availability to the Public. Correspondence addressed to the City Council which is received by the City Clerk or any other officer or employee of the City *becomes a disclosable public record, unless subject to an exemptions under the California Public Records Act, as soon as it is received.* Correspondence received in the City Clerk's office or other offices after 12:00 o'clock noon on the Wednesday preceding a regular meeting shall not be placed on the agenda unless it concerns a matter to be considered by the Council at the next regular meeting or is determined by the Mayor or the City Manager to be an urgent matter which should be brought to the immediate attention of the Council. Correspondence shall not be read aloud at a Council meeting unless requested by a majority vote of the Council.

Authority of City Manager. The City Manager is authorized to open and examine all mail or other written communications addressed to the City Council and to give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action may be acted upon between Council meetings.

8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to Order 5:00 p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations
7. Council and Staff Announcements
8. Public Comment – up to a maximum of three (3) minutes
9. Consent Agenda
10. Public Hearings
11. Other Council Action Items
12. Council & Staff Informational Reports
13. Adjournment

b) The Mayor, at their discretion and subject to majority vote overruling them, may re-arrange agenda items, provided that any items `pulled' from Item 9, `Consent Agenda' shall be considered following the last item of Item 11, `Other Council Action Items'.

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to 10 minutes (at Presiding Officer's discretion)
4. Public Comments
5. Mayor Closes Public Hearing/Public Comments
6. Council Discussion
7. Council Motion and Brief Comment (1 minute each)
8. Council Vote

9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of action minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

10. Reading of Minutes. Unless the reading of the minutes of a Council meeting is ordered by a majority vote of the Council, such minutes may be approved without reading if the City Clerk has previously furnished each Council Member with a copy.

11. Presiding Officer. The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of both the Mayor and Mayor Pro Tempore, the City Clerk shall call the Council to order, whereupon a temporary Presiding Officer shall be elected by the Council Members present to serve until the arrival of the Mayor or Mayor Pro Tempore or until adjournment. Wherever in these Rules the term Mayor is used, it shall apply equally to the Presiding Officer as defined in this section.

12. Powers and Duties of Presiding Officer.

a) Participation. The Presiding Officer may move, second, debate and vote from the Chair.

b) Question to be Stated. The Presiding Officer or such member of the City staff as they may designate shall verbally restate each question immediately prior to calling for the vote. Following the vote the City Clerk shall announce whether the question carried or was defeated. The Presiding Officer in their discretion may publicly explain the effect of a vote for the audience, or may direct a member of the City staff to do so, before proceeding to the next item of business.

c) Signing of Documents. The Presiding Officer shall sign all ordinances, resolutions, contracts, and other documents necessitating their signature which were adopted in their presence, unless they are unavailable, in which case the signature of an alternate Presiding Officer may be used.

d) Sworn Testimony. The Presiding Officer may require any person addressing the City Council to be sworn as a witness and to testify under oath, and the Presiding Officer shall so require if directed to do so by a majority vote of the Council.

13. Rules of Debate.

a) Getting the Floor. Every Council Member desiring to speak shall first address the Chair, gain recognition by the Presiding Officer, and shall confine themselves to the question under debate, avoiding personalities and indecorous language.

b) Questions to Staff. Every Council Member desiring to question the City staff shall, after recognition by the Presiding Officer, address their questions to the City Manager, the City Attorney, or to such other department head or member of the City staff as may be appropriate.

c) Interruptions. A Council Member, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, unless a point of order or personal privilege is raised by another Council Member, or unless the speaker chooses to yield to a question by another Council Member. If a Council Member while speaking is called to order, they shall cease speaking until the question of order is determined and, if determined to be in order, may then proceed. Members of the City staff, after recognition by the Presiding Officer,

shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

d) Points of Order. The Presiding Officer shall determine all points of order subject to the right of any Council Member to appeal to the Council. The Presiding Officer may consult with the City Manager or the City Attorney in connection with determining a point of order, or may refer the question involved to either one for determination. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine such question of order.

e) Point of Personal Privilege. The right of a Council Member to address the Council on a question of personal privilege shall be limited to cases in which their integrity, character or motives are questioned or where the welfare of the Council is concerned. A Council Member raising a point of personal privilege may interrupt another Council Member who has the floor only if the Presiding Officer recognizes the privilege.

f) Privilege of Closing Debate. The Council Member moving the adoption of an ordinance, resolution or motion shall have the privilege of closing debate.

g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. During each round of discussion, each Council Member shall be allowed to speak for up to five (5) minutes.

14. Ordinances, Resolution and Motions--Precedents. When an ordinance, resolution or motion is properly brought before the Council and seconded by another Council Member, no other action shall be considered except a point of order, or a motion to adjourn to table, to table to a certain time, to close debate, to refer or to amend. Such items shall have precedence in the order stated in the preceding sentence. Points of order shall be ruled upon by the Presiding Officer, provided that such ruling may be overridden by a majority of the Council. All of such motions, except motions to amend, shall be put to a vote without debate and decided by a majority.

Any of the foregoing motions shall be in order at any time the speaker is duly recognized, except when repeated without intervening business or discussion, or if made when the motion to close debate has been adopted or while a vote is being taken.

a) Motion to Table. If a motion to table (without time certain) passes, consideration of the matter may be resumed only upon the motion of a member voting with the majority on the motion to table.

b) Motion to Close Debate. When a motion to close debate is duly made and seconded, there shall be no further debate. If the question carries, the Presiding Officer shall put pending amendment to a vote, without debate, in the inverse order of their introduction before putting the main question. If the question is decided negatively, the main question and its amendments remain before the council

c) Reconsideration. Providing that no intervening rights will be prejudiced, any Council Member who voted with the majority on a question may move the reconsideration of that question at the same meeting in which the original decision was made or at the next following meeting. After a motion for reconsideration has been acted upon, no other similar motion shall be made without unanimous consent.

15. Voting. Three affirmative votes are required to enact an ordinance or to adopt a resolution or motion granting a franchise or authorizing the payment or expenditure of money or incurring of a debt. The majority of a quorum is required to adopt other resolutions or motions. A "majority" refers to a majority of the quorum present.

Every ordinance shall be adopted by a roll call vote. All other matters may be referred to a vote unless a roll call is requested by any Council Member. On all matters for which a voice vote is authorized, the Presiding Officer may ask for, "objections to the question?" If no objection is expressed, the Presiding Officer shall, "so order," and the minutes shall record a unanimous vote in favor. If any Council Member objects to the procedure, a roll call vote shall be call in the normal manner.

After a vote has been announced, and except for comments pursuant to Rule 22, no Council member shall comment or continue to debate the vote.

16. Failure to Vote. Every Council Member should vote unless disqualified by reason of a conflict of interest. A Council Member who abstains from voting in effect consents that a majority of the quorum may decide the question voted upon.

17. Silence Constitutes Affirmative Vote. Unless a member of the Council states that they are not voting, their silence shall be recorded as an affirmative vote.

18. Tie Vote. Tie votes shall be lost motions and may be reconsidered.

19. Changing Vote. A member may change their vote only if they make a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up. A Council Member who publicly announces that they are abstaining from voting on a particular matter shall not subsequently be allowed to withdraw their abstention.

20. Disqualification for Conflict of Interest. Any Council Member who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Council Member affected, be decided by the other Council Members or the City Attorney. A Council Member who is disqualified by reason of a conflict in interest in any matter shall not remain in their seat during the debate and vote on such matter, but shall request and be given the permission of the Presiding Officer to step down from the Council table. The Council Member

stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

21. Ex Parte Communications for Quasi-Judicial Matters. On quasi-judicial matters, Councilmembers shall verbally disclose off the record contacts relating to the item, after the item is called and before Council consideration of the matter. Disclosure shall include the identity of an individual(s) with whom the Council Member had contact, and the nature of the contact. Written ex parte communications must be forwarded to the City Clerk so they can be provided to the entire Council and to the public.

22. Remarks of Council Member and Synopsis of Debate. A Council Member may request through the Presiding Officer the privilege of having an abstract of their statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

23. Protest against Council Action. Any Council Member shall have the right to have the reasons for their dissent from, or protest against, any action of the Council entered in the minutes. Such dissent or protest to be entered in the minutes shall be made in the following manner: “I would like the minutes to show that I am opposed to this action for the following reasons...”.

24. Rules of Order. Except as otherwise provided in these Rules, other rules adopted by the City Council or applicable provisions of State law, the procedures of the Council shall be governed, to the extent applicable, by the latest revised edition of Robert’s Rules of Order.

25. Failure to Observe Rules of Order. Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law.

26. Ordinances, Resolutions and Contracts.

a) All ordinances Shall be Prepared by the City Attorney. No ordinance shall be prepared for presentation to the Council unless ordered by a majority vote of the Council, or requested by the Mayor, or City Manager, or prepared by the City Attorney on their own initiative.

b) Prior Approval by Administrative Staff. All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been examined and approved for administration by the City Manager or their authorized representative.

27. Reading of Ordinances and Resolutions. At the time of adoption of an ordinance or a resolution, it shall be read in full unless, after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the Council Members present. Such consent may be expressed by a statement by the Presiding Officer that “if there is no objection, the further

reading of the ordinance or resolution shall be waived." If any Council Member so requests, the ordinance or resolution shall be read in full.

28. Addressing the Council.

a) Manner of Addressing Council. Each person desiring to address the Council shall, unless time is limited or otherwise specifically provided for in these rules or is granted by majority vote of the Council, limit their remarks to three (3) minutes, *which may be limited at the discretion of the Mayor depending on time available and the number of speakers*. All remarks shall be addressed to the Council as a whole and not to any member thereof.

b) Spokesman for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Presiding Officer to request that a spokesperson be chosen by the group to address the Council and, in case additional information or matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.

c) After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

29. Rules of Decorum.

a) Council Members. While the Council is in session, the Members must preserve order and decorum, and a Member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any Member while speaking or refuse to obey the orders of the Presiding Officer.

b) Employees. Members of the City staff and employees shall observe the same rules of order and decorum as are applicable to the City Council.

c) Persons Addressing the Council. Any person making impertinent, slanderous or profane remarks, or who becomes boisterous while addressing the Council, shall be called to order by the Presiding Officer and, if such conduct continues, may at the discretion of the Presiding Officer be barred from further audience before the Council during that meeting, unless permission to continue be granted by a majority of the Council.

d) Members of the Audience. Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the Presiding Officer, shall be guilty of an infraction, and upon instructions from the Presiding Officer, it shall be the duty of the Sergeant at Arms to remove any such person from the Council Chamber and to place him under arrest or otherwise cause him to be prosecute under the law.

30. Enforcement of Decorum. The Director of Public Safety or such member or members of the Public Safety Department as they may designate, shall be Sergeant at Arms of the City Council and shall carry out all orders given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meetings. Any Council Member may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the Council shall require him to do so.

31. Public Hearings. The following rules shall apply to all public hearings, except when proceedings are held under general laws of the State of California which require different procedures

a) The Mayor shall state the subject matter of the hearing and declare the public hearing open. Before doing so, they may determine whether or not there are proponents or opponents who wish to make presentations, how many persons wish to be heard or other matters which may affect the conduct of the proceedings. The Mayor may impose and announce reasonable time limits on presentations or oral arguments by the public.

b) The City Manager or appropriate staff member shall give a factual summary of the matter.

c) Council Members shall disclose any ex parte communications.

d) The proponents shall be heard. (Written correspondence shall be summarized by the Clerk.)

e) The opponents shall be heard. (Written correspondence shall be summarized by the Clerk.

f) Each side shall be given a reasonable time for rebuttal. Additional speakers must limit their remarks to providing new information that was not already covered by other speakers.

g) Prior to the close of the public hearing, the Mayor shall give those persons wishing to place their names on the record as being for or against, without presenting an oral argument, an opportunity to do so.

h) The public hearing shall be declared closed.

i) The Council shall discuss and determine the matter.

j) After the public hearing is closed, the public shall not be recognized to speak except to answer any question not covered in the public hearing, and provided that whenever any such answer is given, the opposing side shall be given an opportunity to present facts in rebuttal of the answer given.

32. Policy on Public Input. It is the declared policy of the City Council that any member of the public wishing to be heard on a matter under consideration by the City Council shall be given

a reasonable opportunity to do so. Prior to the vote on any issue, the Mayor shall determine whether or not anyone present wishes to be heard. The Mayor may establish reasonable time limits for oral presentations and shall limit the presentation to the matter before the City Council at that time.

33. Absences from Council Meetings. Pursuant to Government Code §36513, if a City Council Member is absent without permission from all regular Council meetings for 60 days consecutively from the last regular meeting he attended, their office becomes vacant and shall be filled by the Council as any other vacancy. In addition, should any Council Member be absent from two (2) consecutive regular Council meetings, or from three (3) regular Council meetings in any six-month period, without permission from (i.e., not excused for good cause) the Council, the Council may determine that the best interests of the City would be served by said Council Member's resignation, and may request such resignation in a letter authorized by vote of the Council.

34. Automatic Adjournment. Unless otherwise adjourned, all meetings of the City Council shall automatically be adjourned at 10:00 o'clock p.m., except that a majority may by one or more motions act to extend the automatic adjournment for completion of a particular item or items, as specified in the motion to extend the time of adjournment.

35. Amendment of Rules. These rules may be amended by an affirmative vote of a majority of a quorum; provided, however, that except as to rules relating to adjournment, where a provision of these rules requires action by a specific affirmative vote which is greater than a majority of a quorum, then amendment to that rule requires the same vote required for the rule proposed to be amended.

EXHIBIT B

May 31, 2023 Item No. **13c**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of June 20, 2023

CITY COUNCIL CONSIDER ADOPTING RESOLUTION 2023- , AMENDING THE CITY'S RULES AND PROCEDURES FOR THE CONDUCT OF MEETINGS

REQUEST:

It is requested the City Council consider:

1. Adopting Resolution No. 2023- , which further amends the Rules and Procedures for the Conduct of Meetings (**EXHIBIT 1**).

BACKGROUND:

On December 12, 1980, the City Council adopted Resolution No. 80-71, "Establishing the Rules and Procedures for the Conduct of Meetings of the City Council" ("Rules and Procedures"). The Rules and Procedures govern Council conduct, and include provisions for setting meetings, order of the agendas, Council debate, and conflicts of interest. Council directed staff to bring forward proposals regarding the Rules and Procedures to increase public engagement and improve meeting efficiency. At its meeting on November 15, 2022, the Council approved Resolution 2022-138, authorizing revisions to the Rules and Procedures. A link to the staff report can be found at: https://www.cityofmarina.org/AgendaCenter/ViewFile/Agenda/_11152022-377.

DISCUSSION:

The City Council has been successfully implementing the new Rules and Procedures, and some additional changes have been proposed to increase meeting efficiency, and address new concerns.

A. Paragraph 7 – Council Correspondence

From time to time, Council Members have prepared written comments or presentations in regard to meeting agenda items. Providing materials in advance of the meeting would allow City staff the opportunity to make copies, review and/or respond if needed, and ensure any technical difficulties are addressed. Proposed language regarding such a policy is shown in italicized text as follows:

7. Council Correspondence.

   c) Council members providing written comments or materials regarding agenda items must provide such materials to the City Clerk no later than 10:00 a.m. the day of the Council meeting.

Council Members must keep in mind that their written comments should not be distributed to other Council Members outside of the public meeting.

Paragraph 8 - Consideration and Sequence of Agenda Items

In November, Council also approved changes to 8 c) regarding the sequence of an agenda item. Once the agenda item is presented by staff and the applicant/proponent, if any, the matter should be referred to the public for comment. Prior to public comment, the Council agreed that the only questions from Council would be "technical questions" that are imperative to understanding of the presentation and matter before Council, e.g., "*Is the contract for two or three years?" or "Is the not-to-exceed amount of $50,000 correct?"* All other questions (and discussion) by Council should be deferred until after the public has had the opportunity to provide input. In practice, the questions typically segue into extended discussion prior to soliciting the public comment. Proposed modifications to the sequence are shown in strike-out text below:

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to ten (10) minutes (at Presiding Officer's discretion)
~~4. City Council Clarifying *Technical* Questions of Staff and Applicant/Proponent~~
4. *Public Comments*
5. Mayor Closes Public Hearing/Public Comments
6. Council Discussion
7. Council Motion and Brief Comment (1 minute each)
8. Council Vote

B. Paragraph 9 – Preparation of the Minutes

Council approved *"*action" minutes, which is recommended by Robert's Rules of Order. Action minutes will reduce staff time and effort required to prepare detailed minutes, which are no longer needed given current Council meetings are recorded and available through AMP and YouTube. Paragraph 9 of the Rules was modified accordingly. Council directed staff to come back with guidelines and samples for action minutes. A sample is attached as **EXHIBIT 2**. Guidelines can be developed as experience is gained in creating action minutes.

C. Paragraph 13 – Debate

To enhance equitable debate, and manage time more efficiently, Council approved a modification to the Rules to limit the initial comment period by Councilmembers to five (5) minutes. However, Council may have intended the five (5)-minute limit to apply to those Councilmembers participating in additional rounds of discussion. Proposed deletions are noted in strikeout font; proposed additions are in italicized, underlined text:

13. Rules of Debate.

g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. During *each* ~~the~~ ~~initial~~ round of discussion, each Council Member shall be allowed to speak for up to five (5) minutes.

D. New Rule – Ex Parte Disclosure

Rules regulating disclosure of ex parte communications to decision makers have arisen from concerns regarding fairness and due process rights. An ex parte communication is any material or substantive oral or written communication with a Council Member that is relevant to an adjudicatory or quasi-judicial proceeding (such as a public hearing) that takes place outside of a noticed proceeding open to all parties. The same concerns do not apply with purely legislative proceedings such as adopting an ordinance.

Generally, quasi-judicial proceedings are identified by whether a) the matter requires advance notice and hearing; b) the decision must be based upon specific findings of fact; and c) the decision applies law to specific facts to make a determination of a specific person's rights or interests.

Ex parte communications include oral and written information, but can also include other input, such as information obtained during a site visit. Non-substantive communications that do not include factual information to influence a Council Member do not violate due process.

Case law makes clear that pre-hearing disclosure of ex parte communications protects the due process rights of the non-present parties to the matter. The disclosure should be complete and detailed. Ex parte communications between the Council's closure of public hearing and decision should be prohibited, i.e., the decision is delayed to a future meeting for example.

Language could be added to the Rules as a stand-alone rule, following conflicts of interest, and in regards to public hearings.

Proposed additions are shown in italicized text:

> *21. Ex Parte Communications for Quasi-Judicial Matters. On quasi-judicial matters, Councilmembers shall verbally disclose off the record contacts relating to the item, after the item is called and before Council consideration of the matter. Disclosure shall include the identity of an individual(s) with whom the Council Member had contact, and the nature of the contact. Written ex parte communications must be forwarded to the City Clerk so they can be provided to the entire Council and to the public.*

3~~0~~*1*. Public Hearings. The following rules shall apply to all public hearings, except when proceedings are held under general laws of the State of California that require different procedures

a) The Mayor shall state the subject matter of the hearing and declare the public hearing open. Before doing so, they may determine whether or not there are proponents or opponents who wish to make presentations, how many persons wish to be heard, or other matters which may affect the conduct of the proceedings. The Mayor may impose and announce reasonable time limits on presentations or oral arguments by the public.

b) The City Manager or appropriate staff member shall give a factual summary of the matter.

c) Council Members shall disclose any ex parte communications.

. . .

CEQA:

Adoption of Resolution 2023- , which amends the City's Rules and is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

FISCAL IMPACT:

None identified.

CONCLUSION:

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

Respectfully submitted,

Heidi A. Quinn

_____

Heidi Quinn
Interim City Attorney
City of Marina

Exhibit 1

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING THE RULES AND PROCEDURES FOR THE CONDUCT OF MEETINGS

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures");

WHEREAS, the City Council previously amended the Rules and Procedures by adopting Resolution Nos. 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107 (collectively, "Amendments");

WHEREAS, at its meeting on November 15, 2022, the Council approved Resolution 2022-138 authorizing revisions to the Rules and Procedures;

WHEREAS, staff proposes further modifications to Rules and Procedures, as provided in Exhibit A attached hereto, specifically to Paragraph 7 regarding Council Correspondence, Paragraph 8 regarding the Consideration and Sequence of Agenda Items, Paragraph 13 regarding Debate, and new Paragraph 21 regarding Ex Parte Disclosures; and

WHEREAS, amendment of the Rules and Procedures is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Rules and Procedures. The Rules and Procedures shall be modified as set forth in Exhibit A, RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETINGS OF THE MARINA CITY COUNCIL AND AMENDMENTS, attached hereto and incorporated by reference.

Section 3. Effective Date of Resolution. This Resolution shall take effect on immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held this 20th day of June 2023, 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

Adopted by Resolution No. 2023-

PROPOSED RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETINGS OF THE MARINA CITY COUNCIL AND AMENDMENTS

1. Purpose. The purpose of these Rules is to establish the procedure for the presentation and determination of matters coming before the Marina City Council, to provide for the fair and efficient consideration of said matters, and to insure that the public is fully informed of the matters coming before the City Council and has an opportunity to witness the deliberations of the members thereof in the conduct of public business, and that proper public involvement in the deliberations of the council be encouraged.

2. Regular Meetings. The City Council shall hold regular meetings on the first and third Tuesday of each month convening at the hour of 5:00 p.m. if there is to be a closed session and convening in open session at the hour of 6:30 p.m. in the Council Chambers of City Hall, 211 Hillcrest Avenue in the City, or such other place within the City limits to which said meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in City Hall, the meetings may be held for the duration of the emergency at such other place and at such hour as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day.

3. Study Sessions. The City Council shall meet in a study session on the first and third Tuesdays of each month at the hour of 7:00 o'clock p.m. in the Council Chamber of the City Hall, or at such other place as may be determined by the Council, for the purpose of hearing reports from the staff and reviewing, discussing and debating matters of interest to the City. Such sessions shall be open to the public and press. No official action shall be taken at a study session; provided, however, that nothing herein shall be deemed to prevent the taking of an informal vote on any matter under discussion. The participation of the public in such sessions shall be subject to the discretion of the presiding officer.

4. Special Meetings. Special meetings may be called at any time by the mayor, or by three members of the City Council, by delivering personally or by mail written notice to each Council Member and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any Council Member who at or prior to the time the meeting convenes files with the City Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any Council Member who is actually present at the meeting at the time it convenes.

5. Meetings to be Public - Exception for Executive Sessions. All regular and special meetings of the City Council shall be public; provided, however, the City Council may hold executive sessions during a regular or special meeting, from which the public may be excluded, for the purpose of considering the matters referred to in §§54957-54957.6 of the Government Code of the State of California, as may be amended.

No member of the City Council, employee of the City, or any other person present during an executive session of the Council shall disclose to any person the content or substance of any discussion which took place during said executive session unless the City Council shall authorize the disclosure of such information by majority vote.

6. Agenda. All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council at a regular meeting shall be delivered to the City Clerk not later than 12:00 o'clock noon on the Wednesday preceding the meeting. The City Clerk shall prepare an agenda of all such matters according to the order of business (paragraph 8 herein below). The agenda shall be delivered or otherwise made available to the Council Members on the Friday preceding the Tuesday Council meeting to which it pertains, and shall be made available to the public no later than 10:00 o'clock a.m. on the Monday preceding the meeting. All matters shall be considered by the Council in the order listed on the agenda, to the extent of time available; provided, however, that the order of the agenda may be changed at any time by the unanimous consent of all Council Members then present at a meeting. Agenda items not considered or completed for lack of time shall become agenda items at the following meeting in accordance with the foregoing policies. No matters other than those on the agenda shall be finally acted upon by the Council; provided, however, that a matter deemed to be an emergency by any Council Member, the City Manager or the City Attorney, or a matter which would become moot if not acted upon at the council meeting at which it is brought up, with an explanation of the emergency or other necessity for bringing it up stated in open council meeting, may be placed upon the agenda by a motion, seconded and carried, and then may be considered and acted upon by the Council.

7. Council Correspondence.

a) Availability to the Public. Correspondence addressed to the City Council which is received by the City Clerk or any other officer or employee of the City *becomes a disclosable public record, unless subject to an exemptions under the California Public Records Act, as soon as it is received*. Correspondence received in the City Clerk's office or other offices after 12:00 o'clock noon on the Wednesday preceding a regular meeting shall not be placed on the agenda unless it concerns a matter to be considered by the Council at the next regular meeting or is determined by the Mayor or the City Manager to be an urgent matter which should be brought to the immediate attention of the Council. Correspondence shall not be read aloud at a Council meeting unless requested by a majority vote of the Council.

b) Authority of City Manager. The City Manager is authorized to open and examine all mail or other written communications addressed to the City Council and to give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action may be acted upon between Council meetings.

c) Council members providing written comments or materials regarding agenda items must provide such materials to the City Clerk no later than 10:00 a.m. the day of the Council meeting.

8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to Order 5:00 p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations
7. Council and Staff Announcements
8. Public Comment – up to a maximum of three (3) minutes
9. Consent Agenda
10. Public Hearings
11. Other Council Action Items
12. Council & Staff Informational Reports
13. Adjournment

b) The Mayor, at their discretion and subject to majority vote overruling them, may re-arrange agenda items, provided that any items `pulled' from Item 9, `Consent Agenda' shall be considered following the last item of Item 11, `Other Council Action Items'.

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to 10 minutes (at Presiding Officer's discretion)
4. Public Comments
5. Mayor Closes Public Hearing/Public Comments
6. Council Discussion
7. Council Motion and Brief Comment (1 minute each)
8. Council Vote

9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of action minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

10. Reading of Minutes. Unless the reading of the minutes of a Council meeting is ordered by a majority vote of the Council, such minutes may be approved without reading if the City Clerk has previously furnished each Council Member with a copy.

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11. Presiding Officer. The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of both the Mayor and Mayor Pro Tempore, the City Clerk shall call the Council to order, whereupon a temporary Presiding Officer shall be elected by the Council Members present to serve until the arrival of the Mayor or Mayor Pro Tempore or until adjournment. Wherever in these Rules the term Mayor is used, it shall apply equally to the Presiding Officer as defined in this section.

12. Powers and Duties of Presiding Officer.

a) Participation. The Presiding Officer may move, second, debate and vote from the Chair.

b) Question to be Stated. The Presiding Officer or such member of the City staff as they may designate shall verbally restate each question immediately prior to calling for the vote. Following the vote the City Clerk shall announce whether the question carried or was defeated. The Presiding Officer in their discretion may publicly explain the effect of a vote for the audience, or may direct a member of the City staff to do so, before proceeding to the next item of business.

c) Signing of Documents. The Presiding Officer shall sign all ordinances, resolutions, contracts, and other documents necessitating their signature which were adopted in their presence, unless they are unavailable, in which case the signature of an alternate Presiding Officer may be used.

d) Sworn Testimony. The Presiding Officer may require any person addressing the City Council to be sworn as a witness and to testify under oath, and the Presiding Officer shall so require if directed to do so by a majority vote of the Council.

13. Rules of Debate.

a) Getting the Floor. Every Council Member desiring to speak shall first address the Chair, gain recognition by the Presiding Officer, and shall confine themselves to the question under debate, avoiding personalities and indecorous language.

b) Questions to Staff. Every Council Member desiring to question the City staff shall, after recognition by the Presiding Officer, address their questions to the City Manager, the City Attorney, or to such other department head or member of the City staff as may be appropriate.

c) Interruptions. A Council Member, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, unless a point of order or personal privilege is raised by another Council Member, or unless the speaker chooses to yield to a question by another Council Member. If a Council Member while speaking is called to order, they shall cease speaking until the question of order is determined and, if determined to be in order, may then proceed. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

d) Points of Order. The Presiding Officer shall determine all points of order subject to the right of any Council Member to appeal to the Council. The Presiding Officer may consult with

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the City Manager or the City Attorney in connection with determining a point of order, or may refer the question involved to either one for determination. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine such question of order.

e) Point of Personal Privilege. The right of a Council Member to address the Council on a question of personal privilege shall be limited to cases in which their integrity, character or motives are questioned or where the welfare of the Council is concerned. A Council Member raising a point of personal privilege may interrupt another Council Member who has the floor only if the Presiding Officer recognizes the privilege.

f) Privilege of Closing Debate. The Council Member moving the adoption of an ordinance, resolution or motion shall have the privilege of closing debate.

g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. During each round of discussion, each Council Member shall be allowed to speak for up to five (5) minutes.

14. Ordinances, Resolution and Motions--Precedents. When an ordinance, resolution or motion is properly brought before the Council and seconded by another Council Member, no other action shall be considered except a point of order, or a motion to adjourn to table, to table to a certain time, to close debate, to refer or to amend. Such items shall have precedence in the order stated in the preceding sentence. Points of order shall be ruled upon by the Presiding Officer, provided that such ruling may be overridden by a majority of the Council. All of such motions, except motions to amend, shall be put to a vote without debate and decided by a majority.

Any of the foregoing motions shall be in order at any time the speaker is duly recognized, except when repeated without intervening business or discussion, or if made when the motion to close debate has been adopted or while a vote is being taken.

a) Motion to Table. If a motion to table (without time certain) passes, consideration of the matter may be resumed only upon the motion of a member voting with the majority on the motion to table.

b) Motion to Close Debate. When a motion to close debate is duly made and seconded, there shall be no further debate. If the question carries, the Presiding Officer shall put pending amendment to a vote, without debate, in the inverse order of their introduction before putting the main question. If the question is decided negatively, the main question and its amendments remain before the council

c) Reconsideration. Providing that no intervening rights will be prejudiced, any Council Member who voted with the majority on a question may move the reconsideration of that question at the same meeting in which the original decision was made or at the next following meeting. After a motion for reconsideration has been acted upon, no other similar motion shall be made without unanimous consent.

15. Voting. Three affirmative votes are required to enact an ordinance or to adopt a resolution or motion granting a franchise or authorizing the payment or expenditure of money or incurring of a debt. The majority of a quorum is required to adopt other resolutions or motions. A "majority" refers to a majority of the quorum present.

Every ordinance shall be adopted by a roll call vote. All other matters may be referred to a vote unless a roll call is requested by any Council Member. On all matters for which a voice vote is authorized, the Presiding Officer may ask for, "objections to the question?" If no objection is expressed, the Presiding Officer shall, "so order," and the minutes shall record a unanimous vote in favor. If any Council Member objects to the procedure, a roll call vote shall be call in the normal manner.

After a vote has been announced, and except for comments pursuant to Rule 22, no Council member shall comment or continue to debate the vote.

16. Failure to Vote. Every Council Member should vote unless disqualified by reason of a conflict of interest. A Council Member who abstains from voting in effect consents that a majority of the quorum may decide the question voted upon.

17. Silence Constitutes Affirmative Vote. Unless a member of the Council states that they are not voting, their silence shall be recorded as an affirmative vote.

18. Tie Vote. Tie votes shall be lost motions and may be reconsidered.

19. Changing Vote. A member may change their vote only if they make a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up. A Council Member who publicly announces that they are abstaining from voting on a particular matter shall not subsequently be allowed to withdraw their abstention.

20. Disqualification for Conflict of Interest. Any Council Member who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Council Member affected, be decided by the other Council Members or the City Attorney. A Council Member who is disqualified by reason of a conflict in interest in any matter shall not remain in their seat during the debate and vote on such matter, but shall request and be given the permission of the Presiding Officer to step down from the Council table. The Council Member stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

21. Ex Parte Communications for Quasi-Judicial Matters. On quasi-judicial matters, Councilmembers shall verbally disclose off the record contacts relating to the item, after the item is called and before Council consideration of the matter. Disclosure shall include the identity of an individual(s) with whom the Council Member had contact, and the nature of the contact. Written

ex parte communications must be forwarded to the City Clerk so they can be provided to the entire Council and to the public.

22. Remarks of Council Member and Synopsis of Debate. A Council Member may request through the Presiding Officer the privilege of having an abstract of their statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

23. Protest against Council Action. Any Council Member shall have the right to have the reasons for their dissent from, or protest against, any action of the Council entered in the minutes. Such dissent or protest to be entered in the minutes shall be made in the following manner: "I would like the minutes to show that I am opposed to this action for the following reasons...".

24. Rules of Order. Except as otherwise provided in these Rules, other rules adopted by the City Council or applicable provisions of State law, the procedures of the Council shall be governed, to the extent applicable, by the latest revised edition of Robert's Rules of Order.

25. Failure to Observe Rules of Order. Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law.

26. Ordinances, Resolutions and Contracts.

a) All ordinances Shall be Prepared by the City Attorney. No ordinance shall be prepared for presentation to the Council unless ordered by a majority vote of the Council, or requested by the Mayor, or City Manager, or prepared by the City Attorney on their own initiative.

b) Prior Approval by Administrative Staff. All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been examined and approved for administration by the City Manager or their authorized representative.

27. Reading of Ordinances and Resolutions. At the time of adoption of an ordinance or a resolution, it shall be read in full unless, after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the Council Members present. Such consent may be expressed by a statement by the Presiding Officer that "if there is no objection, the further reading of the ordinance or resolution shall be waived." If any Council Member so requests, the ordinance or resolution shall be read in full.

28. Addressing the Council.

a) Manner of Addressing Council. Each person desiring to address the Council shall, unless time is limited or otherwise specifically provided for in these rules or is granted by majority vote of the Council, limit their remarks to three (3) minutes, *which may be limited at the discretion*

of the Mayor depending on time available and the number of speakers. All remarks shall be addressed to the Council as a whole and not to any member thereof.

b) Spokesman for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Presiding Officer to request that a spokesperson be chosen by the group to address the Council and, in case additional information or matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.

c) After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

29. Rules of Decorum.

a) Council Members. While the Council is in session, the Members must preserve order and decorum, and a Member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any Member while speaking or refuse to obey the orders of the Presiding Officer.

b) Employees. Members of the City staff and employees shall observe the same rules of order and decorum as are applicable to the City Council.

c) Persons Addressing the Council. Any person making impertinent, slanderous or profane remarks, or who becomes boisterous while addressing the Council, shall be called to order by the Presiding Officer and, if such conduct continues, may at the discretion of the Presiding Officer be barred from further audience before the Council during that meeting, unless permission to continue be granted by a majority of the Council.

d) Members of the Audience. Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the Presiding Officer, shall be guilty of an infraction, and upon instructions from the Presiding Officer, it shall be the duty of the Sergeant at Arms to remove any such person from the Council Chamber and to place him under arrest or otherwise cause him to be prosecute under the law.

30. Enforcement of Decorum. The Director of Public Safety or such member or members of the Public Safety Department as they may designate, shall be Sergeant at Arms of the City Council and shall carry out all orders given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meetings. Any Council Member may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the Council shall require him to do so.

31. Public Hearings. The following rules shall apply to all public hearings, except when proceedings are held under general laws of the State of California which require different procedures

a) The Mayor shall state the subject matter of the hearing and declare the public hearing open. Before doing so, they may determine whether or not there are proponents or opponents who wish to make presentations, how many persons wish to be heard or other matters which may affect the conduct of the proceedings. The Mayor may impose and announce reasonable time limits on presentations or oral arguments by the public.

b) The City Manager or appropriate staff member shall give a factual summary of the matter.

c) Council Members shall disclose any ex parte communications.

d) The proponents shall be heard. (Written correspondence shall be summarized by the Clerk.)

e) The opponents shall be heard. (Written correspondence shall be summarized by the Clerk.

f) Each side shall be given a reasonable time for rebuttal. Additional speakers must limit their remarks to providing new information that was not already covered by other speakers.

g) Prior to the close of the public hearing, the Mayor shall give those persons wishing to place their names on the record as being for or against, without presenting an oral argument, an opportunity to do so.

h) The public hearing shall be declared closed.

i) The Council shall discuss and determine the matter.

j) After the public hearing is closed, the public shall not be recognized to speak except to answer any question not covered in the public hearing, and provided that whenever any such answer is given, the opposing side shall be given an opportunity to present facts in rebuttal of the answer given.

32. Policy on Public Input. It is the declared policy of the City Council that any member of the public wishing to be heard on a matter under consideration by the City Council shall be given a reasonable opportunity to do so. Prior to the vote on any issue, the Mayor shall determine whether or not anyone present wishes to be heard. The Mayor may establish reasonable time limits for oral presentations and shall limit the presentation to the matter before the City Council at that time.

33. Absences from Council Meetings. Pursuant to Government Code §36513, if a City Council Member is absent without permission from all regular Council meetings for 60 days consecutively from the last regular meeting he attended, their office becomes vacant and shall be filled by the

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Council as any other vacancy. In addition, should any Council Member be absent from two (2) consecutive regular Council meetings, or from three (3) regular Council meetings in any six-month period, without permission from (i.e., not excused for good cause) the Council, the Council may determine that the best interests of the City would be served by said Council Member's resignation, and may request such resignation in a letter authorized by vote of the Council.

34. Automatic Adjournment. Unless otherwise adjourned, all meetings of the City Council shall automatically be adjourned at 10:00 o'clock p.m., except that a majority may by one or more motions act to extend the automatic adjournment to not later than a specified time, or for completion of a particular item or items, as specified in the motion to extend the time of adjournment.

35. Amendment of Rules. These rules may be amended by an affirmative vote of a majority of a quorum; provided, however, that except as to rules relating to adjournment, where a provision of these rules requires action by a specific affirmative vote which is greater than a majority of a quorum, then amendment to that rule requires the same vote required for the rule proposed to be amended.

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Exhibit 2 - Proposed Guidelines for Action Minutes

Action minutes record what is done, not what is said. Detailed minutes of discussion can be subjective and aren't necessary given meetings are recorded.

Public hearings, Council study sessions and committee meeting minutes may include more detail.

What to Include:

- Each main motion and its disposition (passed, failed, referred, postponed, etc.).
- Include all points of order, appeals, and the result. If a motion does not receive a second, it need not be noted.
- Reasons for the decision can be included in the "whereas" clauses of Resolutions and Ordinances rather than stated on the record.
- Amendments to a motion must be tracked but each amendment does not need to be included; rather the final text of the motion can provide, "After discussion and amendment, the following motion was approved . . ."
- The final vote must be recorded and indicate how each Council Member voted.

What Doesn't Need to be Included:

- Minor procedural motions such as approving the agenda or calling the question
- Withdrawn motions
- Written summaries of oral reports.
- Detailed public comment. It is sufficient to say that "public comment was provided."

Notes:

A person does not have to have been present at a meeting in participate in approval of the minutes

Minutes should not be approved at a special meeting but held until the next regular meeting.

Approved minutes may be changed at any time using the motion "to amend something previously adopted." The changes are noted on the minutes being changed, and signed.

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EXHIBIT C

November 9, 2022 Item No. **11b**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of November 15, 2022

CITY COUNCIL CONSIDER ADOPTING RESOLUTION 2022-, WHICH REPEALS AND REPLACES RESOLUTION NO. 80-71, AS AMENDED, REGARDING BEST PRACTICES FOR PUBLIC ENGAGEMENT AND MEETING EFFICIENCY

REQUEST:

It is requested the City Council consider:

1. Adopting Resolution No. 2022-, which appeals and replaces Resolution No. 80-71, as amended, Establishing the Rules and Procedures for the Conduct of Meetings (**Exhibit 1**); and
2. Approving an Agenda format in substantially the same form as **Exhibit 2**.

BACKGROUND:

On December 12, 1980, the City Council adopted Resolution No. 80-71, "Establishing the Rules and Procedures for the Conduct of Meetings of the City Council" ("Rules and Procedures"). The Rules and Procedures have been amended over the years,[1] and govern Council conduct, and include provisions for setting meetings, order of the agendas, Council debate, and conflicts of interest. Council recently directed staff to bring forward proposals regarding the Rules and Procedures to increase public engagement and improve meeting efficiency.

At its meeting on November 1, 2022, Council approved revisions to the Rules and Procedures and the meeting agenda template, as detailed below, and directed staff to prepare an integrated resolution and agenda template. A link to the November 1, 2022 staff report can be found at: https://www.cityofmarina.org/AgendaCenter/ViewFile/Agenda/_11012022-374.

DISCUSSION:

Changes to the Rules and Procedures

A. Paragraph 8 - Order of Business and Consideration and Sequence of Agenda Items

Council approved changes to the Rules and Procedures, Paragraph 8 a) pertaining to the order of business. "Council and Staff Announcements" have been separated from "Public Comment." Changes were also made to adjust the numbering, and update the provisions with gender-neutral language (8 b)).

Council also approved changes to 8 c) regarding the sequence of an agenda item. Once the agenda item is presented by staff and the applicant/proponent, if any, the matter should be referred to the public for comment. The only questions posed by Council at this time should be "technical questions" that are imperative to understanding of the presentation and matter before Council, e.g., "*Is the contract for two or three years?" or "Is the not-to-exceed amount of $50,000 correct?"* All other questions (and discussion) by Council should be deferred until after the public has had the opportunity to provide input.

[1] See Resolutions 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107 (collectively, "Amendments").

Once public comment is closed, Council will have "2 bites of the apple" during the "Council Discussion" and "Council Motion and Brief Comment" periods. Council approved a five-minute limitation during the initial round of discussion, which is addressed in Rule 13g). Council also approved a one-minute limitation on a Councilmember's comment after a motion is made, which is addressed in the Agenda. Modifications are set forth in italicized font; deletions are noted in strikeout font:

8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the City Council shall be taken up for consideration and disposition in the following order:

1. Call to Order 5:00p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations - *no action; no public comment*
7. ~~Special~~ *Council and Staff* Announcements ~~*and Communications from the Floor*~~
8. *Public Comment – Up to a maximum of three (3) minutes per person*
9. Consent Agenda
10. Public Hearings
11. Other Council Action Items
12. Council & Staff Informational Reports – *no action taken, no public comment*
13. Adjournment

b) The Mayor, at *their* ~~his/her~~ discretion and subject to majority vote overruling *them* ~~him/her~~, may re-arrange agenda items, provided that any items 'pulled' from Item *9*~~8~~, 'Consent Agenda' shall be considered following the last item of ltem *11*~~10~~, "Other Council Action Items."

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to ten (10) minutes (at Presiding Officer's discretion)
4. City Council ~~Clarifying~~ *Technical* Questions of Staff and Applicant/Proponent
5. ~~Brief Council Comments and Motion~~ *Public Comments* – up to a maximum of ~~four~~ *three* (~~4~~3) minutes per person
6. Mayor Closes Public Hearing/Public Comments
7. Council Discussion
8. *Council Motion and Brief Comment (1 minute each)*
9. Council Vote

B. Paragraph 9 - Preparation of the Minutes:

Council approved "action" minutes, which is the guideline of Robert's Rules of Order. This will reduce staff time and effort required to prepare detailed minutes, which are no longer needed given current Council meetings are recorded and available through AMP and YouTube. The proposed modification to the Rules is set forth below (additions shown in italicized font; deletions in strikeout font):

> 9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of ~~the~~ *action* minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

Council directed staff to come back with guidelines and samples for action minutes.

C. Paragraphs 13 and 15 - Debate:

To enhance equitable debate, and manage time more efficiently, Council approved a modification to limit the initial comment period by Councilmembers to five (5) minutes. Additions are shown in italicized font:

> 13. Rules of Debate.
>
> g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. *During the initial round of discussion, each Council Member shall be allowed to speak for up to five (5) minutes.*

Council also recommended that after a vote and majority approval on an agenda item, there shall not be continued comment or debate by Council.

> 15. Voting. Three affirmative votes are required to enact an ordinance or to adopt a resolution or motion granting a franchise or authorizing the payment or expenditure of money or incurring of a debt. The majority of a quorum is required to adopt other resolutions or motions. A "majority" refers to a majority of the quorum present.
>
> Every ordinance shall be adopted by a roll call vote. All other matters may be referred to a vote unless a roll call is requested by any Council Member. On all matters for which a voice vote is authorized, the Presiding Officer may ask for, "objections to the question?" If no objection is expressed, the Presiding Officer shall, "so order," and the minutes shall record a unanimous vote in favor. If any Council Member objects to the procedure, a roll call vote shall be call in the normal manner.
>
> *After a vote has been announced, and except for comments pursuant to Rule 22, no Council member shall comment or continue to debate the vote.*

D. Paragraph 27 - Manner of Addressing Council

Paragraph 27 sets forth the allotted time for public comments. Council approved modifications to eliminate the requirement that members of the public provide their names as prerequisite to speaking, and limit public comment to up to three (3) minutes, at the discretion of the Mayor. Proposed additions are shown in italicized font; deletions are in strikeout font:

27. Addressing the Council

a) Manner of Addressing Council. Each person desiring to address the Council ~~shall step up to the speaker's rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and, unless further time is otherwise specifically provided for in these rules or is granted by majority vote of the Council, shall limit his remarks~~ *may comment for up to* ~~four~~ *three* (~~4~~*3*) minutes, *which may be limited at the discretion of the Mayor depending on time available and the number of speakers*. All remarks shall be addressed to the Council as a whole and not to any member thereof. ~~No question shall be asked a Council Member or a member of the City staff without the permission of the Presiding Officer.~~

Further, as Council re-ordered consideration of agenda items to entertain public comment prior to Council discussion and a motion, the following subsection has also been modified (additions shown in italicized text):

c) After Motion *or Close of Public Hearing*. After a motion has been made *or a public hearing has been closed,* no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

The Rules and Procedures contain additional non-substantive revisions regarding incorporation of gender neutral language and correction of typographical errors.

Changes to the Agenda

A. Public Comment

Council approved proposed amendments to the current Agenda template in terms of public comments. While public comment is an essential part of local government meetings, the purpose of public comment is to inform the Council of the public's views, and not to enter into debate or dialogue with Council, or to have general public comment take precedence over items scheduled for action on the agenda. Council approved the following modifications to the Agenda template as shown in **Exhibit 2**:

- Language added to encourage written communications from the public.
- Limitation of general public comment at the meeting's outset to thirty (30) minutes. The Mayor can assess the number of speakers and may continue additional public comment to the end of the meeting.
- Limitation of public comment to up to three (3) minutes, at the Mayor's discretion.
- Public comment on the Consent Agenda will be heard under general public comment. In this way, the Consent Agenda may be called, and if no items are pulled by Council, adopted in one motion without additional public comment. Because of the 30-minute limitation, however, members of the public wishing to comment on the Consent Agenda must be given priority during general public comment as their input must be heard prior to Council action on the Consent Agenda items.
- The Agenda has been clarified to specify that only Council has discretion to pull a Consent agenda item for discussion.

B. Other Changes

- Added Land Acknowledgement (from Proclamation).
- Added notation that Council Member comments after a motion shall be limited to one (1) minute.
- Public hearing section clarified to specify a ten (10) minute speaking period for applicants/proponents, if any, and a three (3) minute public comment period.
- Clarification of Council Informational Reports to specify reports of attendance at meetings and conferences at City expense, as required by the Brown Act.

FUTURE ITEMS:

Council directed staff to return with a policy for agenda-setting, guidance and samples for Action Minutes, and additional efficiencies for utilization of the Consent Agenda.

CEQA:

Adoption of Resolution 2022- , which repeals and replaces Resolution 80-71 and its Amendments, is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

FISCAL IMPACT:

None identified.

CONCLUSION:

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

Respectfully submitted,

Heidi A. Quinn

_____

Heidi Quinn
Interim City Attorney
City of Marina

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA REPEALING AND REPLACING RESOLUTION 80-71, AS AMENDED, REGARDING BEST PRACTICES FOR PUBLIC ENGAGEMENT AND MEETING EFFICIENCY.

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, the City Council previously amended the Rules and Procedures by adopting Resolution Nos. 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107 (collectively, "Amendments"); and

WHEREAS, after discussion, the City Council directed staff to place on a future agenda a resolution to make proposed changes to the Rules and Procedures regarding public engagement and meeting efficiency; and

WHEREAS, staff proposes modifications to Rules and Procedures Paragraph 8 regarding Order of Business and Consideration and Sequence of Agenda Items, Paragraph 9 regarding Preparation of Minutes, Paragraph 13 and 15 regarding Debate, and Paragraph 27 regarding Manner of Addressing Council; and amendment of the Agenda format; and

WHEREAS, the prior resolution of this Council relating to Council meeting procedures, being Resolution No. 80-71, and its Amendments, are hereby repealed and replaced; and

WHEREAS, amendment of Resolution 80-71 and its Amendments, are not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Rules and Procedures. The Rules and Procedures shall be modified as set forth in Exhibit 1, RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETINGS OF THE MARINA CITY COUNCIL AND AMENDMENTS, attached hereto and incorporated by reference.

Section 3. Agenda Template. The Agenda format shall be in substantially the same form as Exhibit 2 attached hereto and incorporated by reference.

Section 4. Effective Date of Resolution. This Resolution shall take effect on immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held this 15th day of November 2022, 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

**RULES AND PROCEDURES FOR
THE CONDUCT OF THE MEETINGS OF THE MARINA CITY COUNCIL
AND AMENDMENTS**

1. Purpose. The purpose of ~~this resolution~~these Rules is to establish the procedure for the presentation and determination of matters coming before the Marina City Council, to provide for the fair and efficient consideration of said matters, and to insure that the public is fully informed of the matters coming before the City Council and has an opportunity to witness the deliberations of the members thereof in the conduct of public business, and that proper public involvement in the deliberations of the council be encouraged.

2. Regular Meetings. The City Council shall hold regular meetings on the first and third Tuesday of each month convening at the hour of 5:00 p.m. if there is to be a closed session and convening in open session at the hour of 6:30 p.m. in the Council Chambers of City Hall, 211 Hillcrest Avenue in the City, or such other place within the City limits to which said meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in City Hall, the meetings may be held for the duration of the emergency at such other place and at such hour as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day.

3. Study Sessions. The City Council shall meet in a study session on the first and third Tuesdays of each month at the hour of 7:00 o'clock p.m. in the Council Chamber of the City Hall, or at such other place as may be determined by the Council, for the purpose of hearing reports from the staff and reviewing, discussing and debating matters of interest to the City. Such sessions shall be open to the public and press. No official action shall be taken at a study session; provided, however, that nothing herein shall be deemed to prevent the taking of an informal vote on any matter under discussion. The participation of the public in such sessions shall be subject to the discretion of the presiding officer.

4. Special Meetings. Special meetings may be called at any time by the mayor, or by three members of the City Council, by delivering personally or by mail written notice to each Council Member and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any Council Member who at or prior to the time the meeting convenes files with the City Clerk a written waiver of notice. Such waiver may be given by telegram. Such written notice may also be dispensed with as to any Council Member who is actually present at the meeting at the time it convenes.

5. Meetings to be Public - Exception for Executive Sessions. All regular and special meetings of the City Council shall be public; provided, however, the City Council may hold executive sessions during a regular or special meeting, from which the public may be excluded,

for the purpose of considering the matters referred to in §§54957-54957.6 of the Government Code of the State of California, as may be amended.

No member of the City Council, employee of the City, or any other person present during an executive session of the Council shall disclose to any person the content or substance of any discussion which took place during said executive session unless the City Council shall authorize the disclosure of such information by majority vote.

6. Agenda. All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council at a regular meeting shall be delivered to the City Clerk not later than 12:00 o'clock noon on the Wednesday preceding the meeting. The City Clerk shall prepare an agenda of all such matters according to the order of business (paragraph 8 ~~hereinbelow~~herein below). The agenda shall be delivered or otherwise made available to the Council Members on the Friday preceding the Tuesday Council meeting to which it pertains, and shall be made available to the public no later than 10:00 o'clock a.m. on the Monday preceding the meeting. All matters shall be considered by the Council in the order listed on the agenda, to the extent of time available; provided, however, that the order of the agenda may be changed at any time by the unanimous consent of all Council Members then present at a meeting. Agenda items not considered or completed for lack of time shall become agenda items at the following meeting in accordance with the foregoing policies. No matters other than those on the agenda shall be finally acted upon by the Council; provided, however, that a matter deemed to be an emergency by any Council Member, the City Manager or the City Attorney, or a matter which would become moot if not acted upon at the council meeting at which it is brought up, with an explanation of the emergency or other necessity for bringing it up stated in open council meeting, may be placed upon the agenda by a motion, seconded and carried, and then may be considered and acted upon by the Council.

7. Council Correspondence.

a) Availability to the Public. Correspondence addressed to the City Council which is received by the City Clerk or any other officer or employee of the City *becomes a disclosable public record, unless subject to an exemptions under the California Public Records Act, as soon as it is received*. Correspondence received in the City Clerk's office or other offices after 12:00 o'clock noon on the Wednesday preceding a regular meeting shall not be placed on the agenda unless it concerns a matter to be considered by the Council at the next regular meeting or is determined by the Mayor or the City Manager to be an urgent matter which should be brought to the immediate attention of the Council. Correspondence shall not be read aloud at a Council meeting unless requested by a majority vote of the Council.

b) Authority of City Manager. The City Manager is authorized to open and examine all mail or other written communications addressed to the City Council and to give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action may be acted upon between Council meetings.

8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the Council shall be taken up for consideration and disposition in the following order ~~(Resolution Nos. 94-15, 99-01, 2011-65 and 2019-107)~~:

1. Call to Order 5:00 p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations
7. ~~Special~~ Council and Staff Announcements

~~7.~~8. ~~and Communications from the Floor - 4 Minutes Each Person pursuant to Paragraph 27 a)~~Public Comment – up to a maximum of three (3) minutes

~~8.~~9. Consent Agenda

~~9.~~10. Public Hearings

~~10.~~11. Other Council Action Items

~~11.~~12. Council & Staff Informational Reports

~~12.~~13. Adjournment

b) The Mayor, at ~~his/her~~their discretion and subject to majority vote overruling ~~him/her~~them, may re-arrange agenda items, provided that any items `pulled' from Item ~~8~~9, `Consent Agenda' shall be considered following the last item of Item ~~10~~11, `Other Council Action Items'.

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to 10 minutes (at Presiding Officer's discretion)
4. City Council Clarifying Questions of Staff and Applicant/Proponent*
5. ~~Brief Council Comments and Motion~~

~~6.~~5. Public Comments ~~– 4 Minutes Each Person pursuant to Paragraph 27 a)~~

~~7.~~6. Mayor Closes Public Hearing/Public Comments

7. Council Discussion
8. Council Motion and Brief Comment (1 minute each)

~~8.~~

9. Council Vote

9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of ~~the~~ action minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

10. Reading of Minutes. Unless the reading of the minutes of a Council meeting is ordered by a majority vote of the Council, such minutes may be approved without reading if the City Clerk has previously furnished each Council Member with a copy.

11. Presiding Officer. The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of both the Mayor and Mayor Pro Tempore, the City Clerk shall call the Council to order, whereupon a temporary Presiding Officer shall be elected by the Council Members present to serve until the arrival of the Mayor or Mayor Pro Tempore or until adjournment. Wherever in ~~this resolution~~these Rules the term Mayor is used, it shall apply equally to the Presiding Officer as defined in this section.

12. Powers and Duties of Presiding Officer.

a) Participation. The Presiding Officer may move, second, debate and vote from the Chair.

b) Question to be Stated. The Presiding Officer or such member of the City staff as ~~he~~ they may designate shall verbally restate each question immediately prior to calling for the vote. Following the vote the City Clerk shall announce whether the question carried or was defeated. The Presiding Officer in ~~his~~ their discretion may publicly explain the effect of a vote for the audience, or ~~he~~ may direct a member of the City staff to do so, before proceeding to the next item of business.

c) Signing of Documents. The Presiding Officer shall sign all ordinances, resolutions, contracts, and other documents necessitating ~~his~~ their signature which were adopted in ~~his~~ their presence, unless ~~he is~~they are unavailable, in which case the signature of an alternate Presiding Officer may be used.

d) Sworn Testimony. The Presiding Officer may require any person addressing the City Council to be sworn as a witness and to testify under oath, and the Presiding Officer shall so require if directed to do so by a majority vote of the Council.

13. Rules of Debate.

a) Getting the Floor. Every Council Member desiring to speak shall first address the Chair, gain recognition by the Presiding Officer, and shall confine ~~himself~~ themselves to the question under debate, avoiding personalities and indecorous language.

b) Questions to Staff. Every Council Member desiring to question the City staff shall, after recognition by the Presiding Officer, address ~~his~~ their questions to the City Manager, the City Attorney, or to such other department head or member of the City staff as may be appropriate.

c) Interruptions. A Council Member, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, unless a point of order or personal privilege is raised by another Council Member, or unless the speaker chooses to yield to a

question by another Council Member. If a Council Member while speaking is called to order, ~~he~~ they shall cease speaking until the question of order is determined and, if determined to be in order, may then proceed. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

d) Points of Order. The Presiding Officer shall determine all points of order subject to the right of any ~~Councilman~~ Council Member to appeal to the Council. The Presiding Officer may consult with the City Manager or the City Attorney in connection with determining a point of order, or may refer the question involved to either one for determination. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine such question of order.

e) Point of Personal Privilege. The right of a Council Member to address the Council on a question of personal privilege shall be limited to cases in which ~~his~~ their integrity, character or motives are questioned or where the welfare of the Council is concerned. A Council Member raising a point of personal privilege may interrupt another Council Member who has the floor only if the Presiding Officer recognizes the privilege.

f) Privilege of Closing Debate. The Council Member moving the adoption of an ordinance, resolution or motion shall have the privilege of closing debate.

g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. During the initial round of discussion, each Council Member shall be allowed to speak for up to five (5) minutes.

14. Ordinances, Resolution and Motions--Precedents. When an ordinance, resolution or motion is properly brought before the Council and seconded by another Council Member, no other action shall be considered except a point of order, or a motion to adjourn to table, to table to a certain time, to close debate, to refer or to amend. Such items shall have precedence in the order stated in the preceding sentence. Points of order shall be ruled upon by the Presiding Officer, provided that such ruling may be overridden by a majority of the Council. All of such motions, except motions to amend, shall be put to a vote without debate and decided by a majority.

Any of the foregoing motions shall be in order at any time the speaker is duly recognized, except when repeated without intervening business or discussion, or if made when the motion to close debate has been adopted or while a vote is being taken.

a) Motion to Table. If a motion to table (without time certain) passes, consideration of the matter may be resumed only upon the motion of a member voting with the majority on the motion to table.

b) Motion to Close Debate. When a motion to close debate is duly made and seconded, there shall be no further debate. If the question carries, the Presiding Officer shall put

pending amendment to a vote, without debate, in the inverse order of their introduction before putting the main question. If the question is decided negatively, the main question and its amendments remain before the council

c) Reconsideration. Providing that no intervening rights will be prejudiced, any Council Member who voted with the majority on a question may move the reconsideration of that question at the same meeting in which the original decision was made or at the next following meeting. After a motion for reconsideration has been acted upon, no other similar motion shall be made without unanimous consent.

15. Voting. Three affirmative votes are required to enact an ordinance or to adopt a resolution or motion granting a franchise or authorizing the payment or expenditure of money or incurring of a debt. The majority of a quorum is required to adopt other resolutions or motions. A "majority" refers to a majority of the quorum present.

~~———~~Every ordinance shall be adopted by a roll call vote. All other matters may be referred to a vote unless a roll call is requested by any Council Member. On all matters for which a voice vote is authorized, the Presiding Officer may ask for, "objections to the question?"~~.~~ If no objection is expressed, the Presiding Officer shall, "so order," and the minutes shall record a unanimous vote in favor. If any Council Member objects to the procedure, a roll call vote shall be call in the normal manner.

After a vote has been announced, and except for comments pursuant to Rule 22, no Council member shall comment or continue to debate the vote.

16. Failure to Vote. Every Council Member should vote unless disqualified by reason of a conflict of interest. A Council Member who abstains from voting in effect consents that a majority of the quorum may decide the question voted upon.

17. Silence Constitutes Affirmative Vote. Unless a member of the Council states that ~~he~~ they ~~is~~ are not voting, ~~his~~ their silence shall be recorded as an affirmative vote.

18. Tie Vote. Tie votes shall be lost motions and may be reconsidered.

19. Changing Vote. A member may change ~~his~~ their vote only if ~~he~~ they make~~s~~ a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up. A Council Member who publicly announces that ~~he~~ they are ~~is~~ abstaining from voting on a particular matter shall not subsequently be allowed to withdraw ~~his~~ their abstention.

20. Disqualification for Conflict of Interest. Any Council Member who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Council Member affected, be decided by the other Council Members or the City Attorney. A Council Member who is disqualified by reason of a conflict in interest in any matter shall not

remain in ~~his~~ their seat during the debate and vote on such matter, but shall request and be given the permission of the Presiding Officer to step down from the Council table. The Council Member stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

21. Remarks of Council Member and Synopsis of Debate. A Council Member may request through the Presiding Officer the privilege of having an abstract of ~~his~~ their statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

22. Protest against Council Action. Any Council Member shall have the right to have the reasons for ~~his~~ their dissent from, or protest against, any action of the Council entered in the minutes. Such dissent or protest to be entered in the minutes shall be made in the following manner: "I would like the minutes to show that I am opposed to this action for the following reasons...".

23. Rules of Order. Except as otherwise provided in ~~this resolution~~these Rules, other rules adopted by the City Council or applicable provisions of State law, the procedures of the Council shall be governed, to the extent applicable, by the latest revised edition of Robert's Rules of Order.

24. Failure to Observe Rules of Order. Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction of the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law.

25. Ordinances, Resolutions and Contracts.

a) All ordinances Shall be Prepared by the City Attorney. No ordinance shall be prepared for presentation to the Council unless ordered by a majority vote of the Council, or requested by the Mayor, or City Manager, or prepared by the City Attorney on ~~his~~ their own initiative.

b) Prior Approval by Administrative Staff. All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been examined and approved for administration by the City Manager or ~~his~~ their authorized representative.

26. Reading of Ordinances and Resolutions. At the time of adoption of an ordinance or a resolution, it shall be read in full unless, after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the Council Members present. Such consent may be expressed by a statement by the Presiding Officer that "if there is no objection, the further reading of the ordinance or resolution shall be waived." If any Council Member so requests, the ordinance or resolution shall be read in full.

27. Addressing the Council.

a) Manner of Addressing Council. Each person desiring to address the Council shall ~~step up to the speaker's rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and~~, unless ~~further~~ time is limited or otherwise specifically provided for in these rules or is granted by majority vote of the Council, ~~shall~~ limit ~~his~~ their remarks to ~~four~~ three (~~4~~3) minutes*, which may be limited at the discretion of the Mayor depending on time available and the number of speakers*. All remarks shall be addressed to the Council as a whole and not to any member thereof. ~~No question shall be asked a Council Member or a member of the city staff without the permission of the Presiding Officer.~~

b) Spokesman for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Presiding Officer to request that a ~~spokesman~~ spokesperson be chosen by the group to address the Council and, in case additional information or matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.

c) After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

28. Rules of Decorum.

a) Council Members. While the Council is in session, the ~~members~~ Members must preserve order and decorum, and a ~~member~~ Member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any ~~member~~ Member while speaking or refuse to obey the orders of the Presiding Officer.

b) Employees. Members of the City staff and employees shall observe the same rules of order and decorum as are applicable to the City Council.

c) Persons Addressing the Council. Any person making impertinent, slanderous or profane remarks, or who becomes boisterous while addressing the Council, shall be called to order by the Presiding Officer and, if such conduct continues, may at the discretion of the Presiding Officer be barred from further audience before the Council during that meeting, unless permission to continue be granted by a majority of the Council.

d) Members of the Audience. Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the Presiding Officer, shall be guilty of an infraction, and upon instructions from the Presiding Officer, it shall be the duty of the Sergeant at Arms to remove any such person from the Council Chamber and to place him under arrest or otherwise cause him to be prosecute under the law.

29. Enforcement of Decorum. The Director of Public Safety or such member or members of the Public Safety Department as ~~he~~ they may designate, shall be Sergeant at Arms of the City Council and shall carry out all orders given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meetings. Any Council Member may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the Council shall require him to do so.

30. Public Hearings. The following rules shall apply to all public hearings, except when proceedings are held under general laws of the State of California which require different procedures

a) The Mayor shall state the subject matter of the hearing and declare the public hearing open. Before doing so, ~~he~~ they may determine whether or not there are proponents or opponents who wish to make presentations, how many persons wish to be heard or other matters which may affect the conduct of the proceedings. ~~He~~ The Mayor may impose and announce reasonable time limits on presentations or oral arguments by the public.

b) The City Manager or appropriate staff member shall give a factual summary of the matter.

c) The proponents shall be heard. (Written correspondence shall be summarized by the Clerk.)

d) The opponents shall be heard. (Written correspondence shall be summarized by the Clerk.

e) Each side shall be given a reasonable time for rebuttal. Additional speakers must limit their remarks to providing new information that was not already covered by other speakers.

f) Prior to the close of the public hearing, the Mayor shall give those persons wishing to place their names on the record as being for or against, without presenting an oral argument, an opportunity to do so.

g) The public hearing shall be declared closed.

h) The Council shall discuss and determine the matter.

i) After the public hearing is closed, the public shall not be recognized to speak except to answer any question not covered in the public hearing, and provided that whenever any such answer is given, the opposing side shall be given an opportunity to present facts in rebuttal of the answer given.

31. Policy on Public Input. It is the declared policy of the City Council that any member of the public wishing to be heard on a matter under consideration by the City Council shall be given a reasonable opportunity to do so. Prior to the vote on any issue, the Mayor shall determine

whether or not anyone present wishes to be heard. The Mayor may establish reasonable time limits for oral presentations and shall limit the presentation to the matter before the City Council at that time.

32. Absences from Council Meetings. Pursuant to Government Code §36513, if a City Council Member is absent without permission from all regular Council meetings for 60 days consecutively from the last regular meeting he attended, ~~his~~ their office becomes vacant and shall be filled by the Council as any other vacancy. In addition, should any Council Member be absent from two (2) consecutive regular Council meetings, or from three (3) regular Council meetings in any six-month period, without permission from (i.e., not excused for good cause ~~by~~) the Council, the Council may determine that the best interests of the City would be served by said Council Member's resignation, and may request such resignation in a letter authorized by vote of the Council.

33. Automatic Adjournment. Unless otherwise adjourned, all meetings of the City Council shall automatically be adjourned at 10:00 o'clock p.m., except that a majority may by one or more motions act to extend the automatic adjournment to not later than a specified time, or for completion of a particular item or items, as specified in the motion to extend the time of adjournment."

34. Amendment of Rules. These rules may be amended by an affirmative vote of a majority of a quorum; provided, however, that except as to rules relating to adjournment, where a provision of these rules requires action by a specific affirmative vote which is greater than a majority of a quorum, then amendment to that rule requires the same vote required for the rule proposed to be amended."

~~35. Prior Resolution Repealed. The prior resolution of this Council relating to Council meeting procedures, being Resolution No. 76-1, is hereby repealed.~~

AGENDA TEMPLATE

DATE

5:00 P.M. Closed Session
6:30 P.M. Open Session

REGULAR MEETING

CITY COUNCIL, AIRPORT COMMISSION, MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION, SUCCESSOR AGENCY OF THE FORMER MARINA REDEVELOPMENT AGENCY AND MARINA GROUNDWATER SUSTAINABILITY AGENCY

Council Chambers
211 Hillcrest Avenue
Marina, California

Zoom Meeting URL: https://zoom.us/j/730251556
Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

In accordance with California Government Code §54953(e)(1)(A) and (C) and the Proclamation of a State of Emergency issued by Governor Newsom on March 4, 2020, under the provisions of Government Code §8625 related to the COVID-19 (coronavirus) pandemic, consistent with recommendations by State and local health officials regarding social distancing and in order to prevent an imminent risk to the health and safety of attendees as determined in Resolution 2022-78, public participation in City of Marina City Council public meetings shall be electronic only and without a physical location for public participation until the earlier of May 31, 2022, or such time as the City Council may adopt a resolution in accordance with Government Code §54953(e)(3). This meeting is being broadcast "live" on Access Media Productions (AMP) Community Television Cable 25 and on the City of Marina Channel and on the internet at https://accessmediaproductions.org/

PARTICIPATION

You may participate in the City Council meeting in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City's home page at https://cityofmarina.org/. Attendees can make oral comments during the meeting by using the "Raise Your Hand" feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only.

The most effective method of communication with the City Council is by sending an email to ~~If you are unable to participate in real-time, you may email to~~ marina@cityofmarina.org ~~with the subject line "Public Comment Item#__" (insert the item number relevant to your comment) or "Public Comment – Non-Agenda Item."~~ Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina's website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Marina website www.cityofmarina.org subject to City staff's ability to post the documents before the meeting

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)**

LAND ACKNOWLEDGEMENT

The City recognizes that it was founded and is built upon the traditional homelands and villages first inhabited by the Indigenous Peoples of this region - the Esselen and Ohlone/Costanoan, their ancestors and allies - and honors these members of the community, both past and present.

1. CALL TO ORDER

2. ROLL CALL & ESTABLISHMENT OF QUORUM: (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   Cristina Medina Dirksen, David Burnett, Lisa Berkley, Mayor Pro-Tem/Vice Chair Kathy Biala, Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENT:

4. CLOSED SESSION: ~~*As permitted by Government Code Section 54956 et seq., the (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency) 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, Item #1

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

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

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6. SPECIAL PRESENTATIONS:
    a. Presentation #1
7. ~~SPECIAL~~ COUNCIL AND STAFF ANNOUNCEMENTS ~~AND~~
8. ~~COMMUNICATIONS FROM THE FLOOR~~PUBLIC COMMENT**:** ~~*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*~~ *that is not on the agenda.* ~~*Please state your name for the record. This is the appropriate place to comment on items on the Consent Agenda.*~~ *Action will not be taken on* ~~*an*~~ *item*~~*s 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*~~*Comments are limited to a maximum of* ~~*four*~~ *three (*~~*4*~~*3) minutes. General public comment may be limited to thirty (30) minutes and/or continued to the end of the agenda. 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. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.*
9. 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 and non-controversial. 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*~~ *may provide a response. If discussion or a lengthy explanation is required, the Council may* ~~*that item will be removed from the Consent Agenda for Successor Agency to the former Marina Redevelopment Agency*~~*remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it* ~~*and*~~ *will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*
10. 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*~~*These items are considered to be routine and non-controversial. All items under the Consent Agenda* ~~*are normally*~~*may be 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*~~ *may provide a response. If discussion or a lengthy explanation is required, Council may* ~~*that item will be*~~ *remove the item*~~*d*~~ *from the Consent Agenda and it will be placed at the end of Other Action Items.*
    a. ACCOUNTS PAYABLE:
        (1) Accounts Payable Check Numbers XXX– _____, totaling $
    b. MINUTES:
        (1) DATE, 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. 2022-, regarding . . .

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g. APPROVAL OF AGREEMENTS:

(1) City Council consider adopting Resolution No. 2022-, approving . . .

h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

i. MAPS:

j. REPORTS: (RECEIVE AND FILE): None

k. FUNDING & BUDGET MATTERS: None

l. APPROVE ORDINANCES (WAIVE SECOND READING):

(1) City Council consider adopting Ordinance No. 2022-, approving . . .

m. APPROVE APPOINTMENTS: None

11. PUBLIC HEARINGS: *In the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to speak. All other persons may be given up to three (3) minutes to speak on the matter.*

a. City Council open a public hearing and consider adopting Resolution No, 2022-, approving . . .

12. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. ~~The public is invited to approach the podium to provide up to four~~Members of the public may be given up to three ~~(~~(43) minutes ~~of public comment~~to speak.*

13. 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.~~Members of the public may be given up to three (3) minutes to speak.*

Note: No additional major projects or programs should be undertaken without review of the impacts on existing priorities (Resolution No. 2006-79 – April 4, 2006).

a. City Council consider . . .

14. COUNCIL & STAFF INFORMATIONAL REPORTS:

a. Monterey County Mayor's Association [Mayor Bruce Delgado]

b. ~~Council and staff opportunity to ask a question for clarification or make a brief report on his or her own~~Council reports on meetings and conferences attended (~~activities as permitted by Government~~ Gov't Code Section ~~54954.2~~53232).

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, July 15, 2022.

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ANITA SHARP, DEPUTY CITY CLERK

City Council, Airport Commission and Redevelopment Agency meetings are recorded on tape and available for public review and listening at the Office of the City Clerk and kept for a period of 90 days after the formal approval of MINUTES.

City Council meetings may be viewed live on the meeting night and at 12:30 p.m. and 3:00 p.m. on Cable Channel 25 on the Sunday following the Regular City Council meeting date. In addition, Council meetings can be viewed at 6:30 p.m. every Monday, Tuesday and Wednesday. For more information about viewing the Council Meetings on Channel 25, you may contact Access Monterey Peninsula directly at 831-333-1267.

Agenda items and staff reports are public record and are available for public review on the City's website (www.ciytofmarina.org), 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@cityofmarina.org

*ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. Mmeetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. Tto request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@cityofmarina.org. Rrequests must be made at least **48 hours** in advance of the meeting.*

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EXHIIBIT D

November 1, 2022 Item No. **11b**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of November 1, 2022

CITY COUNCIL CONSIDER ADOPTING RESOLUTION 2022-, AMENDING RESOLUTION NO. 80-71, AS AMENDED, PARAGRAPHS 8, 9, 13, AND 27 REGARDING BEST PRACTICES FOR PUBLIC ENGAGEMENT AND MEETING EFFICIENCY

REQUEST:
It is requested that the City Council consider:

1. Adopting Resolution No. 2022-, amending Resolution No. 80-71, as amended, Establishing the Rules and Procedures for the Conduct of Meetings (**Exhibit A**);
2. Amending Paragraph 8 regarding Order of Business and Consideration and Sequence of Agenda Items;
3. Amending Paragraph 9 regarding Preparation of the Minutes;
4. Amending Paragraph 13 regarding Debate;
5. Amending Paragraph 27 regarding Manner of Addressing Council; and
6. Approving a new Agenda format in substantially the same form as **Exhibit B**.

BACKGROUND:
At the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71, "Establishing the Rules and Procedures for the Conduct of Meetings of the City Council" ("Rules and Procedures"). The Rules and Procedures govern Council conduct, and include provisions for the setting meetings, order of the agendas, Council debate, and conflicts of interest.

The Rules and Procedures have been amended multiple times over the years – primarily in regard to the order of the agenda and meeting times.[1] (**Exhibit C**.) More recently, the City Council directed staff to bring forward proposals regarding the Rules and Procedures to increase public engagement and improve meeting efficiency. While this is the present direction, a more comprehensive update can be brought forward to align the Rules and Procedures with the Marina Municipal Code, and incorporate all amendments into one document.

This agenda item was brought to Council for consideration in early August, and continued several times due to more pressing matters. Since August, members of the public and Council have suggested additional areas of potential revision to streamline public meetings.

ANALYSIS:
Elected officials have a large body of work to get through, and it must be accomplished in a reasonable amount of time. A well-organized agenda, appropriate opportunities for public comment and following protocol are all essential to running an effective meeting.

[1] See Resolutions 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107.

Public Engagement

Public comment is an essential part of local government meetings. Hearing from the public is a critical part of the Council's role. Council members need to be in touch with the public and be responsive. That said, the purpose of public comment is to inform the Council of the public's views, and not to enter into debate or dialogue with Council, or to have general public comment take precedence over items scheduled for action on the agenda.

Time limits on public comment are an important tool for running a meeting of reasonable length, and prioritizing the important discourse while participants are available. General public comment at the meeting's outset provides an opportunity for members of the public to share their viewpoints with Council on matters of concern. However, extensive general comment, prior to the Council's deliberation of the agendized action items, can fatigue all participants and diminish the quality of the discourse and decision-making.

It is recommended that the Mayor and Council provide brief factual information to public comment, if necessary and appropriate, but should not enter into a back and forth exchange or call on staff to provide answers on the spot. As a caution, once a third comment or participant is involved, the question/answer can quickly turn into an unagendized discussion. A best practice is for staff to note input or questions and provide responses at a later date, or to place the item on a future agenda.

The City may adopt reasonable regulations for public comment, including time limits. Many public agencies allow up to three minutes, which can be limited if there are many participants or to accommodate a lengthy agenda. The public does not need to be given an opportunity to speak on an item that has already been considered by a committee made up exclusively of members of the Council at a public meeting, if all interested members of the public had the opportunity to speak on the item before or during its consideration, and if the item has not been substantially changed. In addition, the City may provide multiple ways for residents to express their views, which can further reduce pressure on meeting time, i.e., by encouraging letters and other written communication.

Staff proposes amendments to the current Agenda template in terms of public comments. (**Exhibit B**.) It is recommended that public input on the Consent Agenda be heard under general Public Comment. In this way, the Consent Agenda may be called, and if no items are pulled, adopted in one motion. The agenda, in its current form, provides

> ". . . *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*."

The Agenda can be clarified to specify that while members of the public may comment on Consent items before action is taken, it remains within the Council's discretion as to whether to pull an item. Further, it is also within Council's discretion as to whether the public comment or question is to be answered by staff or referred to a later date. Additionally, staff proposes to make the Agenda more user-friendly by including only those items brought forward for Council action.

Staff recommends changes to the Rules and Procedures, Paragraph 8 a), to separate Council and Staff Announcements from Public Comment. Subsection b) modifications reflect the new numbering, and update the Rules with gender-neutral language. Proposed additions are set forth in italicized font; deletions are noted in strikeout font:

8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the City Council shall be taken up for consideration and disposition in the following order:

1. Call to Order 5:00p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations - *no action; no public comment*
7. ~~Special~~ *Council and Staff* Announcements ~~*and Communications from the Floor*~~
8. *Public Comment – Up to a maximum of 3 minutes per person*
9. Consent Agenda
10. Public Hearings
11. Other Council Action Items
12. Council & Staff Informational Reports – *no action taken, no public comment*
13. Adjournment

b) The Mayor, at *their* ~~his/her~~ discretion and subject to majority vote overruling *them* ~~him/her~~, may re-arrange agenda items, provided that any items 'pulled' from Item *9*~~8~~, 'Consent Agenda' shall be considered following the last item of ltem *11*~~10~~, "Other Council Action Items."

Paragraph 27 a) of the Rules and Procedures, entitled "Manner of Addressing Council," sets forth the allotted time for public comments. Proposed modifications consider that members of the public cannot be required to provide their names or other information as prerequisite to speaking, and that the Council has the ability to limit public comment where necessary for meeting efficiency.

Proposed additions are shown in italicized font; deletions are in strikeout font:

27. Addressing the Council

a) Manner of Addressing Council. Each person desiring to address the Council ~~shall step up to the speaker's rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and, unless further time is otherwise specifically provided for in these rules or is granted by majority vote of the Council, shall limit his remarks~~ *may comment for up to* ~~four~~ *three* (~~4~~*3*) minutes, which may be limited at the discretion of the Mayor depending on time available and the number of speakers. All remarks shall be addressed to the Council as a whole and not to any member thereof. ~~No question shall be asked a Council Member or a member of the City staff without the permission of the Presiding Officer.~~

c) After ~~Motion~~ Close of Public Hearing. After ~~a motion has been made or~~ a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

Structured Discussion

Motion after public comment and prior to Council discussion can help focus Council discourse by identifying the issue to be decided, and make it easier for members of the public to follow the discussion. Accordingly, staff recommends the Council first solicit public input, and then make a motion, followed by Council discussion and a vote. This is the recommended process set forth in Rosenberg's Rules of Order, which is a simplified version of Robert's Rules of Order. Not only does this help identify the issue before the Council, but it ensures compliance with the Brown Act, which requires the public be provided an opportunity to speak prior to action being taken.

Paragraph 8 c) of the Rules and Procedures sets forth the procedure for consideration of Agenda Items. The proposed modifications are set forth below (additions shown in italicized font; deletions in strikeout font):

8. Order of Business and Consideration and Sequence of Agenda Items.

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:
1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to ten (10) minutes (at Presiding Officer's discretion)
4. City Council Clarifying *Technical* Questions of Staff and Applicant/Proponent
5. ~~Brief Council Comments and Motion~~ *Public Comments* – up to a maximum of ~~four~~ *three* (~~4~~3) minutes per person
6. Mayor Closes Public Hearing/Public Comments
7. Council *Motion and* Discussion
8. Council Vote

Paragraph 30 also sets forth rules that apply to Public Hearings, which should be eventually be aligned or consolidated with Paragraph 8. A summary of the public hearing process is included on the draft Agenda.

Paragraph 13 g), "Limitation of Debate" provides, "No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken." To enhance debate, and manage time more efficiently, some councils have adopted the rule that each person may speak twice on a given subject. This proposed modification is set forth below (additions shown in italicized font):

13. Rules of Debate.

g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. *Council Members may speak twice on a given subject.*

Meeting Preparation

To aid in meeting efficiency, questions of staff should be asked in advance. This saves Council time during the meeting, and for those questions that Council would like to be addressed at the meeting, enables staff to prepare to answer the questions accurately and succinctly. As a result, meetings run more smoothly, Council is provided the information needed for decision-making, and the need to continue items to the next agenda is minimized.

Minutes

Many public agencies have adopted action minutes, which record what is done at a meeting and not what is said. This is also the guideline of Robert's Rules of Order, which governs Council conduct. The time and effort required to prepare detailed minutes summarizing what was said, and their subjective nature, are time-consuming and resource intensive and the effort often exceeds the value to the City and to the public. This is not necessary given that Council meetings are recorded and available through AMP and YouTube. The proposed modification to the Rules is set forth below (additions shown in italicized font; deletions in strikeout font):

> 9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of ~~the~~ *action* minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

Future Topics

Future topics to improve meeting efficiency may include additional training on Council, Commission and staff roles and responsibilities, Robert's and Rosenberg's Rules of Order, the Brown Act, and consideration of a Code of Conduct.

CEQA:

Amendment of Resolution 80-71 is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

FISCAL IMPACT:

None identified.

CONCLUSION:

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

Respectfully submitted,

_____

Heidi Quinn
Interim City Attorney
City of Marina

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING RESOLUTION 80-71, AS AMENDED, PARAGRAPHS 8, 9, 13, AND 27, REGARDING BEST PRACTICES FOR PUBLIC ENGAGEMENT AND MEETING EFFICIENCY.

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, the City Council previously amended the Rules and Procedures by adopting Resolution Nos. 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107; and

WHEREAS, after discussion, the City Council directed staff to place on a future agenda a resolution to make proposed changes to the Rules and Procedures regarding public engagement and meeting efficiency; and

WHEREAS, staff proposes modifications to Paragraph 8 regarding Order of Business and Consideration and Sequence of Agenda Items, Paragraph 9 regarding Preparation of Minutes, Paragraph 13 regarding Debate, and Paragraph 27 regarding Manner of Addressing Council; and amendment of the Agenda format; and

WHEREAS, amendment of Resolution 80-71, as amended, is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Rules and Procedures. The Rules and Procedures shall be modified as follows (new language in italics and deleted language in strike-out text):

1. Paragraph 8 of the Rules and Regulations shall be modified as follows:

8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the City Council shall be taken up for consideration and disposition in the following order:

1. Call to Order 5:00p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations - *no action; no public comment*

~~7.~~ ~~Special~~ *Council and Staff* Announcements ~~*and Communications from the Floor*~~

8. Public Comment – Up to a maximum of 3 minutes per person

9. Consent Agenda
10. Public Hearings
11. Other Council Action Items
12. Council & Staff Informational Reports – *no action taken, no public comment*
13. Adjournment

b) The Mayor, at *their* ~~his/her~~ discretion and subject to majority vote overruling *them* ~~him/her~~, may re-arrange agenda items, provided that any items 'pulled' from Item *9*~~8~~, "Consent Agenda" shall be considered following the last item of Item *11*~~10~~, "Other Council Action Items."

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to ten (10) minutes (at Presiding Officer's discretion)
4. City Council Clarifying *Technical* Questions of Staff and Applicant/Proponent
5. ~~Brief Council Comments and Motion~~ *Public Comments* – up to a maximum of ~~four~~ *three* (~~4~~*3*) minutes per person
6. Mayor Closes Public Hearing/Public Comments
7. Council *Motion and* Discussion
8. Council Vote

2. Paragraph 9 of the Rules and Regulations shall be modified as follows:

9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of ~~the~~ *action* minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

3. Paragraph 13 of the Rules and Regulations shall be modified as follows:

13. Rules of Debate.

g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. *Council Members may speak twice on a given subject*.

4. Paragraph 27 of the Rules and Regulations shall be modified as follows:

27. Addressing the Council

a) Manner of Addressing Council. Each person desiring to address the Council ~~shall step up to the speaker's rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and, unless further time is otherwise specifically~~

~~provided for in these rules or is granted by majority vote of the Council, shall limit his remarks~~ *may comment for up to* ~~four~~ *three* (~~4~~*3*) minutes, *which may be limited at the discretion of the Mayor depending on time available and the number of speakers*. All remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Council Member or a member of the City staff without the permission of the Presiding Officer.

c) After ~~Motion~~ Close of Public Hearing. After ~~a motion has been made or~~ a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

5. The Agenda format shall be in substantially the same form as Attachment 1 hereto.

Section 3. Effective Date of Resolution. This Resolution shall take effect on immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held this ____day of _____ 2022, 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

AGENDA TEMPLATE

DATE

5:00 P.M. Closed Session
6:30 P.M. Open Session

REGULAR MEETING

CITY COUNCIL, AIRPORT COMMISSION, MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION, SUCCESSOR AGENCY OF THE FORMER MARINA REDEVELOPMENT AGENCY AND MARINA GROUNDWATER SUSTAINABILITY AGENCY

Council Chambers
211 Hillcrest Avenue
Marina, California

Zoom Meeting URL: https://zoom.us/j/730251556
Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

In accordance with California Government Code §54953(e)(1)(A) and (C) and the Proclamation of a State of Emergency issued by Governor Newsom on March 4, 2020, under the provisions of Government Code §8625 related to the COVID-19 (coronavirus) pandemic, consistent with recommendations by State and local health officials regarding social distancing and in order to prevent an imminent risk to the health and safety of attendees as determined in Resolution 2022-78, public participation in City of Marina City Council public meetings shall be electronic only and without a physical location for public participation until the earlier of May 31, 2022, or such time as the City Council may adopt a resolution in accordance with Government Code §54953(e)(3). This meeting is being broadcast "live" on Access Media Productions (AMP) Community Television Cable 25 and on the City of Marina Channel and on the internet at https://accessmediaproductions.org/

PARTICIPATION

You may participate in the City Council meeting in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City's home page at https://cityofmarina.org/. Attendees can make oral comments during the meeting by using the "Raise Your Hand" feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only. If you are unable to participate in real-time, you may email to marina@cityofmarina.org with the subject line "Public Comment Item#__ " (insert the item number relevant to your comment) or "Public Comment – Non Agenda Item." Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina's website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the

City of Marina website www.cityofmarina.org subject to City staff's ability to post the documents before the meeting

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, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   Cristina Medina Dirksen, David Burnett, Lisa Berkley, Mayor Pro-Tem/Vice Chair Kathy Biala, Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENT:

4. CLOSED SESSION: ~~*As permitted by Government Code Section 54956 et seq., the (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency) 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, Item #1

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

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

6. SPECIAL PRESENTATIONS:

   a. Presentation #1

7. ~~SPECIAL~~ COUNCIL AND STAFF ANNOUNCEMENTS ~~AND~~

8. ~~COMMUNICATIONS FROM THE FLOOR~~PUBLIC COMMENT**:** ~~*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*~~ *that is not on the agenda.* ~~*Please state your name for the record.*~~ *Action will not be taken on* ~~*an*~~ *items* ~~*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*~~

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~~a~~Comments are limited to a maximum of ~~four~~ three (~~4~~3) 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. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.

9. 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 and non-controversial. 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~~ may provide a response. If discussion or a lengthy explanation is required, ~~the Council may that item will be removed from the Consent Agenda for Successor Agency to the former Marina Redevelopment Agency~~remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it ~~and~~ will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

10. 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*~~*These items are considered to be routine and non-controversial. All items under the Consent Agenda ~~are normally~~may be 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~~ may provide a response. If discussion or a lengthy explanation is required, Council may ~~that item will be~~ remove the item~~d~~ from the Consent Agenda and it will be placed at the end of Other Action Items.*

    a. ACCOUNTS PAYABLE:

        (1) Accounts Payable Check Numbers XXX– _____, totaling $

    b. MINUTES:

        (1) DATE, 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. 2022-, regarding . . .

    g. APPROVAL OF AGREEMENTS:

        (1) City Council consider adopting Resolution No. 2022-, approving . . .

    h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

    i. MAPS:

    j. REPORTS: (RECEIVE AND FILE): None

    k. FUNDING & BUDGET MATTERS: None

    l. APPROVE ORDINANCES (WAIVE SECOND READING):

        (1) City Council consider adopting Ordinance No. 2022-, approving . . .

    m. APPROVE APPOINTMENTS: None

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11. PUBLIC HEARINGS: *For public hearings involving a quasi-judicial determination by the Council, in the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to speak. All other persons may be given up to three (3) minutes to speak. In public hearings not involving a quasi-judicial determination by the Council, all persons may be given up to three (3) minutes to speak on the matter.*

    a. City Council open a public hearing and consider adopting Resolution No, 2022-, approving . . .

12. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. ~~The public is invited to approach the podium to provide up to four~~Members of the public may be given up to three ~~(4~~3) minutes ~~of public comment~~to speak.*

13. 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.~~Members of the public may be given up to three (3) minutes to speak.*

Note: No additional major projects or programs should be undertaken without review of the impacts on existing priorities (Resolution No. 2006-79 – April 4, 2006).

    a. City Council consider . . .

14. COUNCIL & STAFF INFORMATIONAL REPORTS:

    a. Monterey County Mayor's Association [Mayor Bruce Delgado]
    b. AB1234 Reports ~~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.~~

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, July 15, 2022.

_____

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.ciytofmarina.org), at the Monterey County Marina Library Branch at 190 Seaside Circle and at the Office

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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@cityofmarina.org

ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. Mmeetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. Tto request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@cityofmarina.org. Rrequests must be made at least ***48 hours*** *in advance of the meeting.*

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EXHIBIT E

August 12, 2022 Item No. **11d**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of August 16, 2022

CITY COUNCIL CONSIDER ADOPTING RESOLUTION 2022-, AMENDING RESOLUTION NO. 80-71, AS AMENDED, PARAGRAPHS 8, 9, 13, AND 27, REGARDING BEST PRACTICES FOR PUBLIC ENGAGEMENT AND MEETING EFFICIENCY

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2022-, amending Resolution No. 80-71, as amended, Establishing the Rules and Procedures for the Conduct of Meetings;
2. Amending Paragraph 8 regarding Order of Business and Consideration and Sequence of Agenda Items;
3. Amending Paragraph 9 regarding Preparation of the Minutes;
4. Amending Paragraph 13 regarding Debate;
5. Amending Paragraph 27 regarding Manner of Addressing Council; and
6. Approving a new Agenda format in substantially the same form as Exhibit B.

BACKGROUND:

At the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71, "Establishing the Rules and Procedures for the Conduct of Meetings of the City Council" ("Rules and Procedures"). The Rules and Procedures govern Council conduct, and include provisions for the setting meetings, order of the agendas, Council debate, and conflicts of interest.

The Rules and Procedures have been amended multiple times over the years – primarily in regard to the order of the agenda and meeting times.[1] (**EXHIBIT A**.) More recently, the City Council directed staff to bring forward proposals regarding the Rules and Procedures to increase public engagement and improve meeting efficiency. While this is the present direction, a more comprehensive update can be brought forward to align the Rules and Procedures with the Marina Municipal Code, and incorporate all amendments into one document.

ANALYSIS:

Elected officials have a large body of work to get through, and it must be accomplished in a reasonable amount of time. A well-organized agenda, appropriate opportunities for public comment and following protocol are all essential to running an effective meeting.

Public Engagement

Public comment is an essential part of local government meetings. Hearing from the public is a critical part of the Council's role. Council members need to be in touch with the public and be responsive. That said, the purpose of public comment is to inform the Council of the public's views, and not to enter into debate or dialogue with Council.

[1] See Resolutions 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107.

Time limits on public comment are an important tool for running a meeting of reasonable length, and prioritizing the important discourse while participants are available. General public comment at the meeting's outset must be balanced against those members of the public that have come to speak on particular agenda items. Extensive general comment, prior to the Council's deliberation of agendized action items, can fatigue all participants and diminish the quality of the discourse and decision-making.

It is recommended that the Mayor and Council do not respond to general public comments. The Mayor may provide brief factual information, if appropriate, but should not enter into a back and forth exchange or call on staff to provide answers on the spot. A best practice is for staff to note input or questions and provide responses at a later date, or to place the item on a future agenda.

The City may adopt reasonable regulations for public comment, including time limits. Many public agencies allow up to three minutes, which can be limited if there are many participants or to accommodate a lengthy agenda. The public does not need to be given an opportunity to speak on an item that has already been considered by a committee made up exclusively of members of the Council at a public meeting, if all interested members of the public had the opportunity to speak on the item before or during its consideration, and if the item has not been substantially changed. In addition, the City may provide multiple ways for residents to express their views, which can further reduce pressure on meeting time, i.e., by encouraging letters and other written communication.

Staff proposes amendments to the current Agenda template in terms of public comments. (**EXHIBIT B**.) It is recommended that public input on the Consent Agenda be heard under general Public Comment. In this way, the Consent Agenda may be called, and if no items are pulled, adopted in one motion. Additionally, staff proposes to make the Agenda more user-friendly by including only those items brought forward for Council action.

Staff recommends changes to the Rules and Procedures, Paragraph 8 a), to separate Council and Staff Announcements from Public Comment. Subsection b) modifications reflect the new numbering, and update the Rules with gender-neutral language. Proposed additions are set forth in italicized font; deletions are noted in strikeout font:

8. Order of Business and Consideration and Sequence of Agenda Items.

   a) The business of the City Council shall be taken up for consideration and disposition in the following order:

      1. Call to Order 5:00p.m. (if there is to be a Closed Session)
      2. Roll Call and Establishment of Quorum
      3. *Public Comments*
      4. Closed Session (if any)
         Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
      5. Moment of Silence & Pledge of Allegiance
      6. Special Presentations - *no action; no public comment*
      7. ~~Special~~ *Council and Staff* Announcements ~~*and Communications from the Floor*~~
      8. *Public Comment – Up to a maximum of 3 minutes per person*
      9. Consent Agenda for Successor Agency (If any)
      10. Consent Agenda
      11. Public Hearings
      12. Other Council Action Items of the Successor Agency
      13. Other Action Items:
      14. Council & Staff Informational Reports – *no action taken, no public comment*
      15. Adjournment

b) The Mayor, at *their* ~~his/her~~ discretion and subject to majority vote overruling *them* ~~him/her~~, may re-arrange agenda items, provided that any items 'pulled' from Item *9*~~8~~, 'Consent Agenda' shall be considered following the last item of ltem *11*~~10~~, "Other Council Action Items."

Paragraph 27 a) of the Rules and Procedures, entitled "Manner of Addressing Council," sets forth the allotted time for public comments. Proposed modifications consider that members of the public cannot be required to provide their names or other information as prerequisite to speaking, and that the Council has the ability to limit public comment where necessary for meeting efficiency. Proposed additions are shown in italicized font; deletions are in strikeout font:

27. Addressing the Council

a) Manner of Addressing Council. Each person desiring to address the Council ~~shall step up to the speaker's rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and, unless further time is otherwise specifically provided for in these rules or is granted by majority vote of the Council, shall limit his remarks~~ *may comment for up to* ~~four~~ *three* (~~4~~*3*) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Council Member or a member of the City staff without the permission of the Presiding Officer.

c) After ~~Motion~~ Close of Public Hearing. After ~~a motion has been made or~~ a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

Structured Discussion

Motion after public comment and prior to Council discussion can help focus Council discourse by identifying the issue to be decided. Accordingly, staff recommends the Council first solicit public input, and then make a motion, followed by Council discussion and a vote. This is the recommended process set forth in Rosenberg's Rules of Order, which is a simplified version of Robert's Rules of Order. Not only does this help identify the issue before the Council, but it ensures compliance with the Brown Act, which requires the public be provided an opportunity to speak prior to action being taken.

Paragraph 8 c) of the Rules and Procedures sets forth the procedure for consideration of Agenda Items. The proposed modifications are set forth below (additions shown in italicized font; deletions in strikeout font):

8. Order of Business and Consideration and Sequence of Agenda Items.

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:
   1. Mayor Introduces the Agenda Item
   2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
   3. Applicant/proponent, when appropriate, up to ten (10) minutes (at Presiding Officer's discretion)
   4. City Council Clarifying *Technical* Questions of Staff and Applicant/Proponent
   5. ~~Brief Council Comments and Motion~~ *Public Comments* – up to a maximum of ~~four~~ *three* (~~4~~*3*) minutes per person
   6. Mayor Closes Public Hearing/Public Comments

7. Council *Motion and* Discussion
8. Council Vote

A summary of the public hearing process is also included on the draft Agenda.

Paragraph 13 g), "Limitation of Debate" provides, "No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken." To enhance debate, and manage time more efficiently, some councils have adopted the rule that each person may speak twice on a given subject. This proposed modification is set forth below (additions shown in italicized font):

13. Rules of Debate.

g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. *Council Members may speak twice on a given subject.*

Meeting Preparation

To aid in meeting efficiency, questions of staff should be asked in advance. This saves Council time during the meeting, and for those questions that must be addressed at the meeting, enables staff to prepare to answer the questions accurately and succinctly. As a result, meetings run more smoothly, Council is provided the information needed for decision-making, and the need to continue items to the next agenda is minimized.

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9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of ~~the~~ *action* minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

CEQA:

Amendment of Resolution 80-71 is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

FISCAL IMPACT:

None identified.

CONCLUSION:

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

Respectfully submitted,

_____

Heidi Quinn
Interim City Attorney
City of Marina

Attachments:

Exhibit A: Rules and Procedures, and Amendments
Exhibit B: Redlined and Integrated draft Agendas

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING RESOLUTION 80-71, AS AMENDED, PARAGRAPHS 8, 9, 13, AND 27, REGARDING BEST PRACTICES FOR PUBLIC ENGAGEMENT AND MEETING EFFICIENCY.

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, the City Council previously amended the Rules and Procedures by adopting Resolution Nos. 85-1, 90-09, 91-17, 92-30, 94-15, 98-03, 99-01, 2001-106, 2009-41, 2011-32, 2011-33, 2011-65, and 2019-107; and

WHEREAS, after discussion, the City Council directed staff to place on a future agenda a resolution to make proposed changes to the Rules and Procedures regarding public engagement and meeting efficiency; and

WHEREAS, staff proposes modifications to Paragraph 8 regarding Order of Business and Consideration and Sequence of Agenda Items, Paragraph 9 regarding Preparation of Minutes, Paragraph 13 regarding Debate, and Paragraph 27 regarding Manner of Addressing Council; and amendment of the Agenda format; and

WHEREAS, amendment of Resolution 80-71, as amended, is not subject to California Environmental Quality Act (CEQA) as it is not a "project" pursuant to Section 15378 of the CEQA Guidelines.

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

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Rules and Procedures. The Rules and Procedures shall be modified as follows (new language in italics and deleted language in strike-out text):

1. Paragraph 8 of the Rules and Regulations shall be modified as follows:

   8. Order of Business and Consideration and Sequence of Agenda Items.

      a) The business of the City Council shall be taken up for consideration and disposition in the following order:

         1. Call to Order 5:00p.m. (if there is to be a Closed Session)
         2. Roll Call and Establishment of Quorum
         3. *Public Comments*
         4. Closed Session (if any)
            Open Regular Session (6:30 p.m.) - Report Any Action taken in Closed Session
         5. Moment of Silence & Pledge of Allegiance
         6. Special Presentations - *no action; no public comment*
         ~~7. Special~~ *Council and Staff* Announcements ~~*and Communications from the Floor*~~
         8. *Public Comment – Up to a maximum of 3 minutes per person*
         9. Consent Agenda for Successor Agency (If any)
         10. Consent Agenda
         11. Public Hearings
         12. Other Council Action Items of the Successor Agency

13. Other Action Items:
14. Council & Staff Informational Reports – *no action taken, no public comment*
15. Adjournment

b) The Mayor, at *their* ~~his/her~~ discretion and subject to majority vote overruling *them* ~~him/her~~, may re-arrange agenda items, provided that any items 'pulled' from Item *9*~~8~~, "Consent Agenda" shall be considered following the last item of Item *11*~~10~~, "Other Council Action Items."

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:
   1. Mayor Introduces the Agenda Item
   2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
   3. Applicant/proponent, when appropriate, up to ten (10) minutes (at Presiding Officer's discretion)
   4. City Council Clarifying *Technical* Questions of Staff and Applicant/Proponent
   5. ~~Brief Council Comments and Motion~~ *Public Comments* – up to a maximum of ~~four~~ *three* (~~4~~*3*) minutes per person
   6. Mayor Closes Public Hearing/Public Comments
   7. Council *Motion and* Discussion
   8. Council Vote

2. Paragraph 9 of the Rules and Regulations shall be modified as follows:

   9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of ~~the~~ *action* minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

3. Paragraph 13 of the Rules and Regulations shall be modified as follows:

   13. Rules of Debate.

   g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken. *Council Members may speak twice on a given subject*.

4. Paragraph 27 of the Rules and Regulations shall be modified as follows:

   27. Addressing the Council

   a) Manner of Addressing Council. Each person desiring to address the Council ~~shall step up to the speaker's rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and, unless further time is otherwise specifically provided for in these rules or is granted by majority vote of the Council, shall limit his remarks~~ *may comment for up to* ~~four~~ *three* (~~4~~*3*) minutes. All remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Council Member or a member of the City staff without the permission of the Presiding Officer.

c) After ~~Motion~~ Close of Public Hearing. After ~~a motion has been made or~~ a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

5. The Agenda format shall be in substantially the same form as Attachment 1 hereto.

Section 3. Effective Date of Resolution. This Resolution shall take effect on immediately upon its passage and adoption.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting held this 16th day of August 2022, 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

RESOLUTION NO. 80- 71

A RESOLUTION ESTABLISHING RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETINGS OF THE MARINA CITY COUNCIL

-oOo-

WHEREAS, in order to provide for continuity of responsibility and to provide sufficient time and opportunity for full consideration and public discussion of important issues which the City Council must review and decide, and in order to provide for the orderly and expeditious conduct of council meetings, it is necessary and appropriate to adopt the following rules and procedures relating to the conduct of such meetings,

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

1. Purpose. The purpose of this resolution is to establish the procedure for the presentation and determination of matters coming before the Marina City Council, to provide for the fair and efficient consideration of said matters, and to insure that the public is fully informed of the matters coming before the City Council and has an opportunity to witness the deliberations of the members thereof in the conduct of public business, and that proper public involvement in the deliberations of the Council be encouraged.

2. Regular Meetings. The City Council shall hold regular meetings on the first and third Tuesdays of each month at the hour of 7:30 o'clock p.m. in the Council Chamber of the City Hall, 211 Hillcrest Avenue in the City, or in such other place within the city limits to which said meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in the City Hall, the meetings may be held for the duration of the emer-

gency at such other place as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day.

3. Study Sessions. The City Council shall meet in a study session on the first and third Tuesdays of each month at the hour of 7:00 o'clock p.m. in the Council Chamber of the City Hall, or at such other place as may be determined by the Council, for the purpose of hearing reports from the staff and reviewing, discussing and debating matters of interest to the City. Such sessions shall be open to the public and press. No official action shall be taken at a study session; provided, however, that nothing herein shall be deemed to prevent the taking of an informal vote on any matter under discussion. The participation of the public in such sessions shall be subject to the discretion of the presiding officer.

4. Special Meetings. Special meetings may be called at any time by the Mayor, or by three members of the City Council, by delivering personally or by mail written notice to each Council Member and to each local newspaper of general circulation, radio or television station requesting notice in writing. Such notice must be delivered personally or by mail at least twenty-four hours before the time of such meeting as specified in the notice. The call and notice shall specify the time and place of the speical meeting and the business to be transacted. No other business shall be considered at such meetings. Such written notice may be dispensed with as to any Council Member who at or prior to the time the meeting convenes files with the City Clerk a written waiver of notice. Such

waiver may be given by telegram. Such written notice may also be dispensed with as to any Council Member who is actually present at the meeting at the time it convenes.

5. Meetings to be Public - Exception for Executive Sessions. All regular and special meetings of the City Council shall be public; provided, however, the City Council may hold executive sessions during a regular or special meeting, from which the public may be excluded, for the purpose of considering the matters referred to in §§54957-54957.6 of the Government Code of the State of California.

No member of the City Council, employee of the City, or any other person present during an executive session of the Council shall disclose to any person the content or substance of any discussion which took place during said executive session unless the City Council shall authorize the disclosure of such information by majority vote.

6. Agenda. All reports, communications, ordinances, resolutions, contract documents or other matters to be submitted to the Council at a regular meeting shall be delivered to the City Clerk not later than 12:00 o'clock noon on the Wednesday preceding the meeting. The City Clerk shall prepare an agenda of all such matters according to the order of business (paragraph 8 hereinbelow). The agenda shall be delivered or otherwise made available to the Council Members on the Friday preceding the Tuesday Council meeting to which it pertains, and shall be made available to the public no later than 10:00 o'clock a.m. on the Monday preceding the meeting. All matters shall be considered by the Council in the order listed on the agenda, to the extent of time available; provided, however, that the order of the agenda may be changed at any time by the

unanimous consent of all Council Members then present at a meeting. Agenda items not considered or completed for lack of time shall become agenda items at the following meeting in accordance with the foregoing policies. No matters other than those on the agenda shall be finally acted upon by the Council; provided, however, that a matter deemed to be an emergency by any Council Member, the City Manager or the City Attorney, or a matter which would become moot if not acted upon at the Council meeting at which it is brought up, with an explanation of the emergency or other necessity for bringing it up stated in open Council meeting, may be placed upon the agenda by a motion, seconded and carried, and then may be considered and acted upon by the Council.

7. Council Correspondence.

a) Availability to the Public. Correspondence addressed to the City Council which is received by the City Clerk or any other officer or employee of the City shall not become a public record until received and filed by the Council at a regular, special or adjourned meeting of the Council. Correspondence received in the City Clerk's office or other offices after 12:00 o'clock noon on the Wednesday preceding a regular Council meeting shall not be placed on the agenda unless it concerns a matter to be considered by the Council at the next regular meeting or is determined by the Mayor or the City Manager to be an urgent matter which should be brought to the immediate attention of the Council. Correspondence shall not be read aloud at a Council meeting unless requested by a majority vote of the Council.

b) Authority of City Manager. The City Manager is authorized to open and examine all mail or other written communications

addressed to the City Council and to give it immediate attention to the end that all administrative business referred to in said communications and not necessarily requiring Council action may be acted upon between Council meetings.

8. Order of Business. The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to Order
2. Pledge of Allegiance and Invocation.
3. Roll Call.
4. Approval of the Minutes.
5. Communications from Floor Not on Agenda.
6. Special Presentations (if any).
7. Consent Calendar Items.
8. Public Hearings.
9. Other Agenda Items - Consideration of Ordinances and Resolutions
10. Council and Staff Reports.
11. Executive Sessions (if any).
12. Adjournment.

The order of business shall not be changed except by majority vote of the City Council.

9. Preparation of Minutes. The City Clerk shall have exclusive responsibility for preparation of the minutes, and any directions for changes in the minutes shall be made only by majority action of the City Council.

10. Reading of Minutes. Unless the reading of the minutes of a Council meeting is ordered by a majority vote of the Council, such minutes may be approved without reading if the City Clerk has previously furnished each Council Member with a copy.

11. Presiding Officer. The Mayor shall be the Presiding Officer at all meetings of the City Council. In the absence of the Mayor, the Mayor Pro Tempore shall preside. In the absence of both the Mayor and Mayor Pro Tempore, the City Clerk shall call

the Council to order, whereupon a temporary Presiding Officer shall be elected by the Council Members present to serve until the arrival of the Mayor or Mayor Pro Tempore or until adjournment. Wherever in this resolution the term Mayor is used, it shall apply equally to the Presiding Officer as defined in this section.

12. Powers and Duties of Presiding Officer.

a) Participation. The Presiding Officer may move, second, debate and vote from the Chair.

b) Question to be Stated. The Presiding Officer or such member of the City staff as he may designate shall verbally restate each question immediately prior to calling for the vote. Following the vote the City Clerk shall announce whether the question carried or was defeated. The Presiding Officer in his discretion may publicly explain the effect of a vote for the audience, or he may direct a member of the City staff to do so, before proceeding to the next item of business.

c) Signing of Documents. The Presiding Officer shall sign all ordinances, resolutions, contracts, and other documents necessitating his signature which were adopted in his presence, unless he is unavailable, in which case the signature of an alternate Presiding Officer may be used.

d) Sworn Testimony. The Presiding Officer may require any person addressing the City Council to be sworn as a witness and to testify under oath, and the Presiding Officer shall so require if directed to do so by a majority vote of the Council.

13. Rules of Debate.

a) Getting the Floor. Every Council Member desiring to speak shall first address the Chair, gain recognition by the

Presiding Officer, and shall confine himself to the question under debate, avoiding personalities and indecorous language.

b) Questions to Staff. Every Council Member desiring to question the City staff shall, after recognition by the Presiding Officer, address his questions to the City Manager, the City Attorney, or to such other department head or member of the City staff as may be appropriate.

c) Interruptions. A Council Member, once recognized, shall not be interrupted when speaking unless called to order by the Presiding Officer, unless a point of order or personal privilege is raised by another Council Member, or unless the speaker chooses to yield to a question by another Council Member. If a Council Member while speaking, is called to order, he shall cease speaking until the question of order is determined and, if determined to be in order, may then proceed. Members of the City staff, after recognition by the Presiding Officer, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Presiding Officer.

d) Points of Order. The Presiding Officer shall determine all points of order subject to the right of any Councilman to appeal to the Council. The Presiding Officer may consult with the City Manager or the City Attorney in connection with determining a point of order, or may refer the question involved to either one for determination. If an appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" A majority vote shall conclusively determine such question of order.

e) Point of Personal Privilege. The right of a Council

Member to address the Council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are questioned or where the welfare of the Council is concerned. A Council Member raising a point of personal privilege may interrupt another Council Member who has the floor only if the Presiding Officer recognizes the privilege.

f) Privilege of Closing Debate. The Council Member moving the adoption of an ordinance, resolution or motion shall have the privilege of closing debate.

g) Limitation of Debate. No Council Member shall be allowed to speak more than once upon any particular subject until every other Council Member desiring to do so shall have spoken.

14. Ordinances, Resolution and Motions--Precedents. When any ordinance, resolution or motion is properly brought before the Council and seconded by another Council Member, no other action shall be considered except a point of order, or a motion to adjourn, to table, to table to a certain time, to close debate, to refer or to amend. Such items shall have precedence in the order stated in the preceding sentence. Points of order shall be ruled upon by the Presiding Officer, provided that such ruling may be overridden by a majority of the Council. All of such motions, except motions to amend, shall be put to a vote without debate and decided by a majority.

Any of the foregoing motions shall be in order at any time the speaker is duly recognized, except when repeated without intervening business or discussion, or if made when the motion to close debate has been adopted or while a vote is being taken.

a) Motion to Table. If a motion to table (without time

certain) passes, consideration of the matter may be resumed only upon the motion of a member voting with the majority on the motion to table.

b) Motion to Close Debate. When a motion to close debate is duly made and seconded, there shall be no further debate. If the question carries, the Presiding Officer shall put pending amendments to a vote, without debate, in the inverse order of their introduction before putting the main question. If the question is decided negatively, the main question and its amendments remain before the council.

c) Reconsideration. Providing that no intervening rights will be prejudiced, any Council Member who voted with the majority on a question may move the reconsideration of that question at the same meeting in which the original decision was made or at the next following meeting. After a motion for reconsideration has been acted upon, no other similar motion shall be made without unanimous consent.

15. Voting. Three affirmative votes are required to enact an ordinance or to adopt a resolution or motion granting a franchise or authorizing the payment or expenditure of money or incurring of a debt. The majority of a quorum is required to adopt other resolutions or motions. A "majority" refers to a majority of the quorum present.

Every ordinance shall be adopted by a roll call vote. All other matters may be referred to a vote unless a roll call is requested by any Council Member. On all matters for which a voice vote is authorized, the Presiding Officer may ask for, "objections to the question?". If no objection is expressed, the Presiding Officer shall, "so order," and the minutes shall record a unanimous

vote in favor. If any Council Member objects to the procedure, a roll call vote shall be called in the normal manner.

16. Failure to Vote. Every Council Member should vote unless disqualified by reason of a conflict of interest. A Council Member who abstains from voting in effect consents that a majority of the quorum may decide the question voted upon.

17. Silence Constitutes Affirmative Vote. Unless a member of the Council states that he is not voting, his silence shall be recorded as an affirmative vote.

18. Tie Vote. Tie votes shall be lost motions and may be reconsidered.

19. Changing Vote. A member may change his vote only if he makes a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up. A Council Member who publicly announces that he is abstaining from voting on a particular matter shall not subsequently be allowed to withdraw his abstention.

20. Disqualification for Conflict of Interest. Any Council Member who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Council Member affected, be decided by the other Council Members or the City Attorney. A Council Member who is disqualified by reason of a conflict in interest in any matter shall not remain in his seat during the debate and vote on such matter, but shall

request and be given the permission of the Presiding Officer to step down from the Council table. A Council Member stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.

21. Remarks of Council Member and Synopsis of Debate. A Council Member may request through the Presiding Officer the privilege of having an abstract of his statement on any subject under consideration by the Council entered in the minutes. If the Council consents thereto, such statement shall be entered in the minutes.

22. Protest Against Council Action. Any Council Member shall have the right to have the reasons for his dissent from, or protest against, any action of the Council entered in the minutes. Such dissent or protest to be entered in the minutes shall be made in the following manner: "I would like the minutes to show that I am opposed to this action for the following reasons...".

23. Rules of Order. Except as otherwise provided in this resolution, other rules adopted by the City Council or applicable provisions of State law, the procedures of the Council shall be governed, to the extent applicable, by the latest revised edition of Robert's Rules of Order.

24. Failure to Observe Rules of Order. Rules adopted to expedite the transaction of the business of the Council in an orderly fashion are deemed to be procedural only and the failure to strictly observe such rules shall not affect the jurisdiction ot the Council or invalidate any action taken at a meeting that is otherwise held in conformity with law.

25. Ordinances, Resolutions and Contracts.

a) All ordinances shall be prepared by the City Attorney. No ordinance shall be prepared for presentation to the Council unless ordered by a majority vote of the Council, or requested by the Mayor, or City Manager, or prepared by the City Attorney on his own initiative.

b) Prior Approval by Administrative Staff. All ordinances, resolutions and contract documents shall, before presentation to the Council, have been approved as to form and legality by the City Attorney and shall have been examined and approved for administration by the City Manager or his authorized representative.

26. Reading of Ordinances and Resolutions. At the time of adoption of an ordinance or a resolution, it shall be read in full unless, after the reading of the title thereof, the further reading thereof is waived by unanimous consent of the Council Members present. Such consent may be expressed by a statement by the Presiding Officer that "if there is no objection, the further reading of the ordinance or resolution shall be waived". If any Council Member so requests, the ordinance or resolution shall be read in full.

27. Addressing the Council.

a) Manner of Addressing Council. Each person desiring to address the Council shall step up to the speaker's rostrum, state his name and address for the record, state the subject he wishes to discuss, state whom he is representing if he represents an organization or other persons, and, unless further time is otherwise specifically provided for in these rules or is granted by majority vote of the Council, shall limit his remarks to three (3) minutes. All

remarks shall be addressed to the Council as a whole and not to any member thereof. No question shall be asked a Council Member or a member of the City staff without the permission of the Presiding Officer.

b) Spokesman for Group of Persons. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address the Council on the same subject matter, it shall be proper for the Presiding Officer to request that a spokesman be chosen by the group to address the Council and, in case additional information or matters are to be presented by any other member of said group, to limit the number of such persons addressing the Council.

c) After Motion. After a motion has been made or a public hearing has been closed, no member of the public shall address the Council from the audience on the matter under consideration without first securing permission to do so by the City Council.

28. Rules of Decorum.

a) Council Members. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Presiding Officer.

b) Employees. Members of the City staff and employees shall observe the same rules of order and decorum as are applicable to the City Council.

c) Persons Addressing the Council. Any person making impertinent, slanderous or profane remarks, or who becomes boisterous while addressing the Council, shall be called to order by the

Presiding Officer and, if such conduct continues, may at the discretion of the Presiding Officer be barred from further audience before the Council during that meeting, unless permission to continue be granted by a majority of the Council.

d) Members of the Audience. Any person in the audience who engages in disorderly conduct such as hand clapping, stamping of feet, whistling, using profane language, yelling, and similar demonstrations, which conduct disturbs the peace and good order of the meeting, or who refuses to comply with the lawful orders of the Presiding Officer, shall be guilty of an infraction, and upon instructions from the Presiding Officer, it shall be the duty of the Sergeant at Arms to remove any such person from the Council Chamber and to place him under arrest or otherwise cause him to be prosecuted under the law.

29. Enforcement of Decorum. The Director of Public Safety or such member or members of the Public Safety Department as he may designate, shall be Sergeant at Arms of the City Council and shall carry out all orders given by the Presiding Officer for the purpose of maintaining order and decorum at the Council meetings. Any Council Member may move to require the Presiding Officer to enforce the rules, and the affirmative vote of a majority of the Council shall require him to do so.

30. Public Hearings. The following rules shall apply to all public hearings, except when proceedings are held under general laws of the State of California which require different procedures.

a) The Mayor shall state the subject matter of the hearing and declare the public hearing open. Before doing so, he may determine whether or not there are proponents or opponents who wish

to make presentations, how many persons wish to be heard, or other matters which may affect the conduct of the proceedings. He may impose and announce reasonable time limits on presentations or oral arguments by the public.

b) The City Manager or appropriate staff member shall give a factual summary of the matter.

c) The proponents shall be heard. (Written correspondence shall be summarized by the Clerk.)

d) The opponents shall be heard. (Written correspondence shall be summarized by the Clerk.)

e) Each side shall be given a reasonable time for rebuttal. Additional speakers must limit their remarks to providing new information that was not already covered by other speakers.

f) Prior to the close of the public hearing, the Mayor shall give those persons wishing to place their names on the record as being for or against, without presenting an oral argument, an opportunity to do so.

g) The public hearing shall be declared closed.

h) The Council shall discuss and determine the matter.

i) After the public hearing is closed, the public shall not be recognized to speak except to answer any question not covered in the public hearing, and provided that whenever any such answer is given, the opposing side shall be given an opportunity to present facts in rebuttal of the answer given.

31. Policy on Public Input. It is the declared policy of the City Council that any member of the public wishing to be heard on a matter under consideration by the City Council shall be given a reasonable opportunity to do so. Prior to the vote on any issue

the Mayor shall determine whether or not anyone present wishes to be heard. The Mayor may establish reasonable time limits for oral presentations and shall limit the presentation to the matter before the City Council at that time.

32. Absences from Council Meetings. Pursuant to Government Code §36513, if a City Council Member is absent without permission from all regular Council meetings for 60 days consecutively from the last regular meeting he attended, his office becomes vacant and shall be filled by the Council as any other vacancy. In addition, should any Council Member be absent from two (2) consecutive regular Council meetings, or from three (3) regular Council meetings in any six-month period, without permission from (i.e., not excused for good cause by) the Council, the Council may determine that the best interests of the City would be served by said Council Member's resignation, and may request such resignation in a letter authorized by vote of the Council.

33. Automatic Adjournment. Unless otherwise adjourned, all meetings of the City Council shall automatically be adjourned at 10:00 o'clock p.m., except that a majority may extend the automatic adjournment to 10:30 o'clock p.m., and adjournment may be further postponed only by unanimous consent to adjourn not later than a specified time.

34. Amendment of Rules. These rules may be amended by the Council by an affirmative vote of a majority of a quorum; provided, however, that where a provision of these rules require action by a specific affirmative vote which is greater than a majority of a quorum, then an amendment to that rule requires the same vote required for the rule proposed to be amended.

35. Prior Resolution Repealed. The prior resolution of this Council relating to Council meeting procedures, being Resolution No. 76-1, is hereby repealed.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular council meeting duly held on December 2, 1980, by the following vote:

AYES: COUNCIL MEMBERS: Davis, Bird, Laden, Takahashi and Mayor Ouye

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

Robert T. Ouye, Mayor

ATTEST:

Douglas J. Flautt, City Clerk

EXHIBIT A

RESOLUTION NO. 85-1

A RESOLUTION AMENDING RESOLUTION 80-71 ESTABLISHING RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETING OF THE MARINA CITY COUNCIL

-o0o-

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

1. That Resolution No. 80-71 entitled "A Resolution Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council", passed and adopted on December 2, 1980, is hereby amended as follows:

8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and dispostion in the following order:

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Roll Call
4. Approval of the Minutes
5. Presentations
6. Communications from the Floor (Not on the Agenda)
7. Council and Staff Reports
8. Correspondence
9. Consent Calendar
10. Public Hearings
11. Other Agenda Items
12. Executive Session
13. Adjournment

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on January 8, 1985, by the following vote:

AYES, Councilmembers: Ayers, Blake, Ouye, Kosorek and Mayor Takahashi

NOES, Councilmembers: None

ABSENT, Councilmembers: None

Sleigh Takahashi
MAYOR

ATTEST:

Lam W. Bagley
CITY CLERK

RESOLUTION NO. 91-Ø9

A RESOLUTION AMENDING RESOLUTION 85-1 ESTABLISHING RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETING OF THE MARINA CITY COUNCIL

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

1. That Resolution No. 85-1 entitled "A Resolution Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council:, passed and adopted on January 8, 1985, is hereby amended as follows:

8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to order
2. Roll Call & Establishment of Quorum
3. Closed Session
4. Pledge of Allegiance & Words of Inspiration/Moments of Silence
5. Communications From The Floor
6. Special Presentations
7. Consent Agenda (includes Approval of Minutes)
8. Public Hearings
9. Other Council Action Items
1Ø. Council & Staff Informational Reports
11. Correspondence
12. Adjournment

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 5th day of February, 1991, by the following vote:

AYES, COUNCIL MEMBERS: Takali, Yates, Horning, Perrine and Mayor Johnsen

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

Edith Johnsen

EDITH JOHNSEN, Mayor

ATTEST:

JOY B. JUNSAY, City Clerk

RESOLUTION NO. 91-17

A RESOLUTION AMENDING RESOLUTION 91-09 ESTABLISHING RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETING OF THE MARINA CITY COUNCIL

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

1. That Resolution No. 91-09 entitled "A Resolution Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council:, passed and adopted on February 5, 1991, is hereby amended as follows:

8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to order
2. Roll Call & Establishment of Quorum
3. Closed Session
4. Pledge of Allegiance & Words of Inspiration/Moments of Silence
5. Special Presentations
6. Communications From The Floor
7. Public Hearings
8. Other Council Action Items
9. Consent Agenda (includes Approval of Minutes)
10. Council & Staff Informational Reports
11. Correspondence
12. Adjournment

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 19th day of March, 1991, by the following vote:

AYES, COUNCIL MEMBERS: Takali, Yates, Horning, Perrine and Mayor Johnsen

NOES, COUNCIL MEMBERS: None

ABSENT, COUNCIL MEMBERS: None

EDITH JOHNSEN, Mayor

ATTEST:

JOY P. JUNSAY, City Clerk

RESOLUTION NO. 92-30

A RESOLUTION AMENDING RESOLUTION 91-17 ESTABLISHING RULES AND PROCEDURES FOR THE CONDUCT OF THE MEETING OF THE MARINA CITY COUNCIL

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

1. That Resolution No. 91-17 entitled "A Resolution Amending Resolution 91-09 Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council", passed and adopted on March 19, 1991, is hereby amended as follows:

8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. Call to order
2. Roll Call & Establishment of Quorum
3. Closed Session
4. Pledge of Allegiance & Words of Inspiration/Moments of Silence
5. Special Presentations
6. Communications From The Floor
7. Special Announcements
8. Public Hearings
9. Other Council Action Items
10. Consent Agenda (includes Approval of Minutes)
11. Council & Staff Informational Reports
12. Correspondence
13. Adjournment

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 3rd day of June, 1992, by the following vote:

AYES,	COUNCIL MEMBERS:	Takali, Yates, Horning, Perrine and Mayor Johnsen.
NOES,	COUNCIL MEMBERS:	None
ABSENT,	COUNCIL MEMBERS:	None

Edith Johnsen
EDITH JOHNSEN, Mayor

ATTEST:

JOY P. JUNSAY, City Clerk

RESOLUTION NO. 94-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING RESOLUTION NO. 80-71 AND 92-30
RELATING TO THE HOURS OF REGULAR MEETINGS AND
THE ORDER OF BUSINESS

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

1. That Resolution No. 80-71, Section 2, entitled "Regular Meetings" passed and adopted on December 2, 1980, is hereby amended as follows:

2. Regular Meeting The City Council shall hold regular meetings on the first and third Tuesday of each month at the hour of 6:30 p.m. in the Council Chambers of the City Hall, 211 Hillcrest Avenue in the City, or in such other place within the city limits to which said meeting may be adjourned. If by reason of fire, flood or other emergency it shall be unsafe to meet in the City Hall, the meetings may be held for the duration of the emergency at such other place as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day.

2. That Resolution No. 92-30 amending the Order of Business passed and adopted June 3, 1992, is hereby amended as follows:

8. ORDER OF BUSINESS.

The business of the Council shall be taken up for consideration and disposition in the following order:

1. CALL TO ORDER 6:00 P.M.
2. ROLL CALL & ESTABLISHMENT OF QUORUM
3. CLOSED SESSION
4. OPEN REGULAR SESSION - REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
5. PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE
6. SPECIAL PRESENTATIONS
7. SPECIAL ANNOUNCEMENTS
8. COMMUNICATIONS FROM THE FLOOR
9. CONSENT AGENDA
10. PUBLIC HEARINGS
11. OTHER COUNCIL ACTIONS ITEMS
12. COUNCIL & STAFF INFORMATIONAL REPORTS
13. CORRESPONDENCE
14. ADJOURNMENT

PASSED AND ADOPTED at an Adjourned Regular Meeting of the City Council of the City of Marina duly held on the 7th day of April, 1994, by the following vote:

AYES,	COUNCIL MEMBERS:	John Wilmot, Loyde Yates, Mayor Pro Tem Jim Perrine & Mayor Zaruk Takali.
NOES,	COUNCIL MEMBERS:	NONE
ABSENT,	COUNCIL MEMBERS:	NONE

Zaruk Takali, Mayor

ATTEST:

Joy P. Junsay, City Clerk

RESOLUTION NO. 98-03

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING RESOLUTION NO. 94-15 RELATING TO THE ORDER OF BUSINESS

BE IT RESOLVED by this City Council of the City of Marina, that Resolution No. 94-15 is hereby amended to delete Section 8 in its entirety and is replaced by a new Section 8 to read as follows:

8. ORDER OF BUSINESS

The business of the Council shall be taken up for consideration and disposition in the following order:

1. CALL TO ORDER 6:00 P.M.
2. ROLL CALL & ESTABLISHMENT OF QUORUM
3. CLOSED SESSION
4. OPEN REGULAR SESSION - REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
5. MOMENT OF SILENCE (Please stand) & PLEDGE OF ALLEGIANCE
6. SPECIAL PRESENTATIONS
7. SPECIAL ANNOUNCEMENTS
8. COMMUNICATIONS FROM THE FLOOR
9. CONSENT AGENDA
10. PUBLIC HEARINGS
11. OTHER COUNCIL ACTION ITEMS
12. COUNCIL & STAFF INFORMATIONAL REPORTS
13. CORRESPONDENCE
14. ADJOURNMENT

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 20th day of January, 1998, by the following vote:

AYES,	COUNCIL MEMBERS:	H. GUSTAFSON, J. WILMOT, J. PERRINE.
NOES,	COUNCIL MEMBERS:	J. VOCELKA.
ABSENT,	COUNCIL MEMBERS:	NONE
ABSTAIN,	COUNCIL MEMBERS:	NONE

James L. Vocelka, Mayor

ATTEST:

Joy P. Junsay, City Clerk

RESOLUTION NO. 99-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING RESOLUTION NO. 98-03 RELATING TO THE ORDER OF BUSINESS

WHEREAS, the City Council adopted Resolution No. 98-03 is hereby amended as follows:

8. ORDER OF BUSINESS

The business of the City Council shall be taken up for consideration and disposition in the following order:

1. CALL TO ORDER ~~6:00 P.M.~~ 5:30 P.M.
2. ROLL CALL & ESTABLISHMENT OF QUORUM
3. CLOSED SESSION
4. OPEN REGULAR SESSION (6:30 P.M.) - REPORT ON ANY ACTION TAKEN IN CLOSED SESSION
5. MOMENT OF SILENCE (Please stand) & PLEDGE OF ALLEGIANCE (Please remaining standing)
6. SPECIAL PRESENTATIONS
7. SPECIAL ANNOUNCEMENTS
8. COMMUNICATIONS FROM THE FLOOW
9. CONSENT AGENDA
10. PUBLIC HEARINGS
11. OTHER COUNCIL ACTION ITEMS
12. COUNCIL & STAFF INFORMATIONAL REPORTS
13. CORRESPONDENCE
14. ADJOURNMENT

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Marina duly held on the 5th day of January, 1998, by the following vote:

AYES,	COUNCIL MEMBERS:	D. Cleary, H. Gustafson, I. Mettee-McCutchon, K. Nishi, and Mayor J. Perrine.
NOES,	COUNCIL MEMBERS:	NONE
ABSENT,	COUNCIL MEMBERS:	NONE
ABSTAIN,	COUNCIL MEMBERS:	NONE

James E. Perrine, Mayor

ATTEST:

Joy P. Junsay, City Clerk

RESOLUTION NO. 2001-106

A RESOLUTION AMENDING RESOLUTION NO. 80-71 REGARDING THE HOURS OF REGULAR MEETINGS OF THE CITY COUNCIL

-oOo-

BE IT RESOLVED by the City Council of the City of Marina, that paragraph 2 of Resolution No. 80-71 is hereby amended to show that City Council meetings should begin at 5:30 P.M. on the days indicated so that said paragraph now reads as follows:

> "2. Regular Meetings. The City Council shall hold regular meetings on the first and third Tuesday of each month at the hour of 5:30 p.m. in the Council Chambers of City Hall, 211 Hillcrest Avenue in the City, or such other place within the City limits to which said meeting may be adjourned. If by reasons of fire, flood or other emergency it shall be unsafe to meet in City Hall, the meetings may be held for the duration of the emergency at such other place as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day."

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on September 18, 2001, by the following vote:

AYES: COUNCIL MEMBERS: J. Perrine, H. Gustafson, B. Delgado, I. Mettee-McCutchon and M. Morrison.

NOES: COUNCIL MEMBERS: None.

ABSENT: COUNCIL MEMBERS: None.

James E. Perrine, Mayor

ATTEST:

Joy P. Gunsay, City Clerk

LAW OFFICES OF
RT R. WELLINGTON
7 CASS STREET
SUITE D
MONTEREY,
CALIFORNIA 93940
TELEPHONE
(831) 373-8733

RESOLUTION NO. 2009-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA REPEALING SECTION 27a OF RESOLUTION NO. 80-71 AND APPROVING CHANGING THE THREE MINUTE LIMITATION FOR PUBLIC COMMENTS TO FOUR (4) MINUTES

WHEREAS, on December 2, 1980, the City Council of the City of Marina adopted Resolution No. 80-71 which limits the public from addressing the City Council to three (3) minutes, and;

WHEREAS, at a regular meeting of January 20, 2009 Council member Frank O'Connell requested that the council place as a future agenda item the modifying of the three minute limitation of comments made by the public on action matters, and;

WHEREAS, on March 17, 2009, the City Council discussed and received public input.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Marina does hereby:

1. Repeal Section 27a of Resolution No. 80-71 relative to three (3) minute time limit for public comment;
2. Approve changing three (3) minute limitation for public comment to four (4) minutes; and
3. Encourage the commissions, committees and boards to do the same and go with four (4) minutes for public comment.

PASSED AND ADOPTED by the City Council of the city of Marina at a regular meeting duly held on the 17th day of March 2009, by the following vote:

AYES, COUNCIL MEMBERS: Ford, McCall, O'Connell, Delgado
NOES, COUNCIL MEMBERS: Gray
ABSENT, COUNCIL MEMBERS:
ABSTAIN, COUNCIL MEMBERS:

Bruce C. Delgado, Mayor

ATTEST:

Dimitra M. Hubbard, Deputy City Clerk

RESOLUTION NO. 2011-32
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING PARAGRAPH 34 OF RESOLUTION NO. 80-71 ENTITLED "AMENDMENT OF RULES"

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, Paragraph 34 of the Rules and Procedures, entitled "Amendment of Rules," provides that the rules may be amended by an affirmative vote of a majority of a quorum; provided, however, that where a provision of the rules require action by a super-majority, then an amendment to such a rule also requires a vote by that same super-majority; and

WHEREAS, the Council has determined that on occasion the unanimous vote requirement of Paragraph 33 of the Rules and Procedures to postpone adjournment beyond 10:30 p.m. results in City Council business/matters not being concluded during the meeting, even as to matters where interested parties have waited up to four hours for consideration;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marina, that Paragraph 34, entitled "Amendment of Rules," of the Rules and Procedures is hereby deleted in its entirety and replaced with a new paragraph 34 to read as follows (new language shown in italics):

> "34. Amendment of Rules. These rules may be amended by an affirmative vote of a majority of a quorum; provided, however, that *except as to rules relating to adjournment,* where a provision of these rules requires action by a specific affirmative vote which is greater than a majority of a quorum, then amendment to that rule requires the same vote required for the rule proposed to be amended."

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on March 1, 2011, by the following vote:

AYES: COUNCIL MEMBERS: Brown, Ford, O'Connell, Delgado
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: Amadeo
ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Acting Deputy City Clerk

RESOLUTION NO. 2011-33
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AMENDING PARAGRAPH 33 OF
RESOLUTION NO. 80-71 ENTITLED "AUTOMATIC ADJOURNMENT"

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, Paragraph 33 of the Rules and Procedures, entitled "Automatic Adjournment," provides for automatic adjournment at 10:00 p.m. except that a majority may extend adjournment to 10:30p.m., and adjournment may then be further postponed by unanimous consent; and

WHEREAS, the Council has determined that on occasion the unanimous vote requirement of Paragraph 33 of the Rules and Procedures to postpone adjournment beyond 10:30 p.m. results in City Council business/matters not being concluded during the meeting, even as to matters where interested parties have waited up to four hours for consideration;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Marina, that Paragraph 33 of the Rules and Procedures, entitled "Automatic Adjournment," of the Rules and Procedures is hereby deleted in its entirety and replaced with a new paragraph 34 to read as follows:

> "33. Automatic Adjournment. Unless otherwise adjourned, all meetings of the City Council shall automatically be adjourned at 10:00 o'clock p.m., except that a majority may by one or more motions act to extend the automatic adjournment to not later than a specified time, or for completion of a particular item or items, as specified in the motion to extend the time of adjournment."

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on March 1, 2011, by the following vote:

AYES: COUNCIL MEMBERS: Brown, Ford, O'Connell, Delgado
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: Amadeo
ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Acting Deputy City Clerk

RESOLUTION NO. 2011-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING RESOLUTION NO. 80-71, PARAGRAPH 7 (a) TO MODIFY THE TIME AT WHICH CORRESPONDENCE BECOMES A PUBLIC RECORD AND PARAGRAPH 8 TO COMBINE SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR, ELIMINATE "CORRESPONDENCE" FROM THE ORDER OF BUSINESS AND THE AGENDA AND ALLOW THE MAYOR, SUBJECT TO MAJORITY VOTE OVERRULING HIM/HER, TO RE-ARRANGE AGENDA ITEMS

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the City Council ("Rules and Procedures"); and

WHEREAS, at the regular meeting of April 5, 2011, the City Council considered three actions to further streamline City Council meetings; and,

WHEREAS, after discussion, the City Council approved and directed staff to place on a future agenda a resolution to make the following changes to the Rules and Procedures:

a) That correspondence addressed to the City council which is received by the City Clerk or any other officer or employee of the city becomes a public record as soon as it is received; and,

b) Eliminate "correspondence" from the agenda; and

c) Combine special announcements and communications from the floor; and,

d) Allow the Mayor, subject to majority vote overruling him/her, to re-arrange agenda; and,

WHEREAS, Paragraph 7 (a) of the Rules and Procedures, entitled "Availability to the Public," establishes the time at which correspondence addressed to the City Council is a public record; and,

WHEREAS, Paragraph 8 of the Rules and Procedures, entitled "Order of Business and Consideration and Sequence of Agenda Items," establishes the order of taking up business during Council meetings, thereby establishing the agenda, and a prohibition as to changing the Order of Business;

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

1. That Paragraph 7 (a) of the Rules and Procedures, entitled "Availability to the Public," is hereby deleted in its entirety and replaced with a new Paragraph so that the paragraph now reads as follows (*new language shown in italics*):

"a) Availability to the Public. Correspondence addressed to the City Council which is received by the City Clerk or any other officer or employee of the City *becomes a disclosable public record, unless subject to an exemptions under the California Public Records Act, as soon as it is received.* Correspondence received in the City Clerk's office or other offices after 12:00 o'clock noon on the Wednesday preceding a regular meeting shall not be placed on the agenda unless it concerns a matter to be considered by the Council at the next regular meeting or is determined by the Mayor or the City Manager to be an urgent matter which should be brought to the immediate attention of the Council. Correspondence shall not be read aloud at a Council meeting unless requested by a majority vote of the Council."

2. That Paragraph 8 of the Rules and Procedures, as previously amended, entitled "Order of Business and Consideration of Agenda Items," is hereby deleted in its entirety and replaced with a new Paragraph so that the Paragraph now reads as follows (*changes shown in italics*):

"8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the City Council shall be taken up for consideration and disposition in the following order (Resolution No. 99-01):

1. Call to Order 5:30 p.m. (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) – Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations
7. Special Announcements and *Communications from the Floor –4 Minutes Each Person pursuant to Paragraph 27 a)*
8. Consent Agenda
9. Public Hearings
10. Other Council Action Items
11. Council & Staff Informational Reports
12. Adjournment

b) *The Mayor, at his/her discretion and subject to majority vote overruling him/her, may re-arrange agenda items,* provided that any items 'pulled' from Item 8, 'Consent Agenda' shall be considered following the last item of Item 10, 'Other Council Action Items'.

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to 10 minutes (at Presiding Officer's discretion)
4. City Council Clarifying Questions of Staff and Applicant/Proponent
5. Brief Council Comments and Motion
6. Public Comments – 4 Minutes Each Person *pursuant to Paragraph 27 a)*
7. Mayor Closes Public Hearing/Public Comments
8. Council Discussion
9. Council Vote"

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on April 19, 2011, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Ford, O'Connell, Delgado
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Acting Deputy City Clerk

c) The following shall be the procedure for consideration and sequence of each Agenda Item, including Public Hearings:

1. Mayor Introduces the Agenda Item
2. City Manager/Executive Director (or designee/Council Member) Presents Staff Report
3. Applicant/proponent, when appropriate, up to 10 minutes (at Presiding Officer's discretion)
4. City Council Clarifying Questions of Staff and Applicant/Proponent
5. Brief Council Comments and Motion
6. Public Comments – 4 Minutes Each Person *pursuant to Paragraph 27 a)*
7. Mayor Closes Public Hearing/Public Comments
8. Council Discussion
9. Council Vote"

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on April 19, 2011, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Ford, O'Connell, Delgado
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Acting Deputy City Clerk

EXHIBIT A

RESOLUTION NO. 2019- 107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AMENDING RESOLUTION NO. 80-71, PARAGRAPHS 2 AND 8 a), TO MODIFY THE HOUR AT WHICH THE CITY COUNCIL WILL CONVENE IN CLOSED SEESION AT A REGULAR MEETING

WHEREAS, at the regular meeting of December 12, 1980, the City Council adopted Resolution No. 80-71 Establishing the Rules and Procedures for the Conduct of Meetings of the Marina City Council ("Rules and Procedures"); and

WHEREAS, at the regular meetings of April 7, 1994 (Reso. 94-15), January 5, 1998 (Reso. 99-01), October 18, 2001 (Reso. 01-106), and April 19, 2011 (Reso. 2011-65), the City Council considered actions to further set the hours for convening City Council meetings in closed session and in open session; and

WHEREAS, Paragraphs 2 and 8.a) as amended of the Rules and Procedures, entitled "Regular Meetings" and "Order of Business and Consideration and Sequence of Agenda Items," establish the hour and the order of taking up business during Council meetings, thereby establishing the agenda, and preclude arbitrarily setting the times the Council may convene in closed and open session; and

WHEREAS, after discussion and soliciting comments from the public the Council has determined that if there is to be a closed session on an Agenda for a regular meeting, the Council should convene at the hour of 5:00 p.m.; and

WHEREAS, Paragraph 34 of the Rules and Procedures entitled "Amendment of Rules" provides that the rules may be amended by an affirmative vote of a majority of a quorum; providing, however, that when a provision of the rules require action by a super-majority, then an amendment to such a rule also requires a vote by that same super-majority; and

WHEREAS, Paragraphs 2 includes a provision requiring the vote of three members of the City Council in the event of an emergency, and in the absence of action by the Mayor, to meet as such other place than City Hall as shall be designated, and therefore passage of this Resolution shall require the affirmative vote of not less than three members of the City Council.

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

1. That Paragraph 2 of the Resolution 80-71 Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council, as previously amended by Resolution 2001-106, entitled "Regular Meetings" is hereby deleted in its entirety and replaced with a new Paragraph 2 so that the Paragraph now reads as follows (*changes shown in italics)*:

"2. Regular Meetings. The City Council shall hold regular meetings on the first and third Tuesday of each month *convening at the hour of 5:00 p.m. if there is to be a closed session and convening in open session at the hour of 6:30 p.m.*in the Council Chambers of City Hall, 211 Hillcrest Avenue in the City, or such other place within the City limits to which said meeting may be adjourned, If by reason of fire, flood or other emergency it shall be unsafe to meet in City Hall, the meetings may be held for the duration of the emergency at such other place *and at such hour* as is designated by the Mayor or, if he should fail to act, by three members of the City Council. When the day for any regular meeting falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the following business day."

2. That Paragraph 8.a) of Resolution 80-71 Establishing Rules and Procedures for the Conduct of the Meetings of the Marina City Council, as previously amended by Resolutions 94-15, 99-01 and 2011-65, entitled "Order of Business and Consideration and Sequence of Agenda Items," is hereby deleted in its entirety and replaced with a new Paragraph 8.a) so that the Paragraph now reads as follows (*changes shown in italics*):

"8. Order of Business and Consideration and Sequence of Agenda Items.

a) The business of the City Council shall be taken up for consideration and disposition in the following order (Resolution Nos. 94-15, 99-01, 2011-65 and 2019 - ___):

1. Call to Order *5:00 p.m.* (if there is to be a Closed Session)
2. Roll Call and Establishment of Quorum
3. Closed Session (if any)
4. Open Regular Session (6:30 p.m.) – Report Any Action taken in Closed Session
5. Moment of Silence & Pledge of Allegiance
6. Special Presentations
7. Special Announcements and Communications from the Floor – 4 Minutes Each Person pursuant to Paragraph 27 a)
8. Consent Agenda
9. Public Hearings
10. Other Council Action Items
11. Council & Staff Informational Reports
12. Adjournment"

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 15th Day of October 2019, by the following vote:

AYES: COUNCIL MEMBERS: Berkley, Urrutia, O'Connell, Morton, Delgado
NOES: COUNCIL MEMBERS: None
ABSENT: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

AGENDA

DATE

5:00 P.M. Closed Session
6:30 P.M. Open Session

REGULAR MEETING

CITY COUNCIL, AIRPORT COMMISSION, MARINA ABRAMS B NON-PROFIT CORPORATION, PRESTON PARK SUSTAINABLE COMMUNITY NON-PROFIT CORPORATION, SUCCESSOR AGENCY OF THE FORMER MARINA REDEVELOPMENT AGENCY AND MARINA GROUNDWATER SUSTAINABILITY AGENCY

Council Chambers
211 Hillcrest Avenue
Marina, California

Zoom Meeting URL: https://zoom.us/j/730251556
Zoom Meeting Telephone Only Participation: 1-669-900-9128 - Webinar ID: 730 251 556

In accordance with California Government Code §54953(e)(1)(A) and (C) and the Proclamation of a State of Emergency issued by Governor Newsom on March 4, 2020, under the provisions of Government Code §8625 related to the COVID-19 (coronavirus) pandemic, consistent with recommendations by State and local health officials regarding social distancing and in order to prevent an imminent risk to the health and safety of attendees as determined in Resolution 2022-78, public participation in City of Marina City Council public meetings shall be electronic only and without a physical location for public participation until the earlier of May 31, 2022, or such time as the City Council may adopt a resolution in accordance with Government Code §54953(e)(3). This meeting is being broadcast "live" on Access Media Productions (AMP) Community Television Cable 25 and on the City of Marina Channel and on the internet at https://accessmediaproductions.org/

PARTICIPATION

You may participate in the City Council meeting in real-time by calling Zoom Meeting via the weblink and phone number provided at the top of this agenda. Instructions on how to access, view and participate in remote meetings are provided by visiting the City's home page at https://cityofmarina.org/. Attendees can make oral comments during the meeting by using the "Raise Your Hand" feature in the webinar or by pressing *9 on your telephone keypad if joining by phone only. If you are unable to participate in real-time, you may email to marina@cityofmarina.org with the subject line "Public Comment Item#__ " (insert the item number relevant to your comment) or "Public Comment – Non Agenda Item." Comments will be reviewed and distributed before the meeting if received by 5:00 p.m. on the day of the meeting. All comments received will become part of the record. Council will have the option to modify their action on items based on comments received.

AGENDA MATERIALS

Agenda materials, staff reports and background information related to regular agenda items are available on the City of Marina's website www.cityofmarina.org. Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet will be made available on the City of Marina website www.cityofmarina.org subject to City staff's ability to post the documents before the meeting

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, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency)

   Cristina Medina Dirksen, David Burnett, Lisa Berkley, Mayor Pro-Tem/Vice Chair Kathy Biala, Mayor/Chair Bruce C. Delgado

3. PUBLIC COMMENT:

4. CLOSED SESSION: ~~*As permitted by Government Code Section 54956 et seq., the (City Council, Airport Commissioners, Marina Abrams B Non-Profit Corporation, Preston Park Sustainable Communities Nonprofit Corporation, Successor Agency of the Former Redevelopment Agency Members and Marina Groundwater Sustainability Agency) 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, Item #1

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

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

6. SPECIAL PRESENTATIONS:

   a. Presentation #1

7. ~~SPECIAL~~ COUNCIL AND STAFF ANNOUNCEMENTS ~~AND~~

8. ~~COMMUNICATIONS FROM THE FLOOR~~PUBLIC COMMENT**:** ~~*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~~ that is not on the agenda. ~~Please state your name for the record.~~ Action will not be taken on ~~an~~ item~~s~~ ~~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~~Comments are limited to a maximum of ~~four~~ three (~~4~~3) 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. Whenever possible, written correspondence

should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.

9. 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 and non-controversial. 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~~remove an item from the Consent Agenda for individual consideration. If an item is pulled for discussion, it ~~and~~ will be placed at the end of Other Action Items Successor Agency to the former Marina Redevelopment Agency.*

10. 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*~~*These items are considered to be routine and non-controversial. All items under the Consent Agenda ~~are normally~~may be approved by one motion. Any member of Council or the public may remove an item from the Consent Agenda for individual consideration. ~~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~~an item is pulled for discussion, it will be ~~removed from the Consent Agenda and~~ placed at the end of Other Action Items.*

    a. ACCOUNTS PAYABLE:

        (1) Accounts Payable Check Numbers XXX– _____, totaling $

    b. MINUTES:

        (1) DATE, 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. 2022-, regarding . . .

    g. APPROVAL OF AGREEMENTS:

        (1) City Council consider adopting Resolution No. 2022-, approving . . .

    h. ACCEPTANCE OF PUBLIC IMPROVEMENTS: None

    i. MAPS:

    j. REPORTS: (RECEIVE AND FILE): None

    k. FUNDING & BUDGET MATTERS: None

    l. APPROVE ORDINANCES (WAIVE SECOND READING):

        (1) City Council consider adopting Ordinance No. 2022-, approving . . .

    m. APPROVE APPOINTMENTS: None

11. PUBLIC HEARINGS: *For public hearings involving a quasi-judicial determination by the Council, in the Council's discretion, the applicant/proponent of an item may be given up to ten (10) minutes to*

speak. All other persons may be given up to three (3) minutes to speak. In public hearings not involving a quasi-judicial determination by the Council, all persons may be given up to three (3) minutes to speak on the matter.

a. City Council open a public hearing and consider adopting Resolution No, 2022-, approving . . .

12. OTHER ACTIONS ITEMS OF THE SUCCESSOR AGENCY TO THE FORMER MARINA REDEVELOPMENT AGENCY: *Action listed for each Agenda item is that which is requested by staff. The Successor Agency may, at its discretion, take action on any items. ~~The public is invited to approach the podium to provide up to four~~Members of the public may be given up to three ~~(4~~3) minutes ~~of public comment~~to speak.*

13. 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.~~Members of the public may be given up to three (3) minutes to speak.*

Note: No additional major projects or programs should be undertaken without review of the impacts on existing priorities (Resolution No. 2006-79 – April 4, 2006).

a. City Council consider . . .

14. COUNCIL & STAFF INFORMATIONAL REPORTS:

a. Monterey County Mayor's Association [Mayor Bruce Delgado]

b. AB1234 Reports ~~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.~~

15. 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, July 15, 2022.

_____

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.ciytofmarina.org), 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@cityofmarina.org

*ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. Mmeetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. Tto request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@cityofmarina.org. Rrequests must be made at least **48 hours** in advance of the meeting.*

Exhibit F

Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg

LEAGUE® OF CALIFORNIA CITIES

MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

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Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and automony of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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About the Author

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.

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Introduction

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the "ayes" and then asking for the "nays" normally does this. If members of the body do not vote, then they "abstain." Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: "The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body."

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member's desired approach with the words "I move … "

A typical motion might be: "I move that we give a 10-day notice in the future for all our meetings."

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion,** for example, "A motion at this time would be in order."
2. **Suggesting a motion to the members of the body,** "A motion would be in order that we give a 10-day notice in the future for all our meetings."
3. **Making the motion.** As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body's consideration. A basic motion might be: "I move that we create a five-member committee to plan and put on our annual fundraiser."

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed,* the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on "hold." The motion can contain a specific time in which the item can come back to the body. "I move we table this item until our regular meeting in October." Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, "I move the previous question" or "I move the question" or "I call the question" or sometimes someone simply shouts out "question." As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a "request" rather than as a formal motion. The chair can simply inquire of the body, "any further discussion?" If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the "question" as a formal motion, and proceed to it.

When a member of the body makes such a motion ("I move the previous question"), the member is really saying: "I've had enough debate. Let's get on with the vote." When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: "I move we limit debate on this agenda item to 15 minutes." Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item.* This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, "I move the previous question," or "I move the question," or "I call the question," or "I move to limit debate," it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it's pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the "no" votes and double that count to determine how many "yes" votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote "no" then the "yes" vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote "abstain" or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in

California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of "those present" then you treat abstentions one way. However, if the rules of the body say that you count the votes of those "present and voting," then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are "present and voting."

Accordingly, under the "present and voting" system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are "present"), but you treat the abstention votes on the motion as if they did not exist (they are not "voting"). On the other hand, if the rules of the body specifically say that you count votes of those "present" then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like "no" votes.

How does this work in practice?
Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are "present and voting." If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three "yes," one "no" and one "abstain" also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members "present." Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a "no" vote. Accordingly, if the votes were three "yes," one "no" and one "abstain," then the motion fails. The abstention in this case is treated like a "no" vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an "abstention" vote? Any time a member votes "abstain" or says, "I abstain," that is an abstention. However, if a member votes "present" that is also treated as an abstention (the member is essentially saying, "Count me for purposes of a quorum, but my vote on the issue is abstain.") In fact, any manifestation of intention not to vote either "yes" or "no" on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote "absent" or "count me as absent?" Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually "absent." That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is "no." There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, "point of privilege." The chair would then ask the interrupter to "state your point." Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person's ability to hear.

Order. The proper interruption would be, "point of order." Again, the chair would ask the interrupter to "state your point." Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, "return to the agenda." If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair's determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.

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EXHIBIT G

Comparing Rosenberg's Rules of Order and Robert's Rules of Order

Robert's Rules of Order is an 714-page manual of parliamentary procedure originally published in the 19th Century by Henry M. Robert III.

Rosenberg's Rules of Order is a simplified and streamlined seven-page version of the rules of parliamentary procedure prepared by Superior Court Judge Dave Rosenberg, who served as a councilmember of the City of Davis, including two terms as Mayor.

See table below for comparison

		Rosenberg's Rules of Order	Robert's Rules of Order
		Comparison	
1.	Fundamental Structure	▪ Set of parliamentary rules.	▪ Same
2.	Quorum	▪ The minimum number of members of the body who must be present at a meeting for business to be legally transacted.	▪ Same
3.	Role of the Chair	▪ It is the chair of the body who is charged with applying the rules of conduct of the meeting.	▪ Same
4.	Format for Agenda Item Discussion	▪ Description of how agenda items are processed. ▪ More detail than is provided in Robert's Rules regarding conduct of meeting. ▪ The chair may limit the time of public speakers. ▪ A second is not an absolute requirement. This is a matter left to the discretion of the chair.	▪ Power to limit the time of public speakers is subject to the decision of the body. ▪ Robert's Rules state that a second is not required on small boards.
5.	Motions in General	▪ Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion.	▪ Same
6.	Motion to Amend	▪ A motion to amend takes the basic motion that is before the body and seeks to change it in some way.	▪ Much more detail/process about how to amend.
7.	Substitute Motion	▪ Allows members to propose a completely different motion as a substitute motion. ▪ Gives the chair discretion to rule on whether a motion is a "motion to amend" or a "substitute motion."	▪ To substitute is a type of amendment. There are somewhat complex rules governing how substitutions are handled.

		Rosenberg's Rules of Order	Robert's Rules of Order
		Comparison	
8.	Friendly Amendment	▪ Allows the common practice of a "friendly amendment" and states that the maker and seconder have the right to accept it or not.	▪ "Friendly amendments" are in essence treated like any other amendment, and thus more formally.
9.	Multiple Motions Before the Body	▪ In restricting motions to three total, Rosenberg rejects the customary system of "precedence of motions."	▪ Robert allows up to 13 ranking motions.
10.	Motion to Recess	▪ Allows the chair to determine the length of the recess.	▪ The length is included in the motion made by a member (amendable but not debatable), so it is within the control of the body.
11.	Motion to Table	▪ This motion must be justified by urgent other business and cannot be debated.	▪ Motion to table "until a specific time" corresponds to Robert's "postpone to a certain time." ▪ Both are debatable.
12.	Motion to Limit Debate	▪ When a member makes this motion, the chair can expedite matters by treating it as a "request" rather than as a formal motion. ▪ The chair can inquire of the body if there any further questions and if there are none, then the chair can go right to the pending motion that is on the floor. ▪ If one person wishes to discuss the pending motion further, then at that point, the chair treats it as a formal motion, and proceeds to it.	▪ Motion to limit debate corresponds to Robert's "previous question." ▪ It is undebatable, and cannot be amended or have any other subsidiary motion applied to it. ▪ Motion brought to bring the assembly at once to a vote on the immediately pending question and on such other pending questions as may be specified in the demand. ▪ Both require two-thirds vote of the body.
13.	Motion to Suspend the Rules	▪ Allows debate.	▪ Motion is not debatable. ▪ Some rules cannot be suspended.
14.	Counting Votes	▪ For a simple majority vote, "one vote more than 50% of the body is required." ▪ In addressing what it means to vote "absent," Rosenberg leaves the determination up to the chair.	▪ When a quorum is present, a majority vote is sufficient for the adoption of any motion that is in order. ▪ The responsibility of announcing, or declaring, the vote rests upon the chair. ▪ Any member may call for, or demand, a count of the votes, and, if seconded, the chair must order a count of the votes.
15.	Motion to Reconsider	▪ A member who voted "with the majority" has the right to move to reconsider at the same meeting. ▪ If the motion to reconsider passes, "a new original motion is in order." ▪ Motion can be brought at a later meeting if rules are suspended.	▪ A member who voted "with the prevailing side" has the right to move to reconsider. ▪ If the motion to reconsider passes, debate is resumed at the point it had reached just before the vote was taken.

		Rosenberg's Rules of Order	Robert's Rules of Order
		Comparison	
			▪ Motion can only be brought on the day the vote to be reconsidered was taken, or, in the case of a multi-day session, on the next day within the session in which business is conducted.
16.	Courtesy and Decorum	▪ Need for courtesy and decorum, and the chair's right to cut off discussion that is too personal, too loud, or too crude.	▪ Same
17.	Interruptions: Privilege	▪ Allows interrupting to raise a question of privilege by members of the body.	▪ Interruption for question of privilege should be done only if unavoidable.
18.	Interruptions: Point of Order	▪ Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting.	▪ Same
19.	Interruptions: Appeal	▪ If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair to the entire body. ▪ If the motion making the appeal is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.	▪ Gives a special process of debate for those appeals that are debatable. ▪ Some appeals cannot be debated.
20.	Interruptions: Call for the Orders of the Day	▪ Allows interrupting in order to bring everyone back to the agenda.	▪ Same
21.	Interruptions: Withdraw a Motion	▪ Allows a member to interrupt debate and withdraw a motion at any time.	▪ Once a motion has been made, seconded and stated by the chair, it belongs to the body itself, not to the original maker. ▪ If a member wishes to withdraw the motion, the member asks permission of the body. ▪ Does not allow interruption for this purpose and does not allow a member to withdraw a motion unilaterally.
22.	Abstention and Voting	▪ Abstention generally does not count towards majority vote. ▪ As a result, a 2-2 vote plus one abstention would mean a motion fails.	▪ The effect of abstention is the same as if a member voted on the prevailing side.

City of Marina

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MEMORANDUM

DATE: May 1, 2026
FROM: Guido F. Persicone, Community Development Director
TO: Layne Long, City Manager
SUBJECT: Sign Ordinance-Window Coverage

Request:
Provide background information on the window coverage requirements of the Sign Ordinance

Background:
This section of the code has been modified twice in the past six years.
On December 1, 2020, when the City Council approved a major reformatting of the code, the 10% requirement was in the code.[1]
On April 4, 2023, a significant rewrite of the entire Sign Ordinance was approved by Council. The 10% requirement was retained as part of this code update.

In conducting a more detailed review of this section of the code compared to other agencies, following standards were identified:

Table 1-Window Sign Coverage Comparison

City	Requirement	Section of Code
Monterey	Max 15% of window area	Chapter 31-Monterey Code
Salinas	No more than 25% of the visible window	37-50.590
Pacific Grove	No more than 25% of the total window area	20.05.050
Sand City	Signs attached to window may not exceed more than 25% of the window area	18.66.040
Seaside	Window signs shall not exceed six square feet per storefront.	17.40.040

As a frame of reference, the State of California Alcohol Beverage and Control ABC states that no more than 33% of window or door area shall be covered by advertising or signage.[2] The Chief of Police supports a maximum 25% window coverage with detailed requirements about line of sight to view the store.

On November 18, 2025, city staff received a complaint stating this section of the code was not being enforced. As a result of this complaint, notices were sent out to 56 business. Thirty-one (31) have

[1] See Section 17.46.170
[2] Signage Requirements and Ideas for Retail Licensees | Alcoholic Beverage Control

modified their signage to be complaint with Sign Ordinance. Any potential fines that have been issued because of this code violation are merely done for compliance purposes and have not been collected to date.

Policy Questions:

1) Can staff discuss with council the logic behind 10% being chosen as an upper limit? *This was in the zoning code prior to anyone working for CDD and was reviewed by the Council when the last rewrite of the Sign Ordinance occurred in 2023.*

2) Can staff discuss if curtains and product shelving is allowed to cover the inside of a storefront and if these could legally block the view into the store window? *The Sign Ordinance does not cover curtain or product shelving. No requirement is in the code regarding this. However, city staff did research this provision in more detail and Sand City and Hollister regulsations discourage interior fixtures from blocking line of sight within commercial developments.*

3) Similar to question #1, can staff discuss pros and cons of allowing 20% or 80% or 100% of windows to be covered as compared to shelving or curtains blocking the same percentage? *Visibility is really the issue, for either signs or curtains. The main issue we are trying to address is ensuring PD and code enforcement can safely investigate a business for safety purposes without violating a business owners Fourth Amendment right while also encouraging visibility into a business which is inviting for commercial patrons.*

4) Did most of the businesses that have come into compliance indicate they were fine doing this or did they come into compliance regrettably? *More than half of the businesses have already voluntarily complied with this code enforcement initiative with moderate follow-up from staff.*

5) Does more window coverage help the business make more revenue? *I can't speak for the business owners on this matter.*

6) Is this business permitted to have a sandwich board sign? *A frame signed are prohibited except for carves outs for "open house" and "under construction signage."*

7) I've noticed that a number of businesses throughout the city appear to be out of compliance. Is there a plan, map, or phased approach that staff is using to notify businesses, educate them on current policies, and support them in making any necessary changes? *Currently, CDD does not have this in our workplan, but we could partner with the Chamber of Commerce to have a few "Coffee with the Planners" to explain our Sign Ordinance to the community.*

8) Are there any concessions or considerations for businesses such as spas, dental offices, massage practices, hair salons, or similar services where privacy is important and signage may play a role in helping customers locate them like this business? *Not currently.*

Next Steps:
Direction from the City Council whether they want staff to review our existing sign ordinance and come back to council with proposed amendments to window coverings section of the ordinance or other proposed.

Sign Ordinance Background Material

Ordinance 2023-05

H. Temporary window signs that are painted, placed, taped, displayed, or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for more than thirty days. Such signs are permitted to cover no more than ten percent of the area of the window; and

Ordinance 2020-07 Ordinance
17.46.170(L) (Outside Coastal Zone)

L. Window Signs—Permanent. Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for more than thirty days. Such signs are permitted to cover no more than ten percent of the area of the window. Such signs are not included in the maximum sign area allotment. Site and architectural design review board approval is not required. A sign permit is not required.

17.40.290 (Coastal Zone Properties)
permit is not required.

12. Window Signs—Permanent. Signs that are painted, placed, taped, displayed or otherwise suspended within three feet of any window that are visible from outside the place of business and that are designed to be displayed for more than thirty days. Such signs are permitted to cover no more than ten percent of the area of the window. Such signs are not included in the maximum sign area allotment. Site and architectural design review board approval is not required. A sign permit is not required.

ABC Signage Requirement.
Excess Signs on Windows and Doors
Applications for: Type 20 and 21 licensees
Sign Requirement: No more than 33% of the square footage of the windows and clear doors may have advertising or signs of any sort. Signage shall be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the store from the outside. This includes areas where the cash register is located. (Section 25612.5(c)(7) Business & Professions Code)

Sample Sites in Marina

APPETIZERS
各式开胃菜 点心
SOUP
各式汤
欢·迎·光·临
Dine in / Take out
GET DELIVERY FROM
DOORDASH OR UBEREATS
GET DELIVERY FROM
DOORDASH OR UBER