AGENDA

Tuesday, May 5, 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: Locke-Paddon Park, various parcels, APN Nos.: 033-121-004, 033-121-005-006, 033-132-003, 033-132-003, 033-121-101, 033-121009, 033-121-002
      Negotiating Party: Monterey Peninsula Regional Park District
      Negotiator(s): City Manager
      Terms: Price and Terms

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

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. Mental Health Month Proclamation

   b. Building Safety Month Proclamation

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 109092-109168, totaling $719,264.05
        Accounts Payable Successor Agency Check No. 138-139, totaling $44,090.75

    b. MINUTES: None

    c. CLAIMS AGAINST THE CITY: None

    d. AWARD OF BID: None

    e. CALL FOR BIDS: None

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

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

        (1) Adopting Resolution No. 2026-, approving the lease of three (3) new Ford Interceptors with Unified Fleet Services.

    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): None

    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. Open public hearing and introducing Ordinance No. 2026-, 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.

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 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 from April 21, 2026***

    b. Receive an informational update regarding city facilities and potential November ballot measure; and Provide direction for city staff. ***Continued from April 21, 2026***

    c. Presentation by Marina Police Department on the 2025 Firework Impacts; and planned Firework activities for July 2026. ***Continued from April 21, 2026***

    d. 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.

    e. Sign Ordinance-Window Covering Update and possible council direction.

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 6:30 p.m., Friday, May 1, 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, May 19, 2026
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 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 14, 2026
May 28, 2206
June 10, 2026
June 24, 2026
July 8, 2026
July 22, 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

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.

May 7, 2026
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.

May 6, 2026
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

Declaring May 2026 as Mental Health Month

WHEREAS, mental health is essential to the overall well-being of individuals, families, and communities; and

WHEREAS, millions of Americans experience mental health conditions each year, and early intervention, access to care, and community support can significantly improve outcomes; and

WHEREAS, Mental Health Month has been observed each May since 1949 to increase awareness, reduce stigma, and promote access to mental health services; and

WHEREAS, individuals living with mental health challenges can and do lead meaningful, productive lives when supported by compassionate, community-based systems of care; and

WHEREAS, Monterey County residents benefit from a network of behavioral health providers, peer support specialists, housing programs, and community organizations working collaboratively to support recovery, stability, and well-being; and

WHEREAS, stable housing, access to treatment, and social connection are critical components of mental health and long-term wellness; and

WHEREAS, organizations such as Interim, Inc., along with many community partners, play an important role in Monterey County by providing housing, mental health services, and recovery support to individuals experiencing serious mental illness and homelessness; and

WHEREAS, it is vital to recognize the contributions of mental health professionals, community-based organizations, peers with lived experience, family members, and advocates who work to ensure that no one faces mental health challenges alone.

NOW, THEREFORE, BE IT PROCLAIMED that, I Mayor Bruce C. Delgado on behalf of the Marina City Council hereby proclaims the month of May 2026 as Mental Health Month in Marina and encourages all residents to increase their awareness of mental health, support those in need, and help build a more compassionate and resilient community.

Dated the 5th day of May 2026

CITY OF MARINA INCORPORATED NOVEMBER 13, 1975 CALIFORNIA

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Bruce C. Delgado, Mayor

Proclamation

BUILDING SAFETY MONTH MAY 2026

WHEREAS our City is committed to recognizing that our growth and strength depend on the safety and essential role our homes, buildings and infrastructure play, both in everyday life and when disasters strike; and

WHEREAS our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings; and

WHEREAS these guardians are dedicated members of the International Code Council (ICC), a nonprofit that brings together local, state, territorial, tribal and federal officials who are experts in the built environment to create and implement the highest-quality codes and standards to protect us in the buildings where we live, learn, work and play; and

WHEREAS these modern building codes and standards include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquakes; and

WHEREAS Building Safety Month is sponsored by ICC to remind the public about the critical role of our communities' largely unknown protectors of public safety—our code officials—who assure us of safe, sustainable and affordable buildings that are essential to our prosperity; and

WHEREAS "Built to Last" the theme for Building Safety Month 2026, encourages us all to get involved and raise awareness about building safety on a personal, local and global scale; and

WHEREAS each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local, state, tribal, territorial, and federal building safety and fire prevention departments, in protecting lives and property.

NOW, THEREFORE, BE IT RESOLVED THAT, I, Bruce Delgado, Mayor of the City of Marina City Council, do hereby proclaim the month of May 2026 as Building Safety Month. Accordingly, I encourage our citizens to join us as we participate in Building Safety Month activities.

Dated the 5th day of May 2026

CITY OF MARINA INCORPORATED NOVEMBER 13, 1975 CALIFORNIA

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Bruce C. Delgado, Mayor

Accounts Payable by G/L Distribution Report

Payment Date Range 04/24/26 - 04/24/26

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 **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6140703379	Monthly Verizon Bill-308174766	Paid by EFT # 7583		04/10/2026	04/17/2026	04/17/2026		04/24/2026	175.90
Account **6380.120 - Utilities Comm Mobile & Pager** Totals								Invoice Transactions 1		$175.90
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$175.90
Division **000 - Non-Div** Totals								Invoice Transactions 1		$175.90
Department **120 - City Mgr/HR/Risk** Totals								Invoice Transactions 1		$175.90
Department **125 - I. T.**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.332 - Prof Svc IT - GIS Support**										
10515 - Rincon Consultants, Inc.	73569	Marina on call GIS support 2/1/2026 - 3/31/2026	Paid by EFT # 7580		04/14/2026	04/16/2026	04/16/2026		04/24/2026	1,882.50
Account **6300.332 - Prof Svc IT - GIS Support** Totals								Invoice Transactions 1		$1,882.50
Account **6360.076 - Maint & Repairs Copier**										
10406 - Monterey Bay Systems	511929	CDD Copier Maintenance(Apr-Jul) and Overage -	Paid by EFT # 7578		04/17/2026	04/16/2026	04/16/2026		04/24/2026	763.65
Account **6360.076 - Maint & Repairs Copier** Totals								Invoice Transactions 1		$763.65
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 2		$2,646.15
Division **000 - Non-Div** Totals								Invoice Transactions 2		$2,646.15
Department **125 - I. T.** Totals								Invoice Transactions 2		$2,646.15
Department **130 - Finance**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6140703379	Monthly Verizon Bill-308174766	Paid by EFT # 7583		04/10/2026	04/17/2026	04/17/2026		04/24/2026	102.90
Account **6380.120 - Utilities Comm Mobile & Pager** Totals								Invoice Transactions 1		$102.90
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions 1		$102.90
Division **000 - Non-Div** Totals								Invoice Transactions 1		$102.90
Department **130 - Finance** Totals								Invoice Transactions 1		$102.90
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.	7836	Grant Writing Services	Paid by Check # 109096		03/17/2026	04/06/2026	04/06/2026		04/24/2026	30,000.00

Accounts Payable by G/L Distribution Report

Payment Date Range 04/24/26 - 04/24/26

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Fund **100 - General Fund**										
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.	7748	Grant Writing Services-US EPASubmitted 1/27/206	Paid by Check # 109096		02/01/2026	04/17/2026	04/17/2026		04/24/2026	18,000.00
				Account **6300.240 - Prof Svc Grant Writer** Totals				Invoice Transactions	2	$48,000.00
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Feb 2026 56-017	208 Palm Ave Unit A (56-017)	Paid by Check # 109102		02/11/2026	04/16/2026	04/16/2026		04/24/2026	92.90
10349 - Marina Coast Water District	Feb 2026 56-018	208 Palm Ave (56-018)	Paid by Check # 109102		02/11/2026	04/16/2026	04/16/2026		04/24/2026	324.22
10349 - Marina Coast Water District	Feb 2026 56-020	304 Hilllcrest Ave (56-020)	Paid by Check # 109102		02/11/2026	04/16/2026	04/16/2026		04/24/2026	109.63
10349 - Marina Coast Water District	Feb 2026 56-025	327 Reindollar Ave Sewer (56-025)	Paid by Check # 109102		02/11/2026	04/16/2026	04/16/2026		04/24/2026	43.48
10432 - Monterey One Water - former MRWPCA	Mar 2026 0009	Marina Fire Protection District (12-00009)	Paid by Check # 109105		03/31/2026	04/11/2026	04/11/2026		04/24/2026	272.80
10432 - Monterey One Water - former MRWPCA	Mar 2026 0325	2800 2nd Ave (13-000325)	Paid by Check # 109105		03/31/2026	04/11/2026	04/11/2026		04/24/2026	68.20
10432 - Monterey One Water - former MRWPCA	Mar 2026 3949	209 Cypress Ave (13-003949)	Paid by Check # 109105		03/31/2026	04/11/2026	04/11/2026		04/24/2026	136.40
10432 - Monterey One Water - former MRWPCA	Mar 2026 3245	3254 Abdy Ave (13-003245)	Paid by Check # 109105		03/31/2026	04/11/2026	04/11/2026		04/24/2026	68.20
				Account **6380.500 - Utilities Water & Sewer** Totals				Invoice Transactions	8	$1,115.83
Account **6600.010 - Other Charges Alarm**										
10239 - First Alarm	947771	Alarm Monitoring - City Hall - May-July 2026	Paid by EFT # 7574		04/15/2026	04/16/2026	04/16/2026		04/24/2026	138.00
10239 - First Alarm	948720	Alarm Monitoring - 327 Reindollar Ave - May-Jul 2026	Paid by EFT # 7574		04/15/2026	04/16/2026	04/16/2026		04/24/2026	170.97
10239 - First Alarm	950571	327 Reindollar Ave Service Call	Paid by EFT # 7574		04/14/2026	04/16/2026	04/16/2026		04/24/2026	288.48
10239 - First Alarm	950569	209 Cypress Ave - Service Call	Paid by EFT # 7574		04/14/2026	04/16/2026	04/16/2026		04/24/2026	231.25
				Account **6600.010 - Other Charges Alarm** Totals				Invoice Transactions	4	$828.70
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	14	$49,944.53
				Division **000 - Non-Div** Totals				Invoice Transactions	14	$49,944.53
				Department **190 - Citywide Non-Dept** Totals				Invoice Transactions	14	$49,944.53

Accounts Payable by G/L Distribution Report

Payment Date Range 04/24/26 - 04/24/26

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**										
11632 - Veritone, Inc.	1133391	Redaction Managed Svc March Overages	Paid by EFT # 7582		04/06/2026	04/06/2026	04/06/2026		04/24/2026	1,276.50
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	1	$1,276.50
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades**										
10897 - TechRx Technology Services Corporation	13665	SOUTHFIELD OFFICE MISC SERVICE WORK	Paid by EFT # 7581		04/01/2026	04/08/2026	04/10/2026		04/24/2026	3,990.45
				Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades** Totals				Invoice Transactions	1	$3,990.45
Account **6370.015 - Shared Svc ACJIS Warrant**										
10410 - Monterey County Sheriff's Department	3280	CRIMINAL JUSTICE INFORMATION SYSTEM JANUARY 1 - MARCH 31, 2026	Paid by Check # 109104		04/14/2026	04/15/2026	04/15/2026		04/24/2026	32,409.78
				Account **6370.015 - Shared Svc ACJIS Warrant** Totals				Invoice Transactions	1	$32,409.78
Account **6380.150 - Utilities Comm Phone System**										
10053 - AT & T	APR 2026 428 0	Acct # 248 134 7275 428 0	Paid by Check # 109094		04/01/2026	04/22/2026	04/10/2026		04/24/2026	17.31
				Account **6380.150 - Utilities Comm Phone System** Totals				Invoice Transactions	1	$17.31
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Mar 2026 74-000	Acct # 014874-000	Paid by Check # 109102		03/25/2026	04/16/2026	04/10/2026		04/24/2026	598.81
				Account **6380.500 - Utilities Water & Sewer** Totals				Invoice Transactions	1	$598.81
Account **6400.352 - Material & Suppl IT - Software (non-capitalize)**										
10897 - TechRx Technology Services Corporation	13659	Satelite Starlink Fuel Pump/Dimaggio Park	Paid by EFT # 7581		04/01/2026	04/08/2026	04/10/2026		04/24/2026	780.00
				Account **6400.352 - Material & Suppl IT - Software (non-capitalize)** Totals				Invoice Transactions	1	$780.00
Account **6400.800 - Material & Suppl Uniform**										
10309 - Salinas Valley Pro Squad	022869	UNIFORM K. MOROZOVA	Paid by Check # 109113		03/24/2026	04/23/2026	04/06/2026		04/24/2026	149.64
10309 - Salinas Valley Pro Squad	022886	UNIFORM K. BAINS	Paid by Check # 109113		03/31/2026	04/30/2026	04/06/2026		04/24/2026	167.12
10309 - Salinas Valley Pro Squad	022893	UNIFORM F. TAPIA	Paid by Check # 109113		03/31/2026	04/30/2026	04/06/2026		04/24/2026	383.45
10309 - Salinas Valley Pro Squad	022867	UNIFORM T. BRANNON	Paid by Check # 109113		03/23/2026	04/22/2026	04/06/2026		04/24/2026	133.11
10309 - Salinas Valley Pro Squad	022895	UNIFORM N. TANYA	Paid by Check # 109113		04/01/2026	05/01/2026	04/06/2026		04/24/2026	242.49
				Account **6400.800 - Material & Suppl Uniform** Totals				Invoice Transactions	5	$1,075.81

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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 **6500.620 - Training & Travel POST**										
11760 - Rachel Shimabukuro - Employee	04-20-26	Per Diem - POST Supervisor School	Paid by Check # 109119		04/20/2026	04/20/2026	04/16/2026		04/24/2026	100.00
Account **6500.620 - Training & Travel POST** Totals								Invoice Transactions	1	$100.00
Account **6600.455 - Other Charges Leased Parking**										
12070 - Open Road Investors, LLC	1123	Monthly Parking Lot Rent	Paid by Check # 109109		04/21/2026	04/21/2026	04/21/2026		04/24/2026	1,600.00
Account **6600.455 - Other Charges Leased Parking** Totals								Invoice Transactions	1	$1,600.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	13	$41,848.66
Division **000 - Non-Div** Totals								Invoice Transactions	13	$41,848.66
Department **210 - Police** Totals								Invoice Transactions	13	$41,848.66
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10841 - Art Black / Carmel Fire Protection	126150	Commercial Fire Alarm System and Inspection for 3001 Second	Paid by EFT # 7571		04/17/2026	04/21/2026	04/21/2026		04/24/2026	215.00
10841 - Art Black / Carmel Fire Protection	126165	Commercial Fire Alarm System and Inspection for 110 General Stil	Paid by EFT # 7571		04/14/2026	04/21/2026	04/21/2026		04/24/2026	215.00
10841 - Art Black / Carmel Fire Protection	26-B	Apartments Inspection (30 Apartments)	Paid by EFT # 7571		04/15/2026	04/21/2026	04/21/2026		04/24/2026	2,250.00
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	3	$2,680.00
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades**										
11965 - Square Grove LLC / Uplift Desk	EST213055	Desk for Fire Admin	Paid by Check # 109115		04/16/2026	04/16/2026	04/16/2026		04/24/2026	1,502.19
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades** Totals								Invoice Transactions	1	$1,502.19
Account **6360.360 - Maint & Repairs Janitorial**										
10927 - Ace Hardware - Fire Dept.	094017	Cust #204 - Cleaning Supplies for Station 2	Paid by Check # 109092		04/18/2026	04/21/2026	04/21/2026		04/24/2026	60.02
Account **6360.360 - Maint & Repairs Janitorial** Totals								Invoice Transactions	1	$60.02
Account **6400.740 - Material & Suppl Special Dept Suppl**										
10560 - Suburban Propane	April 2026 3924	Bulk Tank Rent 1 Year	Paid by Check # 109116		04/14/2026	04/21/2026	04/21/2026		04/24/2026	1.00
Account **6400.740 - Material & Suppl Special Dept Suppl** Totals								Invoice Transactions	1	$1.00

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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 **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires**										
10323 - L.N. Curtis & Sons	INV1060565	Training Fire Shelter - Equipment	Paid by EFT # 7576		04/20/2026	04/21/2026	04/21/2026		04/24/2026	389.16
Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires** Totals								Invoice Transactions	1	$389.16
Account **6400.800 - Material & Suppl Uniform**										
10323 - L.N. Curtis & Sons	INV1060481	Firefighter Pants - Bredeson	Paid by EFT # 7576		04/20/2026	04/21/2026	04/21/2026		04/24/2026	174.11
Account **6400.800 - Material & Suppl Uniform** Totals								Invoice Transactions	1	$174.11
Account **6600.340 - Other Charges Insur - Liability**										
10439 - Myers Stevens & Toohey Co	1448800	Reserve Firefighters Insurance Invoice	Paid by Check # 109106		04/22/2026	04/22/2026	04/22/2026		04/24/2026	1,868.00
Account **6600.340 - Other Charges Insur - Liability** Totals								Invoice Transactions	1	$1,868.00
Account **6600.455 - Other Charges Leased Parking**										
12070 - Open Road Investors, LLC	1123	Monthly Parking Lot Rent	Paid by Check # 109109		04/21/2026	04/21/2026	04/21/2026		04/24/2026	400.00
Account **6600.455 - Other Charges Leased Parking** Totals								Invoice Transactions	1	$400.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	10	$7,074.48
Division **000 - Non-Div** Totals								Invoice Transactions	10	$7,074.48
Department **250 - Fire** Totals								Invoice Transactions	10	$7,074.48
Department **310 - Public Works**										
Division **311 - Buildings & Grounds**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.065 - Maint & Repairs Bdg NonFlagship**										
10250 - Gavilan Pest Control	0176879	3126 Shoemaker @ Pond	Paid by Check # 109100		03/26/2026	04/11/2026	04/11/2026		04/24/2026	80.00
Account **6360.065 - Maint & Repairs Bdg NonFlagship** Totals								Invoice Transactions	1	$80.00
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Mar 2026 56-094	2660 5th Ave (56-094)	Paid by Check # 109102		03/18/2026	03/30/2026	03/30/2026		04/24/2026	477.13
10349 - Marina Coast Water District	Mar 2026 56-001	209-13 Cypress Ave (56-001)	Paid by Check # 109102		03/11/2026	03/30/2026	03/30/2026		04/24/2026	260.82
10349 - Marina Coast Water District	Mar 2026 56-006	188 Seaside Cir (56-006)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	285.28
10349 - Marina Coast Water District	Mar 2026 56-111	Imjin Pkwy & Preston Dr (56-0111)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	2,729.83
10349 - Marina Coast Water District	Mar 2026 56-046	3100 Preston Dr (56-046)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	222.54
10349 - Marina Coast Water District	Mar 2026 56-045	3100 Preston Dr (56-045)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	3,390.11

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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 **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Mar 2026 56-042	3040 Lake Dr (56-042)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	425.82
10349 - Marina Coast Water District	Mar 2026 56-061	Reservation/Locke Paddon Park (56-061)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	213.83
10349 - Marina Coast Water District	Mar 2026 56-088	Marina Backflow Acts (56-088)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	2,296.00
10349 - Marina Coast Water District	Mar 2026 56-090	Locke Paddon Park 956 -090)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	178.62
10349 - Marina Coast Water District	Mar 2026 56-099	9th St West of 2nd Ave (56-099)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	1,692.75
10349 - Marina Coast Water District	Mar 2026 56-100	9th StIrrigation Parcels L & M (56-100)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	1,265.26
10349 - Marina Coast Water District	Mar 2026 56-102	9th St & 4th St (56-102)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	142.68
10349 - Marina Coast Water District	Mar 2026 56-103	2840 5th Ave (56-103)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	129.21
10349 - Marina Coast Water District	Mar 2026 56-108	Imjin Pkwy & Marina Heights Irrigation (56-108)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	3,844.51
10349 - Marina Coast Water District	Mar 2026 56-109	8th ST Hilltop Park Irrigation (56-109)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	744.42
10349 - Marina Coast Water District	Mar 2026 56-110	9th ST & 4th Ave (56-110)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	86.47
10349 - Marina Coast Water District	Mar 2026 56-112	NE Corner of Imjin & Abrams Dr (56-112)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	206.92
10349 - Marina Coast Water District	Feb 2026 56-111	Imjin Pkwy & Preston Dr (56-111)	Paid by Check # 109102		02/18/2026	04/13/2026	04/13/2026		04/24/2026	4,686.04
10349 - Marina Coast Water District	Feb 2026 56-001	209-13 Cypress Ave (56-001)	Paid by Check # 109102		02/11/2026	04/16/2026	04/16/2026		04/24/2026	260.82
10349 - Marina Coast Water District	Feb 2026 56-019	211 Hillcrest Ave (56-019)	Paid by Check # 109102		02/11/2026	04/16/2026	04/16/2026		04/24/2026	945.69
			Account **6380.500 - Utilities Water & Sewer** Totals					Invoice Transactions	21	$24,484.75
Account **6400.565 - Material & Suppl Office Supplies**										
12248 - Blue Triton Brands Inc	8720337299	209 Cypress Ave 3/15/26-4/14/26	Paid by Check # 109095		04/16/2026	04/16/2026	04/16/2026		04/24/2026	90.48
			Account **6400.565 - Material & Suppl Office Supplies** Totals					Invoice Transactions	1	$90.48
			Sub-Division **00 - Non-Subdiv** Totals					Invoice Transactions	23	$24,655.23
			Division **311 - Buildings & Grounds** Totals					Invoice Transactions	23	$24,655.23
			Department **310 - Public Works** Totals					Invoice Transactions	23	$24,655.23

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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 **6300.570 - Prof Svc Other**										
10515 - Rincon Consultants, Inc.	73795	Marina Grant Support & Prohousing Feb 13, 2026- March 31, 2026	Paid by EFT # 7580		04/17/2026	04/17/2026	04/17/2026		04/24/2026	1,861.50
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	1	$1,861.50
Account **6300.610 - Prof Svc Planning - Consultant**										
10508 - Regional Government Services	20932	Special Event Permit Ordinance February 2026	Paid by EFT # 7579		02/28/2026	04/08/2026	04/08/2026		04/24/2026	2,101.00
Account **6300.610 - Prof Svc Planning - Consultant** Totals								Invoice Transactions	1	$2,101.00
Account **6330.100 - Fee Agr Costs - Planning**										
10189 - Denise Duffy & Associates	10599	RAMCO RESTORATION PLAN DD&A PROJECT #2024-19	Paid by Check # 109097		03/31/2026	03/31/2026	04/09/2026		04/24/2026	543.00
11084 - EMC Planning Group	25-143-4	25-143-4 Marina Station Project	Paid by Check # 109098		03/31/2026	04/16/2026	04/16/2026		04/24/2026	2,544.33
Account **6330.100 - Fee Agr Costs - Planning** Totals								Invoice Transactions	2	$3,087.33
Account **6360.342 - Maint & Repairs IT - System Annual Maint**										
11131 - Online Solutions LLC - Citizenserve	6596	CitizenServe Subscription(s) Planning/Building/Engineering	Paid by Check # 109108		04/21/2026	04/21/2026	04/21/2026		04/24/2026	1,656.17
Account **6360.342 - Maint & Repairs IT - System Annual Maint** Totals								Invoice Transactions	1	$1,656.17
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6140703379	Monthly Verizon Bill-308174766	Paid by EFT # 7583		04/10/2026	04/17/2026	04/17/2026		04/24/2026	89.80
Account **6380.120 - Utilities Comm Mobile & Pager** Totals								Invoice Transactions	1	$89.80
Account **6400.565 - Material & Suppl Office Supplies**										
12420 - ARC Document Solutions, LLC	13075815	lease Payment March 2026 Bill	Paid by Check # 109093		03/31/2026	04/14/2026	04/14/2026		04/24/2026	176.72
12248 - Blue Triton Brands Inc	8720337299	209 Cypress Ave 3/15/26-4/14/26	Paid by Check # 109095		04/16/2026	04/16/2026	04/16/2026		04/24/2026	90.48
10734 - Office Depot-Public Works Dept.	464874751001	CDD-Office Supplies	Paid by Check # 109107		04/01/2026	04/13/2026	04/13/2026		04/24/2026	32.27
10734 - Office Depot-Public Works Dept.	464874752001	CDD-Office Supplies	Paid by Check # 109107		04/01/2026	04/13/2026	04/13/2026		04/24/2026	41.50
10734 - Office Depot-Public Works Dept.	464874750001	CDD-Office Supplies	Paid by Check # 109107		04/01/2026	04/13/2026	04/13/2026		04/24/2026	53.74
Account **6400.565 - Material & Suppl Office Supplies** Totals								Invoice Transactions	5	$394.71
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	11	$9,190.51
Division **000 - Non-Div** Totals								Invoice Transactions	11	$9,190.51

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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** Totals				Invoice Transactions	11	$9,190.51
Department **420 - Engineering**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6330.200 - Fee Agr Costs - Engineering**										
10463 - Pacific Gas & Electric	0008494436-2	Engineering Advice	Paid by Check # 109110		03/03/2026	04/13/2026	04/13/2026		04/24/2026	3,500.00
				Account **6330.200 - Fee Agr Costs - Engineering** Totals				Invoice Transactions	1	$3,500.00
Account **6360.342 - Maint & Repairs IT - System Annual Maint**										
11131 - Online Solutions LLC - Citizenserve	6596	CitizenServe Subscription(s) Planning/Building/Engineering	Paid by Check # 109108		04/21/2026	04/21/2026	04/21/2026		04/24/2026	813.70
				Account **6360.342 - Maint & Repairs IT - System Annual Maint** Totals				Invoice Transactions	1	$813.70
Account **6400.565 - Material & Suppl Office Supplies**										
12420 - ARC Document Solutions, LLC	13075815	lease Payment March 2026 Bill	Paid by Check # 109093		03/31/2026	04/14/2026	04/14/2026		04/24/2026	176.73
				Account **6400.565 - Material & Suppl Office Supplies** Totals				Invoice Transactions	1	$176.73
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	3	$4,490.43
				Division **000 - Non-Div** Totals				Invoice Transactions	3	$4,490.43
				Department **420 - Engineering** Totals				Invoice Transactions	3	$4,490.43
Department **430 - Building Inspection**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.100 - Prof Svc Code Enforcement**										
10171 - CSG Consultants	65541	CODE ENFORCEMENT TEMP	Paid by EFT # 7573		04/10/2026	04/13/2026	04/13/2026		04/24/2026	1,080.00
				Account **6300.100 - Prof Svc Code Enforcement** Totals				Invoice Transactions	1	$1,080.00
Account **6360.342 - Maint & Repairs IT - System Annual Maint**										
11131 - Online Solutions LLC - Citizenserve	6596	CitizenServe Subscription(s) Planning/Building/Engineering	Paid by Check # 109108		04/21/2026	04/21/2026	04/21/2026		04/24/2026	875.34
				Account **6360.342 - Maint & Repairs IT - System Annual Maint** Totals				Invoice Transactions	1	$875.34
Account **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6140703379	Monthly Verizon Bill-308174766	Paid by EFT # 7583		04/10/2026	04/17/2026	04/17/2026		04/24/2026	856.75
				Account **6380.120 - Utilities Comm Mobile & Pager** Totals				Invoice Transactions	1	$856.75
Account **6400.565 - Material & Suppl Office Supplies**										
10734 - Office Depot-Public Works Dept.	464874749001	Office Supplies CDD	Paid by Check # 109107		04/01/2026	04/13/2026	04/13/2026		04/24/2026	27.30

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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 **430 - Building Inspection**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6400.565 - Material & Suppl Office Supplies**										
10734 - Office Depot-Public Works Dept.	464874480001	CDD-Office Supplies	Paid by Check # 109107		04/01/2026	04/13/2026	04/13/2026		04/24/2026	68.93
Account **6400.565 - Material & Suppl Office Supplies** Totals							Invoice Transactions	2		$96.23
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	5		$2,908.32
Division **000 - Non-Div** Totals							Invoice Transactions	5		$2,908.32
Department **430 - Building Inspection** Totals							Invoice Transactions	5		$2,908.32
Department **440 - Economic Dev**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10274 - Hinderliter, de Llamas & Associates (HDL)	SIN058282	Economic Development Svc-Qrtr 4 2025 (Oct-Dec 2025) CD	Paid by EFT # 7575		12/31/2025	04/21/2026	04/21/2026		04/24/2026	7,000.00
10274 - Hinderliter, de Llamas & Associates (HDL)	SIN061964	Economic Development Svc-Qrtr 1 2026 (Jan-Mar 2026) CD	Paid by EFT # 7575		03/31/2026	04/21/2026	04/21/2026		04/24/2026	5,000.00
Account **6300.570 - Prof Svc Other** Totals							Invoice Transactions	2		$12,000.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	2		$12,000.00
Division **000 - Non-Div** Totals							Invoice Transactions	2		$12,000.00
Department **440 - Economic Dev** Totals							Invoice Transactions	2		$12,000.00
Department **510 - Recreation & Culture**										
Division **100 - Admin**										
Sub-Division **00 - Non-Subdiv**										
Account **6380.150 - Utilities Comm Phone System**										
10053 - AT & T	April 2026 520 5	AT&T 831-582-9957 520 5	Paid by Check # 109094		04/13/2026	04/17/2026	04/17/2026		04/24/2026	664.28
Account **6380.150 - Utilities Comm Phone System** Totals							Invoice Transactions	1		$664.28
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$664.28
Division **100 - Admin** Totals							Invoice Transactions	1		$664.28
Department **510 - Recreation & Culture** Totals							Invoice Transactions	1		$664.28
Fund **100 - General Fund** Totals							Invoice Transactions	86		$155,701.39

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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 **210 - Public Educ Govt PEG**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6370.610 - Shared Svc PEG Svc**										
10012 - Access Monterey Peninsula - AMP	04-23-26	Q1-Q2 PEG	Paid by Check # 109118		04/23/2026	04/23/2026	04/23/2026		04/24/2026	43,925.53
Account **6370.610 - Shared Svc PEG Svc** Totals							Invoice Transactions 1			$43,925.53
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			$43,925.53
Division **000 - Non-Div** Totals							Invoice Transactions 1			$43,925.53
Department **000 - Non-Dept** Totals							Invoice Transactions 1			$43,925.53
Fund **210 - Public Educ Govt PEG** Totals							Invoice Transactions 1			$43,925.53

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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 **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	Mar 2026 329-1	430 Marina Heights Dr Unit A (2391581329-1)	Paid by Check # 109110		03/17/2026	03/30/2026	03/30/2026		04/24/2026	48.95
10463 - Pacific Gas & Electric	Mar 2026 080-9	5th Ave Bldg 1A-136 (3479881080-9)	Paid by Check # 109110		03/11/2026	03/30/2026	03/30/2026		04/24/2026	24.64
10463 - Pacific Gas & Electric	April 2026 720-0	PG&E - 0167505720-0	Paid by Check # 109110		04/10/2026	04/17/2026	04/17/2026		04/24/2026	1,395.42
10463 - Pacific Gas & Electric	April 2026 851-0	PG&E - 3440977851-0	Paid by Check # 109110		04/15/2026	04/17/2026	04/17/2026		04/24/2026	226.07
10463 - Pacific Gas & Electric	April 2026 535-3	PG&E - 6161832535-3	Paid by Check # 109110		04/14/2026	04/17/2026	04/17/2026		04/24/2026	364.12
10463 - Pacific Gas & Electric	April 2026 827-8	PG&E - 0423929827-8	Paid by Check # 109110		04/14/2026	04/17/2026	04/17/2026		04/24/2026	199.43
			Account **6380.300 - Utilities Gas & Electric** Totals				Invoice Transactions	6		$2,258.63
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Mar 2026 56-049	Imjin Rd (Irrigation/Backflow Acts) 56-049	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	3,108.45
10349 - Marina Coast Water District	Mar 2026 56-028	California @ Jerry Ct (56-028)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	87.44
10349 - Marina Coast Water District	Mar 2026 56-040	Hilo Ave (56-040)	Paid by Check # 109102		03/18/2026	04/11/2026	04/11/2026		04/24/2026	56.84
10349 - Marina Coast Water District	Mar 2026 56-107	9th St Irrigation (56-107)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	783.46
10349 - Marina Coast Water District	Mar 2026 56-036	2nd Ave/Divarty & Intergarrison (56-036)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	294.43
10349 - Marina Coast Water District	Mar 2026 56-037	2nd Ave (56-037)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	257.50
10349 - Marina Coast Water District	Mar 2026 56-095	2nd Ave (56-095)	Paid by Check # 109102		03/25/2026	04/11/2026	04/11/2026		04/24/2026	245.45
			Account **6380.500 - Utilities Water & Sewer** Totals				Invoice Transactions	7		$4,833.57
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	13		$7,092.20
				Division **000 - Non-Div** Totals			Invoice Transactions	13		$7,092.20
				Department **000 - Non-Dept** Totals			Invoice Transactions	13		$7,092.20
				Fund **220 - Gas Tax** Totals			Invoice Transactions	13		$7,092.20

Accounts Payable by G/L Distribution Report

Payment Date Range 04/24/26 - 04/24/26

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 **6380.500 - Utilities Water & Sewer**										
10432 - Monterey One Water - former MRWPCA	Mar 2026 0183	4th Ave DX Dr (13-000183)	Paid by Check # 109105		03/31/2026	04/11/2026	04/11/2026		04/24/2026	545.60
Account **6380.500 - Utilities Water & Sewer** Totals							Invoice Transactions 1			$545.60
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			$545.60
Division **000 - Non-Div** Totals							Invoice Transactions 1			$545.60
Department **000 - Non-Dept** Totals							Invoice Transactions 1			$545.60
Fund **235 - Cypress Cove II AD** Totals							Invoice Transactions 1			$545.60

Accounts Payable by G/L Distribution Report

Payment Date Range 04/24/26 - 04/24/26

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**										
12298 - The Public Restroom Company	INV53566	Windy Hill Restroom	Paid by Check # 109117		03/31/2026	04/16/2026	04/16/2026		04/24/2026	75,184.84
11084 - EMC Planning Group	24-132-10	Locke Paddon Wetland Community Park & Pond Mgmt Plan March 2026	Paid by Check # 109098		03/31/2026	04/16/2026	04/16/2026		04/24/2026	418.78
10316 - Kimley-Horn & Associates, Inc.	34527119	Del Monte Blvd & Beach Rd	Paid by Check # 109101		12/31/2025	03/30/2026	03/30/2026		04/24/2026	2,379.91
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	3		$77,983.53
Account **6700.105 - Capital Outlay Construction**										
12337 - Salvador Medina / 3R Construction	07012	Gutter Replacement for Teen Center	Paid by Check # 109114		03/31/2026	04/09/2026	04/09/2026		04/24/2026	18,450.00
				Account **6700.105 - Capital Outlay Construction** Totals			Invoice Transactions	1		$18,450.00
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	4		$96,433.53
				Division **000 - Non-Div** Totals			Invoice Transactions	4		$96,433.53
				Department **000 - Non-Dept** Totals			Invoice Transactions	4		$96,433.53
				Fund **462 - City Capital Projects** Totals			Invoice Transactions	4		$96,433.53

Accounts Payable by G/L Distribution Report

Payment Date Range 04/24/26 - 04/24/26

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 **6380.120 - Utilities Comm Mobile & Pager**										
10603 - Verizon Wireless	6140703379	Monthly Verizon Bill-308174766	Paid by EFT # 7583		04/10/2026	04/17/2026	04/17/2026		04/24/2026	89.80
Account **6380.120 - Utilities Comm Mobile & Pager** Totals							Invoice Transactions	1		$89.80
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$89.80
Division **000 - Non-Div** Totals							Invoice Transactions	1		$89.80
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$89.80
Fund **555 - Marina Airport** Totals							Invoice Transactions	1		$89.80
Grand Totals							Invoice Transactions	106		$303,788.05

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **6300.332 - Prof Svc IT - GIS Support**										
10515 - Rincon Consultants, Inc.	73568	Marina on call GIS support 3/31/2026	Paid by EFT # 7596		04/14/2026	04/16/2026	04/16/2026		05/01/2026	1,842.50
Account **6300.332 - Prof Svc IT - GIS Support** Totals								Invoice Transactions	1	$1,842.50
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	1	$1,842.50
Division **000 - Non-Div** Totals								Invoice Transactions	1	$1,842.50
Department **125 - I. T.** Totals								Invoice Transactions	1	$1,842.50
Department **130 - Finance**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6600.625 - Other Charges Printing Svc**										
10028 - Altec	1245969	AP CHECK - 6000 QTY	Paid by Check # 109121		04/28/2026	04/28/2026	04/28/2026		05/01/2026	1,783.83
Account **6600.625 - Other Charges Printing Svc** Totals								Invoice Transactions	1	$1,783.83
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	1	$1,783.83
Division **000 - Non-Div** Totals								Invoice Transactions	1	$1,783.83
Department **130 - Finance** Totals								Invoice Transactions	1	$1,783.83
Department **190 - Citywide Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6150.500 - Medical Vision**										
10607 - Vision Service Plan	05-01.-26	VSP Adjustment (05.01.2026)	Paid by EFT # 7599		05/01/2026	05/01/2026	05/01/2026		05/01/2026	46.05
10607 - Vision Service Plan	05-.01-26	VSP COBRA (05.2026)	Paid by EFT # 7599		05/01/2026	05/01/2026	05/01/2026		05/01/2026	117.55
Account **6150.500 - Medical Vision** Totals								Invoice Transactions	2	$163.60
Account **6300.217 - Prof Svc Fin - Business Lic Services**										
10274 - Hinderliter, de Llamas & Associates (HDL)	SIN062140	March 2026 BL Admin Fee	Paid by EFT # 7591		03/31/2026	04/30/2026	04/30/2026		05/01/2026	3,326.82
Account **6300.217 - Prof Svc Fin - Business Lic Services** Totals								Invoice Transactions	1	$3,326.82
Account **6300.570 - Prof Svc Other**										
11710 - HdL Coren & Cone	SIN062628	Contract Services Property Tax 04/26-06/26	Paid by EFT # 7590		04/27/2026	04/28/2026	04/28/2026		05/01/2026	2,339.05
10274 - Hinderliter, de Llamas & Associates (HDL)	SIN062141	March 2026 HDL - TOT	Paid by EFT # 7591		03/31/2026	04/30/2026	04/30/2026		05/01/2026	2,622.05
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	2	$4,961.10

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **6360.570 - Maint & Repairs Other Svc Agr**										
10129 - Cintas Corporation	4267154239	Mat Service City Hall	Paid by Check # 109127		04/24/2026	04/30/2026	04/30/2026		05/01/2026	73.73
			Account **6360.570 - Maint & Repairs Other Svc Agr** Totals				Invoice Transactions	1		$73.73
Account **6380.150 - Utilities Comm Phone System**										
10758 - AT & T CALNET3	000025111334	CALNET3-9391023482 (884-0985)	Paid by Check # 109123		04/15/2026	04/30/2026	04/30/2026		05/01/2026	31.91
10758 - AT & T CALNET3	000025111336	CALNET3-9391023485 (884-2573)	Paid by Check # 109123		04/15/2026	04/30/2026	04/30/2026		05/01/2026	33.15
10758 - AT & T CALNET3	000025111341	CALNET3-9391023490 (884-9568)	Paid by Check # 109123		04/15/2026	04/30/2026	04/30/2026		05/01/2026	60.70
10758 - AT & T CALNET3	000025111342	CALNET3-9391023491 (884-9654)	Paid by Check # 109123		04/15/2026	04/30/2026	04/30/2026		05/01/2026	92.91
			Account **6380.150 - Utilities Comm Phone System** Totals				Invoice Transactions	4		$218.67
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	April 2026 172-2	PG&E - 5618207172-2	Paid by Check # 109150		04/19/2026	04/30/2026	04/30/2026		05/01/2026	660.30
10463 - Pacific Gas & Electric	April 2026 683-2	PG&E 6217294683-2	Paid by Check # 109150		04/17/2026	04/30/2026	04/30/2026		05/01/2026	162.06
10463 - Pacific Gas & Electric	April 2026 795-7	PG&E - 4467294795-7	Paid by Check # 109150		04/21/2026	04/30/2026	04/30/2026		05/01/2026	627.25
			Account **6380.300 - Utilities Gas & Electric** Totals				Invoice Transactions	3		$1,449.61
Account **6380.500 - Utilities Water & Sewer**										
10432 - Monterey One Water - former MRWPCA	Mar 2026 4675	306 Reservation Rd (13-004675)	Paid by Check # 109145		03/31/2026	04/11/2026	04/11/2026		05/01/2026	108.00
10432 - Monterey One Water - former MRWPCA	Mar 2026 3451	0 Seaside Ave & Reservation Rd (12-003451)	Paid by Check # 109145		03/31/2026	04/11/2026	04/11/2026		05/01/2026	68.20
10432 - Monterey One Water - former MRWPCA	Mar 2025 1708	304 Hillcrest Ave (12-001708)	Paid by Check # 109145		03/31/2026	04/11/2026	04/11/2026		05/01/2026	68.20
10432 - Monterey One Water - former MRWPCA	Mar 2026 1627	211 Hillcrest Ave (12-001627)	Paid by Check # 109145		03/31/2026	04/11/2026	04/11/2026		05/01/2026	272.80
			Account **6380.500 - Utilities Water & Sewer** Totals				Invoice Transactions	4		$517.20
			Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	17		$10,710.73
			Division **000 - Non-Div** Totals				Invoice Transactions	17		$10,710.73
			Department **190 - Citywide Non-Dept** Totals				Invoice Transactions	17		$10,710.73

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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**										
12425 - Critical Incident Videos, Corp.	1439	TRANSPARENCY ADVISING CRISIS COMM & REP MNGMT	Paid by Check # 109131		02/26/2026	03/28/2026	04/16/2026		05/01/2026	9,000.00
11723 - Hardee Polygraph Services - Heather Hardee	MPD26-01	POLYGRAPH SERVICES - WILSON, KOBAYASHI, GARCIA, RAMIREZ, ROSADO	Paid by Check # 109137		04/12/2026	04/16/2026	04/16/2026		05/01/2026	1,725.00
12065 - Hasco Stations, LLC	HCL-058741-26	CAR WASH ACCT # 23680	Paid by Check # 109138		04/15/2026	04/17/2026	04/17/2026		05/01/2026	144.50
11764 - Kurt Ashley / Secure Solutions	002121	POLICE BACKGROUND JOHNSON, DUSTIN	Paid by Check # 109141		04/10/2026	05/10/2026	04/16/2026		05/01/2026	400.00
11764 - Kurt Ashley / Secure Solutions	002200	POLICE BACKGROUND LEE, PAUL	Paid by Check # 109141		04/10/2026	05/10/2026	04/16/2026		05/01/2026	400.00
11764 - Kurt Ashley / Secure Solutions	002153	POLICE BACKGROUND ISAIAH MENDOZA	Paid by Check # 109141		04/10/2026	05/10/2026	04/16/2026		05/01/2026	1,165.00
11764 - Kurt Ashley / Secure Solutions	002198	POLICE BACKGROUND ROSADO, DAMIAN	Paid by Check # 109141		04/10/2026	05/10/2026	04/16/2026		05/01/2026	1,579.20
11899 - Robert Half International, Inc	66128664	Admin Temp - JoAnn Wilson	Paid by Check # 109157		04/20/2026	04/22/2026	04/22/2026		05/01/2026	1,926.40
11899 - Robert Half International, Inc	66104378	Admin Temp - JoAnn Wilson	Paid by Check # 109157		04/13/2026	04/23/2026	04/23/2026		05/01/2026	1,926.40
11632 - Veritone, Inc.	1139431	REDACT APPLICATION - 5/9/26 - 5/8/27 100 HOURS OF PROCESSING	Paid by EFT # 7598		04/15/2026	04/15/2026	04/16/2026		05/01/2026	9,500.00
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	10	$27,766.50
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	229063	Janitorial Service Police/Fire/Airport March 2026	Paid by EFT # 7586		03/25/2026	04/22/2026	04/22/2026		05/01/2026	1,308.00
10080 - Branch's Janitorial	229079	Janitorial Service Police/Fire/Airport April 2026	Paid by EFT # 7586		04/25/2026	04/27/2026	04/27/2026		05/01/2026	1,308.00
				Account **6360.360 - Maint & Repairs Janitorial** Totals				Invoice Transactions	2	$2,616.00
Account **6360.570 - Maint & Repairs Other Svc Agr**										
10981 - Sentry Alarm Systems of America, Inc.	2313394	BURGLAR ALARM SYSTEM CUST # 1840 05/1/26 - 7/31/26 EASTFIELD	Paid by Check # 109159		04/15/2026	04/17/2026	04/17/2026		05/01/2026	540.90

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **6360.570 - Maint & Repairs Other Svc Agr**										
10981 - Sentry Alarm Systems of America, Inc.	2313395	BURGLAR ALARM SYSTEM CUST # 1840 05/1/26 - 7/31/26 SOUTHFIELD	Paid by Check # 109159		04/15/2026	04/17/2026	04/17/2026		05/01/2026	150.00
Account **6360.570 - Maint & Repairs Other Svc Agr** Totals								Invoice Transactions	2	$690.90
Account **6400.565 - Material & Suppl Office Supplies**										
10498 - Quill Corporation	48497184	ACCT # 7474999 OFFICE SUPPLIES	Paid by Check # 109152		04/09/2026	05/09/2026	04/16/2026		05/01/2026	484.72
10498 - Quill Corporation	48501147	ACCT # 7474999 OFFICE SUPPLIES	Paid by Check # 109152		04/10/2026	05/10/2026	04/17/2026		05/01/2026	226.15
10498 - Quill Corporation	48500982	ACCT # 7474999 OFFICE SUPPLIES	Paid by Check # 109152		04/10/2026	04/17/2026	04/17/2026		05/01/2026	51.88
Account **6400.565 - Material & Suppl Office Supplies** Totals								Invoice Transactions	3	$762.75
Account **6400.635 - Material & Suppl Postage Shipping**										
10235 - FedEx	9-717-15775	ACCT # 3995-9218-6	Paid by Check # 109134		04/10/2026	04/25/2026	04/17/2026		05/01/2026	5.21
Account **6400.635 - Material & Suppl Postage Shipping** Totals								Invoice Transactions	1	$5.21
Account **6400.720 - Material & Suppl Safety Equip**										
10330 - LC ACTION POLICE SUPPLY LTD/LC ACTION POLICE SUPPL	486986	CTS 4557 SPONGE RND SPIN & CTS 4504 SPONGE RELOAD KIT	Paid by Check # 109142		04/13/2026	05/13/2026	04/17/2026		05/01/2026	5,622.29
11171 - Motorola Solutions, Inc.	8282312420	RADIO BATTERY (IMPRES 2 LI-ION R IP68 3400T)	Paid by EFT # 7594		04/10/2026	05/10/2026	04/16/2026		05/01/2026	904.92
Account **6400.720 - Material & Suppl Safety Equip** Totals								Invoice Transactions	2	$6,527.21
Account **6500.620 - Training & Travel POST**										
11950 - Randy Hopkins - Employee	05-03-26	Monterey County Chief's Workshop	Paid by Check # 109154		04/29/2026	04/29/2026	04/29/2026		05/01/2026	230.00
Account **6500.620 - Training & Travel POST** Totals								Invoice Transactions	1	$230.00
Account **6600.485 - Other Charges Medical Svc - Investigations**										
10157 - Community Hospital of the Monterey Peninsula	04-08-2026	GUARANTOR 12252	Paid by Check # 109129		04/08/2026	04/17/2026	04/17/2026		05/01/2026	28.00
10445 - Natividad Medical Center	04-07-2026	SEBASTIAN D. PEREZ VENEGAS BLOOD ALCOHOL TESTING	Paid by Check # 109149		04/07/2026	04/16/2026	04/16/2026		05/01/2026	31.00

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **6600.485 - Other Charges Medical Svc - Investigations**										
10445 - Natividad Medical Center	04-08-2026	BLOOD ALCOHOL TESTING-HERNANDEZ, J.F; JIMENEZ I; MUNOZ E.R.	Paid by Check # 109149		04/08/2026	04/17/2026	04/17/2026		05/01/2026	93.00
Account **6600.485 - Other Charges Medical Svc - Investigations** Totals								Invoice Transactions	3	$152.00
Sub-Division **00 - Non-Subdiv** Totals								Invoice Transactions	24	$38,750.57
Division **000 - Non-Div** Totals								Invoice Transactions	24	$38,750.57
Department **210 - Police** Totals								Invoice Transactions	24	$38,750.57
Department **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
10841 - Art Black / Carmel Fire Protection	126139	Plan Review and Fire Inspection for 140 10th Street	Paid by EFT # 7585		03/28/2026	04/23/2026	04/23/2026		05/01/2026	215.00
Account **6300.570 - Prof Svc Other** Totals								Invoice Transactions	1	$215.00
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades**										
12202 - Staples, Inc./Staples Contract & Commercial LLC db	6062182916	Shredder for Fire Chief	Paid by Check # 109161		04/27/2026	04/28/2026	04/28/2026		05/01/2026	150.46
Account **6360.344 - Maint & Repairs IT - Office Equip & PC Upgrades** Totals								Invoice Transactions	1	$150.46
Account **6360.360 - Maint & Repairs Janitorial**										
10080 - Branch's Janitorial	229063	Janitorial Service Police/Fire/Airport March 2026	Paid by EFT # 7586		03/25/2026	04/22/2026	04/22/2026		05/01/2026	517.00
10080 - Branch's Janitorial	229079	Janitorial Service Police/Fire/Airport April 2026	Paid by EFT # 7586		04/25/2026	04/27/2026	04/27/2026		05/01/2026	517.00
Account **6360.360 - Maint & Repairs Janitorial** Totals								Invoice Transactions	2	$1,034.00
Account **6400.565 - Material & Suppl Office Supplies**										
12146 - MRC Smart Tech. Solutions/MR COPY INC DBA:XBS-WEST	IN5350927	SOS-CIT1600-001-Z - Meter Read	Paid by Check # 109148		04/27/2026	04/28/2026	04/28/2026		05/01/2026	212.35
Account **6400.565 - Material & Suppl Office Supplies** Totals								Invoice Transactions	1	$212.35
Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires**										
10124 - Charles Murray / JAECO Fire & Safety	20149	Turnout Coat - Goncalves Turnout Pants - Goncalves, Smith	Paid by Check # 109168		04/16/2026	04/16/2026	04/16/2026		05/01/2026	9,946.54
Account **6400.796 - Material & Suppl Turnout Equip-Wildland Fires** Totals								Invoice Transactions	1	$9,946.54

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **250 - Fire**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6500.700 - Training & Travel Training & Travel**										
12433 - Kristan Maurer - Refund Only (HR)	AA Reimbursement	Airline Reimbursement	Paid by Check # 109140		04/28/2026	04/28/2026	04/28/2026		05/01/2026	441.20
12433 - Kristan Maurer - Refund Only (HR)	United Reimburse	Airline Reimbursement	Paid by Check # 109140		04/28/2026	04/28/2026	04/28/2026		05/01/2026	290.20
12433 - Kristan Maurer - Refund Only (HR)	Hotel Reimburse	Hotel Reimbursement	Paid by Check # 109140		04/28/2026	04/28/2026	04/28/2026		05/01/2026	264.76
12433 - Kristan Maurer - Refund Only (HR)	Checked Bag	Checked Bag Reimbursement	Paid by Check # 109140		04/28/2026	04/28/2026	04/28/2026		05/01/2026	50.00
				Account **6500.700 - Training & Travel Training & Travel** Totals				Invoice Transactions	4	$1,046.16
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	10	$12,604.51
				Division **000 - Non-Div** Totals				Invoice Transactions	10	$12,604.51
				Department **250 - Fire** Totals				Invoice Transactions	10	$12,604.51
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	093728	Facilities	Paid by Check # 109120		03/12/2026	04/17/2026	04/17/2026		05/01/2026	123.35
10080 - Branch's Janitorial	229072	Open/Close Tate Park restrooms	Paid by EFT # 7586		04/10/2026	04/11/2026	04/11/2026		05/01/2026	930.00
10080 - Branch's Janitorial	229080	Custodial Services for April 2026	Paid by EFT # 7586		04/25/2026	04/27/2026	04/27/2026		05/01/2026	2,886.35
12279 - RJ Parlay Inc./ClearBLu Environmental	35455	Corp Yard Wash Rack	Paid by Check # 109156		03/31/2026	04/11/2026	04/11/2026		05/01/2026	1,128.07
				Account **6360.065 - Maint & Repairs Bdg NonFlagship** Totals				Invoice Transactions	4	$5,067.77
Account **6360.075 - Maint & Repairs Bdg Teen Center**										
10728 - Ace Hardware-Public Works	093954	Facilities- Teen Center	Paid by Check # 109120		04/09/2026	04/11/2026	04/11/2026		05/01/2026	15.27
				Account **6360.075 - Maint & Repairs Bdg Teen Center** Totals				Invoice Transactions	1	$15.27
Account **6400.742 - Material & Suppl Sprinklers/Plants/Fertilizer**										
10230 - EWING IRRIGATION PRODUCTS INC / EWING OUTDOOR SUPP	29646886	MLK Park	Paid by Check # 109133		03/31/2026	04/11/2026	04/11/2026		05/01/2026	3.47
				Account **6400.742 - Material & Suppl Sprinklers/Plants/Fertilizer** Totals				Invoice Transactions	1	$3.47
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	6	$5,086.51
				Division **311 - Buildings & Grounds** Totals				Invoice Transactions	6	$5,086.51

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **310 - Public Works**										
Division **313 - Vehicle Maint**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
12208 - RAYA AUTOMOTIVE	2644	2021 Dodge Charger #822	Paid by Check # 109155		04/15/2026	04/17/2026	04/17/2026		05/01/2026	1,105.00
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	1	$1,105.00
Account **6360.850 - Maint & Repairs Vehicle**										
12208 - RAYA AUTOMOTIVE	2644	2021 Dodge Charger #822	Paid by Check # 109155		04/15/2026	04/17/2026	04/17/2026		05/01/2026	1,467.48
12208 - RAYA AUTOMOTIVE	2640	2021 Chevrolet Tahoe LT (Black, #821)	Paid by Check # 109155		04/14/2026	04/23/2026	04/23/2026		05/01/2026	182.90
12208 - RAYA AUTOMOTIVE	2638	2025 Ford Police Interceptor Utility Base (Black, #829)	Paid by Check # 109155		04/14/2026	04/23/2026	04/23/2026		05/01/2026	141.98
12208 - RAYA AUTOMOTIVE	2641	2016 FORD Taurus (Gray, #810)	Paid by Check # 109155		04/14/2026	04/23/2026	04/23/2026		05/01/2026	140.45
10527 - SAFETY-KLEEN SYSTEMS, INC.	99520852	Cleaner	Paid by Check # 109158		04/07/2026	04/17/2026	04/17/2026		05/01/2026	165.73
				Account **6360.850 - Maint & Repairs Vehicle** Totals				Invoice Transactions	5	$2,098.54
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	6	$3,203.54
				Division **313 - Vehicle Maint** Totals				Invoice Transactions	6	$3,203.54
				Department **310 - Public Works** Totals				Invoice Transactions	12	$8,290.05
Department **420 - Engineering**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6330.200 - Fee Agr Costs - Engineering**										
10316 - Kimley-Horn & Associates, Inc.	35462823	Marina Dev Review	Paid by Check # 109139		03/31/2026	04/24/2026	04/24/2026		05/01/2026	1,640.13
10316 - Kimley-Horn & Associates, Inc.	34764345	Marina Dev Review	Paid by Check # 109139		01/31/2026	04/24/2026	04/24/2026		05/01/2026	1,170.47
				Account **6330.200 - Fee Agr Costs - Engineering** Totals				Invoice Transactions	2	$2,810.60
				Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	2	$2,810.60
				Division **000 - Non-Div** Totals				Invoice Transactions	2	$2,810.60
				Department **420 - Engineering** Totals				Invoice Transactions	2	$2,810.60
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	65027	Permits/Inspections Jan31-Feb 27, 2026	Paid by EFT # 7587		03/06/2026	04/22/2026	04/22/2026		05/01/2026	22,594.00

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **430 - Building Inspection**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.070 - Prof Svc Building Plan Check & Inspection**										
10171 - CSG Consultants	65572	Permits/Inspections Feb 28-March 27, 2026	Paid by EFT # 7587		04/10/2026	04/22/2026	04/22/2026		05/01/2026	13,858.00
Account **6300.070 - Prof Svc Building Plan Check & Inspection** Totals							Invoice Transactions	2		$36,452.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	2		$36,452.00
Division **000 - Non-Div** Totals							Invoice Transactions	2		$36,452.00
Department **430 - Building Inspection** Totals							Invoice Transactions	2		$36,452.00
Department **510 - Recreation & Culture**										
Division **100 - Admin**										
Sub-Division **00 - Non-Subdiv**										
Account **6300.570 - Prof Svc Other**										
12432 - Rachel Hall / Bob Hall & Associates	1061	Recreation Director Recruitment Services	Paid by Check # 109153		03/12/2026	04/23/2026	04/23/2026		05/01/2026	8,325.00
Account **6300.570 - Prof Svc Other** Totals							Invoice Transactions	1		$8,325.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$8,325.00
Division **100 - Admin** Totals							Invoice Transactions	1		$8,325.00
Department **510 - Recreation & Culture** Totals							Invoice Transactions	1		$8,325.00
Fund **100 - General Fund** Totals							Invoice Transactions	70		$121,569.79

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **110 - Vehicle and Equipment**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6600.450 - Other Charges Leases & Rents**										
11491 - Enterprise FM Trust - Fleet Lease payments only	FBN5610090	Lease Payment for April 2026	Paid by EFT # 7588		04/03/2026	04/24/2026	04/24/2026		05/01/2026	33,069.05
Account **6600.450 - Other Charges Leases & Rents** Totals							Invoice Transactions	1		$33,069.05
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$33,069.05
Division **000 - Non-Div** Totals							Invoice Transactions	1		$33,069.05
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$33,069.05
Fund **110 - Vehicle and Equipment** Totals							Invoice Transactions	1		$33,069.05

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

Vendor	Invoice No.	Invoice Description	Status	Held Reason	Invoice Date	Due Date	G/L Date	Received Date	Payment Date	Invoice Amount
Fund **130 - Library Maintenance**										
Department **000 - Non-Dept**										
Division **000 - Non-Div**										
Sub-Division **00 - Non-Subdiv**										
Account **6360.060 - Maint & Repairs Bdg Library**										
10147 - Coast Counties Glass, Inc	M15132	Marina Library Glass	Paid by Check # 109128		04/09/2026	04/23/2026	04/23/2026		05/01/2026	1,205.00
Account **6360.060 - Maint & Repairs Bdg Library** Totals							Invoice Transactions	1		$1,205.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$1,205.00
Division **000 - Non-Div** Totals							Invoice Transactions	1		$1,205.00
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$1,205.00
Fund **130 - Library Maintenance** Totals							Invoice Transactions	1		$1,205.00

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 494-7	3001M IMJIN PKWY 6071672494-7	Paid by Check # 109150		04/10/2026	04/16/2026	04/16/2026		05/01/2026	11.04
10463 - Pacific Gas & Electric	April 2026 484-0	2601 IMJIN PKWY M, 4546673484-0	Paid by Check # 109150		04/10/2026	04/16/2026	04/16/2026		05/01/2026	13.49
10463 - Pacific Gas & Electric	April 2026 657-7	2501M IMJIN PKWY 4305819657-7	Paid by Check # 109150		04/10/2026	04/16/2026	04/16/2026		05/01/2026	14.29
10463 - Pacific Gas & Electric	April 2026 458-2	2702M IMJIN PKWY 7115239458-2	Paid by Check # 109150		04/10/2026	04/16/2026	04/16/2026		05/01/2026	11.61
10463 - Pacific Gas & Electric	April 2026 329-1	430 MARINA HEIGHTS DR. UNIT A 2391581329-1	Paid by Check # 109150		04/15/2026	04/21/2026	04/21/2026		05/01/2026	45.65
10463 - Pacific Gas & Electric	April 2026 362-9	PG&E - 5996678362-9	Paid by Check # 109150		04/19/2026	04/30/2026	04/30/2026		05/01/2026	185.82
10463 - Pacific Gas & Electric	April 2026 683-2	PG&E 6217294683-2	Paid by Check # 109150		04/17/2026	04/30/2026	04/30/2026		05/01/2026	987.48
			Account **6380.300 - Utilities Gas & Electric** Totals				Invoice Transactions 7			$1,269.38
			Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions 7			$1,269.38
			Division **000 - Non-Div** Totals				Invoice Transactions 7			$1,269.38
			Department **000 - Non-Dept** Totals				Invoice Transactions 7			$1,269.38
			Fund **220 - Gas Tax** Totals				Invoice Transactions 7			$1,269.38

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	April 2026 272-1	PG&E - 2862559272-1	Paid by Check # 109150		04/17/2026	04/30/2026	04/30/2026		05/01/2026	27.21
Account **6380.300 - Utilities Gas & Electric** Totals							Invoice Transactions	1		$27.21
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$27.21
Division **000 - Non-Div** Totals							Invoice Transactions	1		$27.21
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$27.21
Fund **251 - CFD - Locke Paddon** Totals							Invoice Transactions	1		$27.21

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Payment Date Range 05/01/26 - 05/01/26

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**										
10425 - Monterey Peninsula Engineering	26-02-12	Citywide Street Repair Phase1	Paid by Check # 109146		03/27/2026	04/27/2026	04/27/2026		05/01/2026	75,905.00
Account **6300.570 - Prof Svc Other** Totals							Invoice Transactions	1		$75,905.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions	1		$75,905.00
Division **000 - Non-Div** Totals							Invoice Transactions	1		$75,905.00
Department **000 - Non-Dept** Totals							Invoice Transactions	1		$75,905.00
Fund **422 - Capital Projects - Measure X** Totals							Invoice Transactions	1		$75,905.00

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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**										
10268 - Harris & Associates, Inc.	71821	Imjin Parkway Improvement Plan	Paid by EFT # 7589		04/15/2026	04/24/2026	04/24/2026		05/01/2026	63,151.40
10425 - Monterey Peninsula Engineering	26-03-21	Glorya Jean Tate Park Improvements Phase 2 Project	Paid by Check # 109146		03/03/2026	04/23/2026	04/23/2026		05/01/2026	42,008.99
11248 - Bear Electrical Solutions, Inc.	28952	Reservation & Imjin Camara Work	Paid by Check # 109125		12/30/2025	04/23/2026	04/23/2026		05/01/2026	660.00
10189 - Denise Duffy & Associates	10659	Park Upgrades	Paid by Check # 109132		03/31/2026	04/24/2026	04/24/2026		05/01/2026	2,852.50
10316 - Kimley-Horn & Associates, Inc.	35212188	Salinas Ave Alternatives	Paid by Check # 109139		02/28/2026	04/24/2026	04/24/2026		05/01/2026	9,498.93
10316 - Kimley-Horn & Associates, Inc.	35031824	Imjin & 3rd	Paid by Check # 109139		02/28/2026	04/24/2026	04/24/2026		05/01/2026	6,218.22
11266 - Verde Design, Inc.	33-2207300	Glorya Jean Tate Park	Paid by Check # 109164		03/05/2026	04/17/2026	04/17/2026		05/01/2026	2,812.50
				Account **6300.570 - Prof Svc Other** Totals			Invoice Transactions	7		$127,202.54
Account **6700.105 - Capital Outlay Construction**										
11199 - WALD, RUHNKE & DOST ARCHITECTS, LLP	2507508	MARINA FIRE STATION #2 ADDITION	Paid by Check # 109166		03/31/2026	04/23/2026	04/23/2026		05/01/2026	2,629.50
				Account **6700.105 - Capital Outlay Construction** Totals			Invoice Transactions	1		$2,629.50
				Sub-Division **00 - Non-Subdiv** Totals			Invoice Transactions	8		$129,832.04
				Division **000 - Non-Div** Totals			Invoice Transactions	8		$129,832.04
				Department **000 - Non-Dept** Totals			Invoice Transactions	8		$129,832.04
				Fund **462 - City Capital Projects** Totals			Invoice Transactions	8		$129,832.04

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **6300.570 - Prof Svc Other**										
10587 - United Rentals (North America), Inc.	255974156-006	Marina Airport bathrooms	Paid by Check # 109163		04/14/2026	04/17/2026	04/17/2026		05/01/2026	1,152.31
10587 - United Rentals (North America), Inc.	255974156-005	Marina Airport Bathrooms	Paid by Check # 109163		03/17/2026	04/17/2026	04/17/2026		05/01/2026	1,152.31
				Account **6300.570 - Prof Svc Other** Totals				Invoice Transactions	2	$2,304.62
Account **6360.050 - Maint & Repairs Building**										
10263 - Green Line	113940	Vac Out Interceptor at Bldg 510	Paid by Check # 109136		01/10/2026	04/17/2026	04/17/2026		05/01/2026	1,600.00
12428 - JAIME ANGELES OLVERA / ANGELES PREMIUM CONSTRUCTIO	1012	Maintenance Services	Paid by Check # 109167		04/14/2026	04/17/2026	04/17/2026		05/01/2026	7,173.26
12428 - JAIME ANGELES OLVERA / ANGELES PREMIUM CONSTRUCTIO	1013	Maintenance Services	Paid by Check # 109167		04/14/2026	04/17/2026	04/17/2026		05/01/2026	7,820.80
				Account **6360.050 - Maint & Repairs Building** Totals				Invoice Transactions	3	$16,594.06
Account **6360.280 - Maint & Repairs Habitat Management Svc**										
10250 - Gavilan Pest Control	0175952	Exterior Perimeter Maintenance	Paid by Check # 109135		02/27/2026	04/16/2026	04/16/2026		05/01/2026	3,075.00
10250 - Gavilan Pest Control	0176597	Bldg 520 Squirrels	Paid by Check # 109135		03/26/2026	04/16/2026	04/16/2026		05/01/2026	1,425.00
10250 - Gavilan Pest Control	0175953	Bldg 520 Gophers	Paid by Check # 109135		02/27/2026	04/17/2026	04/17/2026		05/01/2026	3,075.00
				Account **6360.280 - Maint & Repairs Habitat Management Svc** Totals				Invoice Transactions	3	$7,575.00
Account **6360.360 - Maint & Repairs Janitorial**										
10034 - American Supply Co.	3086488	Airport Cleaning Supplies	Paid by Check # 109122		04/01/2026	04/17/2026	04/17/2026		05/01/2026	1,077.31
10080 - Branch's Janitorial	229063	Janitorial Service Police/Fire/Airport March 2026	Paid by EFT # 7586		03/25/2026	04/22/2026	04/22/2026		05/01/2026	410.00
10080 - Branch's Janitorial	229079	Janitorial Service Police/Fire/Airport April 2026	Paid by EFT # 7586		04/25/2026	04/27/2026	04/27/2026		05/01/2026	410.00
				Account **6360.360 - Maint & Repairs Janitorial** Totals				Invoice Transactions	3	$1,897.31
Account **6360.450 - Maint & Repairs Maint & Repairs**										
10582 - Uline Shipping Supply	206617592	Perma Patch	Paid by Check # 109162		04/10/2026	04/17/2026	04/17/2026		05/01/2026	2,086.38
				Account **6360.450 - Maint & Repairs Maint & Repairs** Totals				Invoice Transactions	1	$2,086.38
Account **6380.150 - Utilities Comm Phone System**										
10758 - AT & T CALNET3	000025032142	Fire Alarms HGR 524 533 (9391023443)	Paid by Check # 109123		03/28/2026	04/16/2026	04/16/2026		05/01/2026	62.26

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Payment Date Range 05/01/26 - 05/01/26

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 **6380.150 - Utilities Comm Phone System**										
10758 - AT & T CALNET3	000025032143	Fire Alarms HGR 524 533 (9391023444)	Paid by Check # 109123		03/28/2026	04/16/2026	04/16/2026		05/01/2026	62.26
			Account **6380.150 - Utilities Comm Phone System** Totals				Invoice Transactions	2		$124.52
Account **6380.300 - Utilities Gas & Electric**										
10463 - Pacific Gas & Electric	Mar 2026 288-5	781 Neeson Rd Bldg 520 (7175660288-5)	Paid by Check # 109150		03/12/2026	04/20/2026	04/20/2026		05/01/2026	623.75
10463 - Pacific Gas & Electric	Apr 2026 288-5	781 Neeson Rd Bldg 520 (7175660288-5)	Paid by Check # 109150		04/10/2026	04/20/2026	04/20/2026		05/01/2026	421.33
10463 - Pacific Gas & Electric	Mar 2026 767-2	751 Neeson Rd Bldg 526 (2652070767-2)	Paid by Check # 109150		03/12/2026	04/20/2026	04/20/2026		05/01/2026	114.34
10463 - Pacific Gas & Electric	Apr 2026 767-2	751 Neeson Rd Bldg 526 (2652070767-2)	Paid by Check # 109150		04/10/2026	04/20/2026	04/20/2026		05/01/2026	68.83
10463 - Pacific Gas & Electric	Mar 2026 347-0	3263 Imjin Rd Bldg 519 (6258961347-0)	Paid by Check # 109150		03/11/2026	04/20/2026	04/20/2026		05/01/2026	1,058.33
10463 - Pacific Gas & Electric	Apr 2026 347-0	3263 Imjin Rd Bldg 519 (6258961347-0)	Paid by Check # 109150		04/09/2026	04/20/2026	04/20/2026		05/01/2026	788.01
10463 - Pacific Gas & Electric	Mar 2026 608-2	3260 Imjin Rd Bldg 514 (7383993608-2)	Paid by Check # 109150		03/12/2026	04/20/2026	04/20/2026		05/01/2026	1,171.21
10463 - Pacific Gas & Electric	Apr 2026 608-2	3260 Imjin Rd Bldg 514 (7383993608-2)	Paid by Check # 109150		03/12/2026	04/20/2026	04/20/2026		05/01/2026	1,009.91
10463 - Pacific Gas & Electric	Mar 2026 103-6	3200 Imjin Rd (803042103-6)	Paid by Check # 109150		03/11/2026	04/20/2026	04/20/2026		05/01/2026	4,428.84
10463 - Pacific Gas & Electric	Apr 2026 103-6	3200 Imjin Rd (803042103-6)	Paid by Check # 109150		04/09/2026	04/20/2026	04/20/2026		05/01/2026	3,455.92
10463 - Pacific Gas & Electric	April 2026 683-2	PG&E 6217294683-2	Paid by Check # 109150		04/17/2026	04/30/2026	04/30/2026		05/01/2026	363.77
			Account **6380.300 - Utilities Gas & Electric** Totals				Invoice Transactions	11		$13,504.24
Account **6380.500 - Utilities Water & Sewer**										
10349 - Marina Coast Water District	Mar 2026 56-044	781 Neeson Rd (56-044)	Paid by Check # 109143		03/25/2026	04/16/2026	04/16/2026		05/01/2026	192.32
10349 - Marina Coast Water District	Mar 2026 56-051	721 Neeson rd. (56-051)	Paid by Check # 109143		03/25/2026	04/16/2026	04/16/2026		05/01/2026	314.42
10349 - Marina Coast Water District	Mar 2026 56-096	3271 Imjin Rd (56-096)	Paid by Check # 109143		03/25/2026	04/16/2026	04/16/2026		05/01/2026	256.05
10349 - Marina Coast Water District	Mar 2026 56-097	3200 Imjin Rd (56-097)	Paid by Check # 109143		03/25/2026	04/16/2026	04/16/2026		05/01/2026	982.11
10349 - Marina Coast Water District	Mar 2026 56-114	3261 Imjin Rd (56-114)	Paid by Check # 109143		03/25/2026	04/16/2026	04/16/2026		05/01/2026	512.96
10432 - Monterey One Water - former MRWPCA	Mar 2026 0152	741 Neeson Rd (13-000152)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	41.10

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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**										
10432 - Monterey One Water - former MRWPCA	Mar 2026 0142	3261 Imjin Rd (13-000142)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	68.20
10432 - Monterey One Water - former MRWPCA	Mar 2026 0143	3230 Imjin Rd 507 (13-000143)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	41.10
10432 - Monterey One Water - former MRWPCA	Mar 2026 2930	3200 Imjin R (13-002930)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	1,364.00
10432 - Monterey One Water - former MRWPCA	Mar 2026 0148	781 Neeson Rd (13-000148)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	68.20
10432 - Monterey One Water - former MRWPCA	Mar 2026 0149	791 Neeson Rd (13-000149)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	41.10
10432 - Monterey One Water - former MRWPCA	Mar 2026 0153	771 Neeson Rd (13-000153)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	4,140.00
10432 - Monterey One Water - former MRWPCA	Mar 2026 0157	721 Neeson Rd (13-000157)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	272.80
10432 - Monterey One Water - former MRWPCA	Mar 2026 0158	711 Neeson Rd (13-000158)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	68.20
10432 - Monterey One Water - former MRWPCA	Mar 2026 0144	3200 Imjin Rd 507 (13-000144)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	41.10
10432 - Monterey One Water - former MRWPCA	Mar 2026 0145	3260 Imjin Rd (13-000145)	Paid by Check # 109145		03/31/2026	04/16/2026	04/16/2026		05/01/2026	68.20
			Account **6380.500 - Utilities Water & Sewer** Totals				Invoice Transactions	16		$8,471.86
Account **6400.800 - Material & Suppl Uniform**										
10043 - VESTIS GROUP, INC./(f/k/a ARAMARK UNIFORM & C	5110878284	Daves Uniforms & First Aid	Paid by Check # 109165		04/10/2026	04/16/2026	04/16/2026		05/01/2026	40.54
			Account **6400.800 - Material & Suppl Uniform** Totals				Invoice Transactions	1		$40.54
			Sub-Division **00 - Non-Subdiv** Totals				Invoice Transactions	42		$52,598.53
			Division **000 - Non-Div** Totals				Invoice Transactions	42		$52,598.53
			Department **000 - Non-Dept** Totals				Invoice Transactions	42		$52,598.53
			Fund **555 - Marina Airport** Totals				Invoice Transactions	42		$52,598.53
			Grand Totals				Invoice Transactions	131		$415,476.00

Accounts Payable by G/L Distribution Report

Payment Date Range 04/24/26 - 04/24/26

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 **6650.001 - ROPS #1- Neeson Rd Tax Alloc Bond**										
10593 - USDA Rural Development	04-16-26	Case #04-027-0942321991 Code 97 Loan Number 01	Paid by Check # 138		04/16/2026	04/16/2026	04/16/2026		04/24/2026	40,940.75
Account **6650.001 - ROPS #1- Neeson Rd Tax Alloc Bond** Totals							Invoice Transactions 1			$40,940.75
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			$40,940.75
Division **000 - Non-Div** Totals							Invoice Transactions 1			$40,940.75
Department **000 - Non-Dept** Totals							Invoice Transactions 1			$40,940.75
Fund **758 - Successor Agency Oblig Retiremt** Totals							Invoice Transactions 1			$40,940.75
Grand Totals							Invoice Transactions 1			$40,940.75

Accounts Payable by G/L Distribution Report

Payment Date Range 05/01/26 - 05/01/26

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 **6650.039 - ROPS #39-Bond Trustee Fees**										
11250 - U.S. Bank	8158359	MARINARE DEV AGENCY TAX ALLOC BOND 2023A/HOUSING TAB 2023A/B	Paid by Check # 139		04/24/2026	04/30/2026	04/30/2026		05/01/2026	3,150.00
Account **6650.039 - ROPS #39-Bond Trustee Fees** Totals							Invoice Transactions 1			$3,150.00
Sub-Division **00 - Non-Subdiv** Totals							Invoice Transactions 1			$3,150.00
Division **000 - Non-Div** Totals							Invoice Transactions 1			$3,150.00
Department **000 - Non-Dept** Totals							Invoice Transactions 1			$3,150.00
Fund **758 - Successor Agency Oblig Retiremt** Totals							Invoice Transactions 1			$3,150.00
Grand Totals							Invoice Transactions 1			$3,150.00

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

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 5, 2026

RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2025-, APPROVING THE LEASE OF THREE (3) POLICE FORD INTERCEPTOR REPLACEMENT VEHICLES WITH UNIFIED FLEET SERVICES, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AGREEMENTS ON BEHALF OF THE CITY 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 that the City Council consider adopting Resolution No. 2026- :

1. Approving the lease of three (3) new Ford Interceptors in the amount of $376,313.00;
2. Authorizing the City Manager or his designee to execute agreements and complete documentation on behalf of the City necessary to effectuate the lease of such three (3) new vehicles, subject to final review and approval by the City Attorney, and;
3. Authorizing the Finance Director to make necessary accounting and budgetary entries.

BACKGROUND:

Currently, Marina's Police fleet has three (3) vehicles that have reached the end of their useful life. Replacing these vehicles will reduce maintenance costs and provide reliable vehicles to support our officers as they serve the community. This vehicle replacement was approved in the current fiscal year budget and the cost is within budget.

The Public Works Department evaluated the Police fleet, concluding that using Unified Fleet Services was the best fit for the organization. A variety of factors were considered which helped staff come to this conclusion, including safety, performance, maintenance cost, efficiency, and immediate availability.

ANALYSIS:

The Ford Interceptor is recognized industry-wide for its durability, safety, and operational use. Key features include:

- Safety & Security standard features include electronic stability control, rear camera on demand, multiple airbags, and ballistic front door panels.
- Protection & Precaution standard features include pre-collision assist with pedestrian detection, hands-free Bluetooth wireless connectivity, and blind spot information system.
- Heavy-Duty Durability in anti-lock disc brakes, cooling system regulates extreme heat, and door tethers strengthen hinges.
- Performance in engine selection of the 3.0L EcoBoost to provide the horsepower and torque needed.
- Purpose-built to support police responders to allow the vehicle to keep it running, provide ergonomic front seats, and enhance the LCD screen view for the end user.
- Upfit-Friendly customization and convenience to allow interior and exterior aftermarket equipment and electronics needed for the Police.

The bidding requirement for this purchase is satisfied through a NPPGov cooperative purchasing program. Cooperative purchasing is defined by the American Bar Association Model Procurement Code for State and Local Governments as "Procurement conducted by, or on behalf of, one or more Public Procurement Units." NPPGov's analysts facilitate the procurement process by developing Requests for Proposals (RFPs) and Invitations for Bids (IFBs) for national, competitive solicitations that meet or exceed local requirements. Their rigorous process is continually refined to best serve the needs of participating agencies and ensures access to exceptional products from nationally recognized suppliers. The contract number for this purchase is PS25890.

FISCAL IMPACT:
The total cost of $373,935 for the three (3) Ford Interceptors is covered by the existing budget allocation of $380,000. This purchase is expected to enhance the efficiency and effectiveness of our Police fleet to serve our community, safety, and aesthetics. It supports the City's operational goals to support our Police Department.

EXHIBITS:
Exhibit A – Sample Government Obligation Contract
Exhibit B – United Fleet Services quote for lease of three (3) new Ford Interceptors.

Respectfully submitted,

Ismael Hernandez
Public Works Director
City of Marina

Layne Long
City Manager
City of Marina

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF MARINA APPROVING PURCHASE OF THREE (3) NEW FORD INTERCEPTORS REPLACEMENT LEASED VEHICLES WITH UNIFIED FLEET SERVICES, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE PURCHASE/LEASE AGREEMENTS ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY, AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES.

WHEREAS, the City of Marina recognizes the need for a reliable and efficient new Ford Interceptors, and the safety of city; and

WHEREAS, the Public Works Department has identified the Ford Interceptor as an industry-leading vehicle that offers superior performance, maneuverability, and operational efficiency; and

WHEREAS, the purchase of this vehicle will enable the City to keep the Police fleet operational, as well as support public event areas and traffic accident sites; and

WHEREAS, the procurement of the Ford Interceptors is in compliance with the City's purchasing policies through participation in the NPPGov cooperative purchasing program, with contract number PS25890, which ensures a competitive and streamlined procurement process; and

WHEREAS, the total cost of the vehicle replacement, $373,935, is within the current fiscal year budget allocation of $376,313 designated for new replacement vehicles.

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

1. The recitals set forth above are incorporated by reference;
2. The lease of three (3) new Ford Interceptors in the amount of $376,313.00 is approved;
3. The City Manager or his designee is authorized to execute agreements and complete documentation on behalf of the City necessary to effectuate the lease of such three (3) new vehicles, subject to final review and approval by the City Attorney, and;
4. The Finance Director is authorized 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 5th 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

PLEASE NOTE: This Sample contract, presented upon your request, may or may not contain the same language as the contract proposed after credit approval is obtained. As such, no negotiation of contract terms will occur until after credit approval and issuance of formal contract.

GOVERNMENT OBLIGATION CONTRACT

Obligor **Obligee**

Dated as of

This Government Obligation Contract dated as of the date listed above is between Obligee and Obligor listed directly above. Obligee desires to finance the purchase of the Equipment described in Exhibit A to Obligor and Obligor desires to have Obligee finance the purchase of the Equipment subject to the terms and conditions of this Contract which are set forth below.

I. Definitions

Section 1.01 Definitions. The following terms will have the meanings indicated below unless the context clearly requires otherwise:

"Additional Schedule" refers to the proper execution of additional schedules to Exhibit A and Exhibit B, as well as other exhibits or documents that may be required by the Obligee all of which relate to the financing of additional Equipment.

"Budget Year" means the Obligor's fiscal year.

"Commencement Date" is the date when Obligor's obligation to pay Contract Payments begins.

"Contract" means this Government Obligation Contract and all Exhibits attached hereto, all addenda, modifications, schedules, refinancings, guarantees and all documents relied upon by Obligee prior to execution of this Contract.

"Contract Payments" means the payments Obligor is required to make under this Contract as set forth on Exhibit B.

"Contract Term" means the Original Term and all Renewal Terms.

"Exhibit" includes the Exhibits attached hereto, and any "Additional Schedule", whether now existing or subsequently created.

"Equipment" means all of the items of Equipment listed on Exhibit A and any Additional Schedule, whether now existing or subsequently created, and all replacements, restorations, modifications and improvements.

"Government" as used in the title hereof means a State or a political subdivision of the State within the meaning of Section 103(a) of the Internal Revenue Code of 1986, as amended ("Code"), or a constituted authority or district authorized to issue obligations on behalf of the State or political subdivision of the State within the meaning of Treasury Regulation 1.103-1(b), or a qualified volunteer fire company within the meaning of section 150(e)(1) of the Code.

"Obligee" means the entity originally listed above as Obligee or any of its assignees.

"Obligor" means the entity listed above as Obligor and which is financing the Equipment through Obligee under the provisions of this Contract.

"Original Term" means the period from the Commencement Date until the end of the Budget Year of Obligor.

"Partial Prepayment Date" means the first Contract Payment date that occurs on or after the earlier of (a) the twenty-four month (24) anniversary of the Commencement Date or (b) the date on which Obligor has accepted all the Equipment and all amounts have been disbursed from the Vendor Payable Account to pay for the Equipment.

"Purchase Price" means the total cost of the Equipment, including all delivery charges, installation charges, legal fees, financing costs, recording and filing fees and other costs necessary to vest full, clear legal title to the Equipment in Obligor, subject to the security interest granted to and retained by Obligee as set forth in this Contract, and otherwise incurred in connection with the financing of this Equipment.

"Renewal Term" means the annual term which begins at the end of the Original Term and which is simultaneous with Obligor's Budget Year and each succeeding Budget Year for the number of Budget Years necessary to comprise the Contract Term.

"State" means the state which Obligor is located.

"Surplus Amount" means any amount on deposit in the Vendor Payable Account on the Partial Prepayment Date.

"Vendor Payable Account" means the separate account of that name established pursuant to Section X of this Contract.

II. Obligor Warranties

Section 2.01 Obligor represents, warrants and covenants as follows for the benefit of Obligee or its assignees:

(a) Obligor is an "issuer of tax exempt obligations" because Obligor is the State or a political subdivision of the State within the meaning of Section 103(a) of the Internal Revenue Code of 1986, as amended, (the "Code") or because Obligor is a constituted authority or district authorized to issue obligations on behalf of the State or political subdivision of the State within the meaning of Treasury Regulation 1.103-1(b), or a qualified volunteer fire company within the meaning of section 150(e)(1) of the Code.

(b) Obligor has complied with any requirement for a referendum and/or competitive bidding.

(c) Obligor has complied with all statutory laws and regulations that may be applicable to the execution of this Contract; Obligor, and its officer executing this Contract, are authorized under the Constitution and laws of the State to enter into this Contract and have used and followed all proper procedures of its governing body in executing and delivering this Contract. The officer of Obligor executing this Contract has the authority to execute and deliver this Contract. This Contract constitutes a legal, valid, binding and enforceable obligation of the Obligor in accordance with its terms.

(d) Obligor shall use the Equipment only for essential, traditional government purposes.

(e) Should the IRS disallow the tax-exempt status of the interest portion of the Contract Payments as a result of the failure of the Obligor to use the Equipment for governmental purposes, or should the Obligor cease to be an issuer of tax exempt obligations, or should the obligation of Obligor created under this Contract cease to be a tax exempt obligation for any reason, then Obligor shall be required to pay additional sums to the Obligee or its assignees so as to bring the after tax yield on this Contract to the same level as the Obligee or its assignees would attain if the transaction continued to be tax-exempt.

(f) In the event that the Internal Revenue Code of 1986, as currently amended (the "Code"), should be further amended or replaced: (i) to reduce corporate and/or individual income tax rates or (ii) to reduce or eliminate the extent to which the interest portion of the Contract Payments is excludable from gross income, then, at the written request of Obligee or its assigns, Obligor shall pay to Obligee or its assigns with each Contract Payment payable after the effective date of such amendment or replacement such additional amount as necessary to bring the after tax yield on each such Contract Payment to the same effective rate that Obligee or its assigns would have received had there occurred no such amendment to or replacement of the Code. Notwithstanding any other provision of this Agreement, Obligor shall have the right to exercise its option to purchase the Equipment pursuant to Section 3.04 hereof on the effective date of any such amendment or replacement.

(g) Obligor has never non-appropriated funds under a contract similar to this Contract.

(h) Obligor will submit to the Secretary of the Treasury an information reporting statement as required by the Code.

(i) Upon request by Obligee, Obligor will provide Obligee with current financial statements, reports, budgets or other relevant fiscal information.

(j) Obligor shall retain the Equipment free of any hazardous substances as defined in the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 et. seq. as amended and supplemented.

(k) Obligor hereby warrants the General Fund of the Obligor is the primary source of funds or a backup source of funds from which the Contract Payments will be made.

(l) Obligor presently intends to continue this Contract for the Original Term and all Renewal Terms as set forth on Exhibit B hereto. The official of Obligor responsible for budget preparation will include in the budget request for each Budget Year the Contract Payments to become due in such Budget Year, and will use all reasonable and lawful means available to secure the appropriation of money for such Budget Year sufficient to pay the Contract Payments coming due therein. Obligor reasonably believes that moneys can and will lawfully be appropriated and made available for this purpose.

(m) Obligor has selected both the Equipment and the vendor(s) from whom the Equipment is to be purchased upon its own judgment and without reliance on any manufacturer, merchant, vendor or distributor, or agent thereof, of such equipment to the public.

SAMPLE

(n) Obligor owns the Equipment and any additional collateral free and clear of any liens, and Obligor has not and will not, during the Contract Term, create, permit, incur or assume any levies, liens or encumbrances of any kind with respect to the Equipment or any additional collateral except those created by this Contract.

(o) Obligor warrants, as applicable, the purchase of any telecommunications and video surveillance services or equipment financed hereunder complies with 2 CFR § 200.216 and 2 CFR § 200.471.

(p) Obligor warrants that it understands and has complied with 2 CFR § 200.322 in relation to domestic preferences for procurements, as applicable.

Section 2.02 Escrow Agreement. In the event both Obligee and Obligor mutually agree to utilize an Escrow Account, then immediately following the execution and delivery of this Contract, Obligee and Obligor agree to execute and deliver and to cause Escrow Agent to execute and deliver the Escrow Agreement. This Contract shall take effect only upon execution and delivery of the Escrow Agreement by the parties thereto. Obligee shall deposit or cause to be deposited with the Escrow Agent for credit to the Equipment Acquisition Fund the sum of N/A, which shall be held, invested and disbursed in accordance with the Escrow Agreement.

III. Acquisition of Equipment, Contract Payments and the Purchase Option Price

Section 3.01 Acquisition and Acceptance. Obligor shall be solely responsible for the ordering of the Equipment and for the delivery and installation of the Equipment. The Payment Request and Equipment Acceptance Form must be signed by the same authorized individual(s) who signed the Signature Card, Exhibit G. By making a Contract Payment after its receipt of the Equipment pursuant to this Contract, Obligor shall be deemed to have accepted the Equipment on the date of such Contract Payment for purposes of this Contract. All Contract Payments paid prior to delivery of the Payment Request and Equipment Acceptance Form shall be credited to Contract Payments as they become due as shown on the Contract Payment Schedule attached as Exhibit B hereto.

Section 3.02 Contract Payments. Obligor shall pay Contract Payments exclusively to Obligee or its assignees in lawful, legally available money of the United States of America. The Contract Payments shall be sent to the location specified by the Obligee or its assignees. The Contract Payments shall constitute a current expense of the Obligor and shall not constitute an indebtedness of the Obligor. The Contract Payments, payable without notice or demand, are due as set forth on Exhibit B. Obligee shall have the option to charge interest at the highest lawful rate on any Contract Payment received later than the due date for the number of days that the Contract Payment(s) were late, plus any additional accrual on the outstanding balance for the number of days that the Contract Payment(s) were late. Obligee shall also have the option, on monthly payments only, to charge a late fee of up to 10% of the monthly Contract Payment that is past due. Furthermore, Obligor agrees to pay any fees associated with the use of a payment system other than check, wire transfer, or ACH. Once all amounts due Obligee hereunder have been received, Obligee will release any and all of its rights, title and interest in the Equipment.

SECTION 3.03 CONTRACT PAYMENTS UNCONDITIONAL. Except as provided under Section 4.01,THE OBLIGATIONS OF OBLIGOR TO MAKE CONTRACT PAYMENTS AND TO PERFORM AND OBSERVE THE OTHER COVENANTS CONTAINED IN THIS CONTRACT SHALL BE ABSOLUTE AND UNCONDITIONAL IN ALL EVENTS WITHOUT ABATEMENT, DIMINUTION, DEDUCTION, SET-OFF, OR SUBJECT TO DEFENSE OR COUNTERCLAIM.

Section 3.04 Purchase Option Price. Upon thirty (30) days written notice, Obligor shall have the option to pay, in addition to the Contract Payment, the corresponding Purchase Option Price which is listed on the same line on Exhibit B. This option is only available to the Obligor on the Contract Payment date and no partial prepayments are allowed. If Obligor chooses this option and pays the Purchase Option Price to Obligee then Obligee will transfer any and all of its rights, title and interest in the Equipment to Obligor.

Section 3.05 Contract Term. The Contract Term shall be the Original Term and all Renewal Terms until all the Contract Payments are paid as set forth on Exhibit B except as provided under Section 4.01 and Section 9.01 below. If, after the end of the budgeting process which occurs at the end of the Original Term or any Renewal Term, Obligor has not non-appropriated as provided for in this Contract then the Contract Term shall be extended into the next Renewal Term and the Obligor shall be obligated to make all the Contract Payments that come due during such Renewal Term.

Section 3.06 Disclaimer of Warranties. OBLIGEE MAKES NO WARRANTY OR REPRESENTATION, EITHER EXPRESS OR IMPLIED, AS TO THE VALUE, DESIGN, CONDITION, MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE OR ANY OTHER WARRANTY WITH RESPECT TO THE EQUIPMENT. OBLIGEE IS NOT A MANUFACTURER, SELLER, VENDOR OR DISTRIBUTOR, OR AGENT THEREOF, OF SUCH EQUIPMENT; NOR IS OBLIGEE A MERCHANT OR IN THE BUSINESS OF DISTRIBUTING SUCH EQUIPMENT TO THE PUBLIC. OBLIGEE SHALL NOT BE LIABLE FOR ANY INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGE ARISING OUT OF THE INSTALLATION, OPERATION, POSSESSION, STORAGE OR USE OF THE EQUIPMENT BY OBLIGOR.

IV. Non-Appropriation

Section 4.01 Non-Appropriation. If insufficient funds are available in Obligor's budget for the next Budget Year to make the Contract Payments for the next Renewal Term and the funds to make such Contract Payments are otherwise unavailable by any lawful means whatsoever, then Obligor may non-appropriate the funds to pay the Contract Payments for the next Renewal Term. Such non-appropriation shall be evidenced by the passage of an ordinance or resolution by the governing body of Obligor specifically prohibiting Obligor from performing its obligations under this Contract and from using any moneys to pay the Contract Payments due under this Contract for a designated Budget Year and all subsequent Budget Years. If Obligor non-appropriates, then all obligations of the Obligor under this Contract regarding Contract Payments for all remaining Renewal Terms shall be terminated at the end of the then current Original Term or Renewal Term without penalty or liability to the Obligor of any kind provided that if Obligor has not delivered possession of the Equipment to Obligee as provided herein and conveyed to Obligee or released its interest in the Equipment by the end of the last Budget Year for which Contract Payments were paid, the termination shall nevertheless be effective but Obligor shall be responsible for the payment of damages in an amount equal to the amount of the Contract Payments thereafter coming due under Exhibit B which are attributable to the number of days after such Budget Year during which Obligor fails to take such actions and for any other loss suffered by Obligee as a result of Obligor's failure to take such actions as required. Obligor shall immediately notify the Obligee as soon as the decision to non-appropriate is made. If such non-appropriation occurs, then Obligor shall deliver the Equipment to Obligee as provided below in Section 9.04. Obligor shall be liable for all damage to the Equipment other than normal wear and tear. If Obligor fails to deliver the Equipment to Obligee, then Obligee may enter the premises where the Equipment is located and take possession of the Equipment and charge Obligor for costs incurred.

V. Insurance, Damage, Insufficiency of Proceeds

Section 5.01 Insurance. Obligor shall maintain both property insurance and liability insurance at its own expense with respect to the Equipment. Obligor shall be solely responsible for selecting the insurer(s) and for making all premium payments and ensuring that all policies are continuously kept in effect during the period when Obligor is required to make Contract Payments. Obligor shall provide Obligee with a certificate of Insurance which lists the Obligee and/or assigns as a loss payee and an additional insured on the policies with respect to the Equipment.

(a) Obligor shall insure the Equipment against any loss or damage by fire and all other risks covered by the standard extended coverage endorsement then in use in the State and any other risks reasonably required by Obligee in an amount at least equal to the then applicable Purchase Option Price of the Equipment. Alternatively, Obligor may insure the Equipment under a blanket insurance policy or policies.

(b) The liability insurance shall insure Obligee from liability and property damage in any form and amount satisfactory to Obligee.

(c) Obligor may self-insure against the casualty risks and liability risks described above. If Obligor chooses this option, Obligor must furnish Obligee with a certificate and/or other documents which evidences such coverage.

(d) All insurance policies issued or affected by this Section shall be so written or endorsed such that the Obligee and its assignees are named additional insureds and loss payees and that all losses are payable to Obligor and Obligee or its assignees as their interests may appear. Each policy issued or affected by this Section shall contain a provision that the insurance company shall not cancel or materially modify the policy without first giving thirty (30) days advance notice to Obligee or its assignees. Obligor shall furnish to Obligee certificates evidencing such coverage throughout the Contract Term.

Section 5.02 Damage to or Destruction of Equipment. Obligor assumes the risk of loss or damage to the Equipment. If the Equipment or any portion thereof is lost, stolen, damaged, or destroyed by fire or other casualty, Obligor will immediately report all such losses to all possible insurers and take the proper procedures to obtain all insurance proceeds. At the option of Obligee, Obligor shall either (1) apply the Net Proceeds to replace, repair or restore the Equipment or (2) apply the Net Proceeds to the applicable Purchase Option Price. For purposes of this Section and Section 5.03, the term Net Proceeds shall mean the amount of insurance proceeds collected from all applicable insurance policies after deducting all expenses incurred in the collection thereof.

Section 5.03 Insufficiency of Net Proceeds. If there are no Net Proceeds for whatever reason or if the Net Proceeds are insufficient to pay in full the cost of any replacement, repair, restoration, modification or improvement of the Equipment, then Obligor shall, at the option of Obligee, either (1) complete such replacement, repair, restoration, modification or improvement and pay any costs thereof in excess of the amount of the Net Proceeds or (2) apply the Net Proceeds to the Purchase Option Price and pay the deficiency, if any, to the Obligee.

Section 5.04 Obligor Negligence. Obligor assumes all risks and liabilities, whether or not covered by insurance, for loss or damage to the Equipment and for injury to or death of any person or damage to any property whether such injury or death be with respect to agents or employees of Obligor or of third parties, and whether such property damage be to Obligor's property or the property of others (including, without limitation, liabilities for loss or damage related to the release or threatened release of hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act or similar or successor law or any State or local equivalent now existing or hereinafter enacted which in any manner arise out of or are incident to any possession, use, operation, condition or storage of any Equipment by Obligor), which is proximately caused by the negligent conduct of Obligor, its officers, employees and agents.

Section 5.05 Reimbursement. Obligor hereby assumes responsibility for and agrees to reimburse Obligee for all liabilities, obligations, losses, damages, penalties, claims, actions, costs and expenses (including reasonable attorneys' fees) of whatsoever kind and nature, imposed on, incurred by or asserted against Obligee that in any way relate to or arise out of a claim, suit or proceeding, based in whole or in part upon the negligent conduct of Obligor, its officers, employees and agents, or arose out of installation, operation, possession, storage or use of any item of the Equipment, to the maximum extent permitted by law.

SAMPLE

VI. Title and Security Interest

Section 6.01 Title. Title to the Equipment shall vest in Obligor when Obligor acquires and accepts the Equipment. Title to the Equipment will automatically transfer to the Obligee in the event Obligor non-appropriates under Section 4.01 or in the event Obligor defaults under Section 9.01. In such event, Obligor shall execute and deliver to Obligee such documents as Obligee may request to evidence the passage of legal title to the Equipment to Obligee.

Section 6.02 Security Interest. To secure the payment of all Obligor's obligations under this Contract, as well as all other obligations, debts and liabilities, plus interest thereon, whether now existing or subsequently created, Obligor hereby grants to Obligee a security interest under the Uniform Commercial Code constituting a first lien on the Equipment described more fully on Exhibit A. Furthermore, Obligor agrees that any other collateral securing any other obligation(s) to Obligee, whether offered prior to or subsequent hereto, also secures this obligation. The security interest established by this section includes not only all additions, attachments, repairs and replacements to the Equipment but also all proceeds therefrom. Obligor authorizes Obligee to prepare and record any Financing Statement required under the Uniform Commercial Code to perfect the security interest created hereunder. Obligor agrees that any Equipment listed on Exhibit A is and will remain personal property and will not be considered a fixture even if attached to real property.

VII. Assignment

Section 7.01 Assignment by Obligee. All of Obligee's rights, title and/or interest in and to this Contract may be assigned and reassigned in whole or in part to one or more assignees or sub-assignees by Obligee at any time without the consent of Obligor. No such assignment shall be effective as against Obligor until the assignor shall have filed with Obligor written notice of assignment identifying the assignee. Obligor shall pay all Contract Payments due hereunder relating to such Equipment to or at the direction of Obligee or the assignee named in the notice of assignment. Obligor shall keep a complete and accurate record of all such assignments.

Section 7.02 Assignment by Obligor. None of Obligor's right, title and interest under this Contract and in the Equipment may be assigned by Obligor unless Obligee approves of such assignment in writing before such assignment occurs and only after Obligor first obtains an opinion from nationally recognized counsel stating that such assignment will not jeopardize the tax-exempt status of the obligation.

VIII. Maintenance of Equipment

Section 8.01 Equipment. Obligor shall keep the Equipment in good repair and working order, and as required by manufacturer's and warranty specifications. If Equipment consists of copiers, Obligor is required to enter into a copier maintenance/service agreement. Obligee shall have no obligation to inspect, test, service, maintain, repair or make improvements or additions to the Equipment under any circumstances. Obligor will be liable for all damage to the Equipment, other than normal wear and tear, caused by Obligor, its employees or its agents. Obligor shall pay for and obtain all permits, licenses and taxes related to the ownership, installation, operation, possession, storage or use of the Equipment. If any fees are required to be paid by the California Debt & Investment Advisory Commission then such fees shall be paid directly from the Obligor to the California Debt & Investment Advisory Commission. If the Equipment includes any titled vehicle(s), then Obligor is responsible for obtaining such title(s) from the State and also for ensuring that Obligee is listed as First Lienholder on all of the title(s). Obligor shall not use the Equipment to haul, convey or transport hazardous waste as defined in the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et. seq. Obligor agrees that Obligee or its Assignee may execute any additional documents including financing statements, affidavits, notices, and similar instruments, for and on behalf of Obligor which Obligee deems necessary or appropriate to protect Obligee's interest in the Equipment and in this Contract. Obligor shall allow Obligee to examine and inspect the Equipment at all reasonable times.

IX. Default

Section 9.01 Events of Default defined. The following events shall constitute an "Event of Default" under this Contract:

(a) Failure by Obligor to pay any Contract Payment listed on Exhibit B for fifteen (15) days after such payment is due according to the Payment Date listed on Exhibit B.

(b) Failure to pay any other payment required to be paid under this Contract at the time specified herein and a continuation of said failure for a period of fifteen (15) days after written notice by Obligee that such payment must be made. If Obligor continues to fail to pay any payment after such period, then Obligee may, but will not be obligated to, make such payments and charge Obligor for all costs incurred plus interest at the highest lawful rate.

(c) Failure by Obligor to observe and perform any warranty, covenant, condition, promise or duty under this Contract for a period of thirty (30) days after written notice specifying such failure is given to Obligor by Obligee, unless Obligee agrees in writing to an extension of time. Obligee will not unreasonably withhold its consent to an extension of time if corrective action is instituted by Obligor. Subsection (c) does not apply to Contract Payments and other payments discussed above.

(d) Any statement, material omission, representation or warranty made by Obligor in or pursuant to this Contract which proves to be false, incorrect or misleading on the date when made regardless of Obligor's intent and which materially adversely affects the rights or security of Obligee under this Contract.

(e) Any provision of this Contract which ceases to be valid for whatever reason and the loss of such provision would materially adversely affect the rights or security of Obligee.

(f) Except as provided in Section 4.01 above, Obligor admits in writing its inability to pay its obligations.

(g) Obligor defaults on one or more of its other obligations.

(h) Obligor becomes insolvent, is unable to pay its debts as they become due, makes an assignment for the benefit of creditors, applies for or consents to the appointment of a receiver, trustee, conservator, custodian, or liquidator of Obligor, or all or substantially all of its assets, or a petition for relief is filed by Obligor under federal bankruptcy, insolvency or similar laws, or is filed against Obligor and is not dismissed within thirty (30) days thereafter.

Section 9.02 Remedies on Default. Whenever any Event of Default exists, Obligee shall have the right to take one or any combination of the following remedial steps:

(a) With or without terminating this Contract, Obligee may declare all Contract Payments and other amounts payable by Obligor hereunder to the end of the then current Budget Year to be immediately due and payable.

(b) With or without terminating this Contract, Obligee may require Obligor at Obligor's expense to redeliver any or all of the Equipment and any additional collateral to Obligee as provided below in Section 9.04. Such delivery shall take place within fifteen (15) days after the Event of Default occurs. If Obligor fails to deliver the Equipment and any additional collateral, Obligee may enter the premises where the Equipment and any additional collateral is located and take possession of the Equipment and any additional collateral and charge Obligor for costs incurred. Notwithstanding that Obligee has taken possession of the Equipment and any additional collateral, Obligor shall still be obligated to pay the remaining Contract Payments due up until the end of the then current Original Term or Renewal Term. Obligor will be liable for any damage to the Equipment and any additional collateral caused by Obligor or its employees or agents.

(c) Obligee may take whatever action at law or in equity that may appear necessary or desirable to enforce its rights. Obligor shall be responsible to Obligee for all costs incurred by Obligee in the enforcement of its rights under this Contract including, but not limited to, reasonable attorney fees.

Section 9.03 No Remedy Exclusive. No remedy herein conferred upon or reserved to Obligee is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Contract now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or shall be construed to be a waiver thereof.

Section 9.04 Return of Equipment and Storage.

(a) Surrender: The Obligor shall, at its own expense, surrender the Equipment, any additional collateral and all required documentation to evidence transfer of title from Obligor to the Obligee in the event of a default or a non-appropriation by delivering the Equipment and any additional collateral to the Obligee to a location accessible by common carrier and designated by Obligee. In the case that any of the Equipment and any additional collateral consists of software, Obligor shall destroy all intangible items constituting such software and shall deliver to Obligee all tangible items constituting such software. At Obligee's request, Obligor shall also certify in a form acceptable to Obligee that Obligor has complied with the above software return provisions and that they will immediately cease using the software and that they shall permit Obligee and/or the vendor of the software to inspect Obligor's locations to verify compliance with the terms hereto.

(b) Delivery: The Equipment and any additional collateral shall be delivered to the location designated by the Obligee by a common carrier unless the Obligee agrees in writing that a common carrier is not needed. When the Equipment and any additional collateral is delivered into the custody of a common carrier, the Obligor shall arrange for the shipping of the item and its insurance in transit in accordance with the Obligee's instructions and at the Obligor's sole expense. Obligor at its expense shall completely sever and disconnect the Equipment and any additional collateral or its component parts from the Obligor's property all without liability to the Obligee. Obligor shall pack or crate the Equipment and any additional collateral and all of the component parts of the Equipment and any additional collateral carefully and in accordance with any recommendations of the manufacturer. The Obligor shall deliver to the Obligee the plans, specifications, operation manuals or other warranties and documents furnished by the manufacturer or vendor on the Equipment and any additional collateral and such other documents in the Obligor's possession relating to the maintenance and methods of operation of such Equipment and any additional collateral.

(c) Condition: When the Equipment is surrendered to the Obligee it shall be in the condition and repair required to be maintained under this Contract. It will also meet all legal regulatory conditions necessary for the Obligee to sell or lease it to a third party and be free of all liens. If Obligee reasonably determines that the Equipment or an item of the Equipment, once it is returned, is not in the condition required hereby, Obligee may cause the repair, service, upgrade, modification or overhaul of the Equipment or an item of the Equipment to achieve such condition and upon demand, Obligor shall promptly reimburse Obligee for all amounts reasonably expended in connection with the foregoing.

(d) Storage: Upon written request by the Obligee, the Obligor shall provide free storage for the Equipment and any additional collateral for a period not to exceed 60 days after the expiration of the Contract Term before returning it to the Obligee. The Obligor shall arrange for the insurance described to continue in full force and effect with respect to such item during its storage period and the Obligee shall reimburse the Obligor on demand for the incremental premium cost of providing such insurance.

X. Vendor Payable Account

Section 10.01 Establishment of Vendor Payable Account. On the date that the Obligee executed this Contract, which is on or after the date that the Obligor executes this Contract, Obligee agrees to (i) make available to Obligor an amount sufficient to pay the total Purchase Price for the Equipment by establishing a separate, non-interest bearing account (the "Vendor Payable

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Account"), as agent for Obligor's account, with a financial institution that Obligee selects that is acceptable to Obligor (including Obligee or any of its affiliates) and (ii) to deposit an amount equal to such Purchase Price as reflected on Exhibit B in the Vendor Payable Account. Obligor hereby further agrees to make the representations, warranties and covenants relating to the Vendor Payable Account as set forth in Exhibit C attached hereto. Upon Obligor's delivery to Obligee of a Payment Request and Equipment Acceptance Form in the form set forth in Exhibit F attached hereto, Obligor authorizes Obligee to withdraw funds from the Vendor Payable Account from time to time to pay the Purchase Price, or a portion thereof, for each item of Equipment as it is delivered to Obligor. The Payment Request and Equipment Acceptance Form must be signed by an authorized individual acting on behalf of Obligor. The authorized individual or individuals designated by the Obligor must sign the Signature Card which will be kept in the possession of the Obligee.

Section 10.02 Down Payment. Prior to the disbursement of any funds from the Vendor Payable Account, the Obligor must either (1) deposit all the down payment funds that the Obligor has committed towards the purchase of the Equipment into the Vendor Payable Account or (2) Obligor must provide written verification to the satisfaction of the Obligee that all the down payment funds Obligor has committed towards the purchase of the Equipment have already been spent or are simultaneously being spent with the funds requested from the initial Payment Request and Equipment Acceptance Form. For purposes of this Section, the down payment funds committed towards the Equipment from the Obligor are the down payment funds that were represented to the Obligee at the time this transaction was submitted for credit approval by the Obligor to the Obligee.

Section 10.03 Disbursement upon Non-Appropriation or Default. If an event of non-appropriation or default occurs prior to the Partial Prepayment Date, the amount then on deposit in the Vendor Payable Account shall be retained by the Obligee and Obligor will have no interest therein.

Section 10.04 Surplus Amount. Any Surplus Amount then on deposit in the Vendor Payable Account on the Partial Prepayment Date shall, at Obligee's sole discretion, either a) be returned to Obligor, or b) be applied to pay on such Partial Prepayment Date a portion of the Purchase Option Price then applicable.

Section 10.05 Recalculation of Contract Payments. Should Obligee decide to apply the Surplus Amount to the then applicable Purchase Option Price as provided in Section 10.04 above, each Contract Payment thereafter shall be reduced by an amount calculated by Obligee based upon a fraction the numerator of which is the Surplus Amount and the denominator of which is the Purchase Option Price on such Partial Prepayment Date. Within 15 days after such Partial Prepayment Date, Obligee shall provide to Obligor a revised Exhibit B to this Contract, which shall take into account such payment of a portion of the Purchase Option Price thereafter and shall be and become thereafter Exhibit B to this Contract. Notwithstanding any other provision of this Section 10, this Contract shall remain in full force and effect with respect to all or the portion of the Equipment accepted by Obligor as provided in this Contract, and the portion of the principal component of Contract Payments remaining unpaid after the Partial Prepayment Date plus accrued interest thereon shall remain payable in accordance with the terms of this Contract, including revised Exhibit B hereto which shall be binding and conclusive upon Obligee and Obligor.

XI. Miscellaneous

Section 11.01 Notices. All notices shall be sufficiently given and shall be deemed given when delivered or mailed by registered mail, postage prepaid, to the parties at their respective places of business as first set forth herein or as the parties shall designate hereafter in writing.

Section 11.02 Binding Effect. Obligor acknowledges this Contract is not binding upon the Obligee or its assignees unless the Conditions to Funding listed on the Documentation Instructions have been met to Obligee's satisfaction, and Obligee has executed the Contract. Thereafter, this Contract shall inure to the benefit of and shall be binding upon Obligee and Obligor and their respective successors and assigns.

Section 11.03 Severability. In the event any provision of this Contract shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Section 11.04 Amendments, Addenda, Changes or Modifications. This Contract may be amended, added to, changed or modified by written agreement duly executed by Obligee and Obligor. Furthermore, Obligee reserves the right to directly charge or amortize into the remaining balance due from Obligor, a reasonable fee, to be determined at that time, as compensation to Obligee for the additional administrative expense resulting from such amendment, addenda, change or modification requested by Obligor.

Section 11.05 Execution in Counterparts. This Contract may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 11.06 Captions. The captions or headings in this Contract do not define, limit or describe the scope or intent of any provisions or sections of this Contract.

Section 11.07 Master Contract. This Contract can be utilized as a Master Contract. This means that the Obligee and the Obligor may agree to the financing of additional Equipment under this Contract at some point in the future by executing one or more Additional Schedules to Exhibit A and Exhibit B, as well as other exhibits or documents that may be required by Obligee. Additional Schedules will be consecutively numbered on each of the exhibits which make up the Additional Schedule and all the terms and conditions of the Contract shall govern each Additional Schedule.

Section 11.08 Entire Writing. This Contract constitutes the entire writing between Obligee and Obligor. No waiver, consent, modification or change of terms of this Contract shall bind either party unless in writing and signed by both parties, and then such waiver, consent, modification or change shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, representations, conditions, or warranties, express or implied, which are not specified herein regarding this Contract, the Equipment or any additional collateral, financed hereunder. Any terms and conditions of any purchase order or other documents submitted by Obligor in connection with this Contract which are in addition to or inconsistent with the terms and conditions of this Contract will not be binding on Obligee and will not apply to this Contract.

Obligee and Obligor have caused this Contract to be executed in their names by their duly authorized representatives listed below.

Signature	Signature
Printed Name and Title	Printed Name and Title

SAMPLE

EXHIBIT A

DESCRIPTION OF EQUIPMENT

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

Below is a detailed description of all the items of Equipment including quantity, model number and serial number where applicable:

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Physical Address of Equipment after Delivery : _____

EXHIBIT B

PAYMENT SCHEDULE

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

Date of First Payment:
Original Balance:
Total Number of Payments:
Number of Payments Per Year:

Pmt No.	Due Date	Contract Payment	Applied to Interest	Applied to Principal	*Purchase Option Price

Signature

Printed Name and Title

*Assumes all Contract Payments due to date are paid

SAMPLE

EXHIBIT C

ACCEPTANCE OF OBLIGATION
TO COMMENCE CONTRACT PAYMENTS UNDER EXHIBIT B

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

I, the undersigned, hereby certify that I am a duly qualified representative of Obligor and that I have been given the authority by the governing body of Obligor to sign this Acceptance of Obligation to commence Contract Payments with respect to the above referenced Contract. I hereby certify that:

1. The Equipment described on Exhibit A has not been delivered, installed or available for use as of the Commencement date of this Contract.
2. Obligor acknowledges that Obligee has agreed to deposit into a Vendor Payable Account an amount sufficient to pay the total purchase price (the "Purchase Price") for the Equipment so identified in such Exhibit A;
3. The principal amount of the Contract Payments in the Exhibit B accurately reflects the Purchase Price;
4. Obligor agrees to execute a Payment Request and Equipment Acceptance Form authorizing payment of the Purchase Price, or a portion thereof, for each withdrawal of funds from the Vendor Payable Account.

Notwithstanding that the Equipment has not been delivered to or accepted by Obligor on the date of execution of the Contract, Obligor hereby warrants that:

(a) Obligor's obligation to commence Contract Payments as set forth in Exhibit B is absolute and unconditional as of the Commencement Date and on each date set forth in Exhibit B thereafter, subject to the terms and conditions of the Contract;
(b) immediately upon delivery and acceptance of all the Equipment, Obligor will notify Obligee of Obligor's final acceptance of the Equipment by delivering to Obligee the "Payment Request and Equipment Acceptance Form" in the form set forth in Exhibit F attached to the Contract;
(c) in the event that any Surplus Amount is on deposit in the Vendor Payable Account when an event of non-appropriation or default under the Contract occurs, then those amounts shall be applied as provided in Section 10 of the Contract;
(d) regardless of whether Obligor delivers a final Payment Request and Equipment Acceptance Form, all Contract Payments paid prior to delivery of all the Equipment shall be credited to Contract Payments as they become due under the Contract as set forth in Exhibit B.

_____
Signature

_____
Printed Name and Title

SAMPLE

EXHIBIT D

OBLIGOR RESOLUTION

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

At a duly called meeting of the Governing Body of the Obligor (as defined in the Contract) held on _____ the following resolution was introduced and adopted:

BE IT RESOLVED by the Governing Body of Obligor as follows:

1. **Determination of Need.** The Governing Body of Obligor has determined that a true and very real need exists for the acquisition of the Equipment described on Exhibit A of the Government Obligation Contract dated as of , between (Obligor) and (Obligee).

2. **Approval and Authorization.** The Governing Body of Obligor has determined that the Contract, substantially in the form presented to this meeting, is in the best interests of the Obligor for the acquisition of such Equipment, and the Governing Body hereby approves the entering into of the Contract by the Obligor and hereby designates and authorizes the following person(s) to execute and deliver the Contract on Obligor's behalf with such changes thereto as such person(s) deem(s) appropriate, and any related documents, including any Escrow Agreement, necessary to the consummation of the transaction contemplated by the Contract.

   Authorized Individual(s): _____
   (Typed or Printed Name and Title of individual(s) authorized to execute the Contract)

3. **Adoption of Resolution.** The signatures below from the designated individuals from the Governing Body of the Obligor evidence the adoption by the Governing Body of this Resolution.

Signature: _____
(Signature of Board Chairman or other authorized member of the Obligors Governing Body)

Printed Name & Title: _____
(Printed Name and Title of individual who signed directly above)

Attested By: _____
(Signature of Obligors Board Secretary or Board Clerk)

Printed Name & Title: _____
(Printed Name of individual who signed directly above)

SAMPLE

EXHIBIT E

OFFICER'S CERTIFICATE

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

I, the undersigned, hereby certify that I am a duly qualified representative of Obligor and that I have been given the authority by the governing body of Obligor to sign this Officer's Certificate with respect to the above referenced Contract. I hereby certify that:

1. Obligor has appropriated and/or taken other lawful actions necessary to provide moneys sufficient to pay all Contract Payments required to be paid under the Contract during the current Budget Year of Obligor, and such moneys will be applied in payment of all Contract Payments due and payable during such current Budget Year.
2. Obligor has obtained insurance coverage as required under the Contract from an insurer qualified to do business in the State.
3. No event or condition that constitutes or would constitute an Event of Default exists as of the date hereof.
4. The governing body of Obligor has approved the authorization, execution and delivery of this Contract on its behalf by the authorized representative of Obligor who signed the Contract.
5. Please list the Source of Funds (Fund Item in Budget) for the Contract Payments that come due under Exhibit B of this Contract.

Source of Funds : _____

By signing below, Obligor hereby authorizes the General Fund of the Obligor as a backup source of funds from which the Contract Payments can be made.

_____
Signature

_____
Printed Name and Title

SAMPLE

EXHIBIT F

PAYMENT REQUEST AND EQUIPMENT ACCEPTANCE FORM

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

In accordance with Section 10.01, by executing this Payment Request and Equipment Acceptance Form the Obligor hereby represents that the Payee or Payees listed below who are requesting payment have delivered the Equipment or a portion of the Equipment or performed the services to the satisfaction of the Obligor and that the amounts requested below by the Payee or Payees are proportionate with the value of the Equipment delivered or services rendered by the Payee or Payees. The Obligor hereby represents and warrants for all purposes that:

1. Pursuant to the invoice attached hereto, the amount to be disbursed is $_____ and this amount is consistent with the Contract between Obligor and vendor.
2. Payment is to be made to: Payee: _____

   _____
3. The undersigned certifies that the following documents are attached to this Payment Request and Equipment Acceptance Form when there is a request for a release of funds from the Vendor Payable Account to pay for a portion, or all, of the Equipment: (1) Invoice from the vendor, (2) copy of the Contract between Obligor and vendor (if requested by the Obligee), (3) Insurance Certificate (if applicable), (4) front and back copy of the original MSO/Title listing and/or its assigns as the first lien holder (if applicable). By executing this Payment Request and Equipment Acceptance Form and attaching the documents as required above, the Obligor shall be deemed to have accepted this portion of the Equipment for all purposes under the Contract, including, without limitation, the obligation of Obligor to make the Contract Payments with respect thereto in a proportionate amount of the total Contract Payment.
4. No amount listed in this exhibit was included in any such exhibit previously submitted.
5. Each disbursement hereby requested has been incurred and is a proper charge against the Vendor Payable Account. No amount hereby requested to be disbursed will be paid to Obligor as reimbursement for any expenditure paid by Obligor more than 60 days prior to the date of execution and delivery of the Contract.
6. The Equipment referenced in the attached has been delivered, installed, inspected and tested as necessary and in accordance with Obligor's specifications and accepted for all purposes.
7. That Obligor is or will be the title owner to the Equipment referenced in the attached, and that in the event that any third party makes a claim to such title that Obligor will take all measures necessary to secure title including, without limitation, the appropriation of additional funds to secure title to such Equipment, or a portion thereof, and keep the Contract in full force and effect. Furthermore, Obligor has obtained insurance coverage as required under the Contract from an insurer qualified to do business in the State.
8. Obligor has appropriated and/or taken other lawful actions necessary to provide moneys sufficient to pay all Contract Payments required to be paid under the Contract during the current Budget Year of Obligor, and such moneys will be applied in payment of all Contract Payments due and payable during such current Budget Year.
9. No event or condition that constitutes or would constitute an Event of Default exists as of the date hereof.

I, the undersigned, hereby certify that I am a duly qualified representative of Obligor and that I have been given the authority by the governing body of Obligor to sign this Payment Request and Equipment Acceptance Form.

Please forward this document and any correspondence relating to vendor payment to:

Email:
or
Fax:

Please call (877) 587-4054 if you have any questions.

_____
Signature

_____
Printed Name and Title

SAMPLE

EXHIBIT G

SIGNATURE CARD

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

The below signatures will be used for purposes of verifying the signature on a Payment Request and Equipment Acceptance Form prior to making payments from the Equipment Acquisition Fund or Vendor Payable Account. By signing below, the undersigned represents and warrants that s/he has received all appropriate authority from .

Signature

Printed Name and Title

Signature of additional authorized individual (optional) of Obligor

Signature

Printed Name and Title

SAMPLE

EXHIBIT H

OBLIGOR ACKNOWLEDGEMENT

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

Obligor hereby acknowledges that it has ordered or caused to be ordered the equipment that is the subject of the above-mentioned Contract.

Please complete the below information, attach another page if necessary

Vendor Name: _____

Equipment: _____

Cost of Equipment: _____

Vendor Name: _____

Equipment: _____

Cost of Equipment: _____

Vendor Name: _____

Equipment: _____

Cost of Equipment: _____

Vendor Name: _____

Equipment: _____

Cost of Equipment: _____

Vendor Name: _____

Equipment: _____

Cost of Equipment: _____

Obligor will immediately notify Obligee if any of the information listed above is changed.

SAMPLE

EXHIBIT I

BANK QUALIFIED CERTIFICATE

RE: Government Obligation Contract dated as of , between (Obligee) and (Obligor)

Whereas, Obligor hereby represents that it is a "Bank Qualified" Issuer for the calendar year in which this Contract is executed by making the following designations with respect to Section 265 of the Internal Revenue Code of 1986, as amended (the "Code"). (A "Bank Qualified Issuer" is an issuer that issues less than ten million ($10,000,000) dollars of tax-exempt obligations other than "private activity bonds" as defined in Section 141 of the Code, excluding certain "qualified 501(c)(3) bonds" as defined in Section 145 of the Code, during the calendar year).

Now, therefor, Obligor hereby designates this Contract as follows:

1. **Designation as Qualified Tax-Exempt Obligation.** Pursuant to Section 265(b)(3)(B)(i) of the Code, the Obligor hereby specifically designates the Contract as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. In compliance with Section 265(b)(3)(D) of the Code, the Obligor hereby represents that the Obligor will not designate more than $10,000,000 of obligations issued by the Obligor in the calendar year during which the Contract is executed and delivered as such "qualified tax-exempt obligations".

2. **Issuance Limitation.** In compliance with the requirements of Section 265(b)(3)(C) of the Code, the Obligor hereby represents that the Obligor (including all subordinate entities of the Obligor within the meaning of Section 265(b)(3)(E) of the Code) reasonably anticipates not to issue in the calendar year during which the Contract is executed and delivered, obligations bearing interest exempt from federal income taxation under Section 103 of the Code (other than "private activity bonds" as defined in Section 141 of the Code and excluding certain "qualified 501(c)(3) bonds" as defined in Section 145 of the Code) in an amount greater than $10,000,000.

_____
Signature

_____
Printed Name and Title

SAMPLE

8038 REVIEW FORM

The 8038 form attached hereto is an important part of the documentation package and must be properly filled out and submitted to the Department of the Treasury in order for you to receive the lower tax-exempt rate. Unless you instruct us otherwise, we have engaged a Paid Preparer to assist in the filling out of this form. The Paid Preparer has filled out the relevant portions of this form based on the current understanding of what is required by the Department of the Treasury. The responses on this 8038 form are based on the dates and amounts which you have requested (structure of the transaction) and which are on the Payment Schedule.

1. Please review our responses for accuracy. If anything is inaccurate, please contact our office so that we can make proper revisions.
2. If the information provided to you on this form is accurate, please sign where indicated and return with the document package.
3. If there are any changes to the structure of the transaction that occur prior to funding which require a change to the 8038 form, we will make such changes and provide notification to you.
4. We will return to you a copy of the 8038 form that was mailed to the Department of the Treasury.

Important Note:
The IRS is now requesting information regarding tax-exempt issuers' and borrowers' written policies and procedures designed to monitor post-issuance compliance with the federal tax rules applicable to tax-exempt obligations (boxes 43 and 44). Do not check items 43 and 44 on the 8038 form unless you have established written procedures in accordance with the instructions referenced directly below. If you choose to "check" items 43 and/or 44, please be prepared to provide copies of such written procedures to the Paid Preparer or any representatives of the IRS upon request. Written procedures should contain certain key characteristics, including making provisions for:

- Due diligence review at regular intervals;
- Identifying the official or employee responsible for review;
- Training of the responsible official/employee;
- Retention of adequate records to substantiate compliance (e.g., records relating to expenditure of proceeds);
- Procedures reasonably expected to timely identify noncompliance; and
- Procedures ensuring that the issuer will take steps to timely correct noncompliance.

For additional guidance on this 8038 form, you can refer to the Documentation Instructions located on the following government website: http://www.irs.gov/app/picklist/list/formsInstructions.html, or contact your local IRS office.

SAMPLE

Form **8038-G**
(Rev. October 2021)

Department of the Treasury
Internal Revenue Service

Information Return for Tax-Exempt Governmental Obligations

► **Under Internal Revenue Code section 149(e)**
► **See separate instructions.**
Caution: *If the issue price is under $100,000, use Form 8038-GC.*
► **Go to www.irs.gov/F8038G for instructions and the latest information.**

OMB No. 1545-0047

Part I **Reporting Authority** Check box if **Amended Return** ► ☐

1	Issuer's name	2	**Issuer's employer identification number (EIN)**
3a	Name of person (other than issuer) with whom the IRS may communicate about this return (see instructions)	3b	Telephone number of other person shown on 3a
4	Number and street (or P.O. box if mail is not delivered to street address) Room/suite	5	Report number *(For IRS Use Only)* 3
6	City, town, or post office, state, and ZIP code	7	Date of issue
8	Name of issue	9	CUSIP number
10a	Name and title of officer or other employee of the issuer whom the IRS may call for more information **Contact,**	10b	Telephone number of officer or other employee shown on 10a

Part II **Type of Issue (enter the issue price).** See the instructions and attach schedule.

11	Education	11	
12	Health and hospital	12	
13	Transportation	13	
14	Public safety	14	
15	Environment (including sewage bonds)	15	
16	Housing	16	
17	Utilities	17	
18	Other. Describe ►	18	
19	If obligations are TANs or RANs, check only box 19a ► ☐ If obligations are BANs, check only box 19b ► ☐		
20	If obligations are in the form of a lease or installment sale, check box ► ☐		

Part III **Description of Bonds.** Complete for the entire issue for which this form is being filed.

	(a) Final maturity date	(b) Issue price	(c) Stated redemption price at maturity	(d) Weighted average maturity	(e) Yield
21		$	$	years	%

Part IV **Uses of Proceeds of Bond Issue (including underwriters' discount)**

22	Proceeds used for accrued interest			22	
23	Issue price of entire issue (enter amount from line 21, column (b))			23	
24	Proceeds used for bond issuance costs (including underwriters' discount)	24			
25	Proceeds used for credit enhancement	25			
26	Proceeds allocated to reasonably required reserve or replacement fund	26			
27	Proceeds used to refund prior tax-exempt bonds. Complete Part V.	27			
28	Proceeds used to refund prior taxable bonds. Complete Part V.	28			
29	Total (add lines 24 through 28)			29	
30	Nonrefunding proceeds of the issue (subtract line 29 from line 23 and enter amount here)			30	

Part V **Description of Refunded Bonds.** Complete this part only for refunding bonds.

31	Enter the remaining weighted average maturity of the tax-exempt bonds to be refunded ►	years
32	Enter the remaining weighted average maturity of the taxable bonds to be refunded ►	years
33	Enter the last date on which the refunded tax-exempt bonds will be called (MM/DD/YYYY) ►	
34	Enter the date(s) the refunded bonds were issued ► (MM/DD/YYYY)	

SAMPLE

Part VI Miscellaneous

35	Enter the amount of the state volume cap allocated to the issue under section 141(b)(5)	35		
36a	Enter the amount of gross proceeds invested or to be invested in a guaranteed investment contract (GIC) (see instructions)	36a		
b	Enter the final maturity date of the GIC ► (MM/DD/YYYY)			
c	Enter the name of the GIC provider ►			
37	Pooled financings: Enter the amount of the proceeds of this issue that are to be used to make loans to other governmental units	37		

38a If this issue is a loan made from the proceeds of another tax-exempt issue, check box ► ☐ and enter the following information:

b Enter the date of the master pool bond ► (MM/DD/YYYY) _____

c Enter the EIN of the issuer of the master pool bond ► _____

d Enter the name of the issuer of the master pool bond ► _____

39 If the issuer has designated the issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check box . . . ► ☑

40 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check box . . . ► ☐

41a If the issuer has identified a hedge, check here ► ☐ and enter the following information:

b Name of hedge provider ► _____

c Type of hedge ► _____

d Term of hedge ► _____

42 If the issuer has superintegrated the hedge, check box . . . ► ☐

43 If the issuer has established written procedures to ensure that all nonqualified bonds of this issue are remediated according to the requirements under the Code and Regulations (see instructions), check box . . . ► ☐

44 If the issuer has established written procedures to monitor the requirements of section 148, check box . . . ► ☐

45a If some portion of the proceeds was used to reimburse expenditures, check here ► ☐ and enter the amount of reimbursement. . . . ► _____

b Enter the date the official intent was adopted ► (MM/DD/YYYY) _____

Signature and Consent

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.

► _____ Signature of issuer's authorized representative Date ► _____ Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN

Firm's Name ►	Firm's EIN ►
Firm's Address ►	

SAMPLE

Prepared for: City of Marina Police Department

March 20th, 2026

Requested Vehicles & Pricing Options

Pricing is determined based on the order value, unless otherwise specified.

REQUESTED:

- Vehicle #1 [3 units] – 2025 Ford Police Interceptor Utility AWD @12K miles per year with $43,137.15 upfit and $2,074.88 decal cost (off-the-lot pricing)

FINANCE OPTIONS

Vehicle #1: 2025 Ford Police Interceptor Utility AWD @12K miles per year with $43,137.15 upfit and $2,074.88 decal cost

One Year Term

Monthly - 12 payments at $9,886 per Month

2031 balance of $1

Additional Info:

- Vehicle Price: $52,620.00
- **Upfit (Lehr):** $43,137.15
- **Decals:** $2,074.88
- **Sales Tax:** $8,760.40

This brings the **total loan amount per vehicle to $115,618.31**.
The remaining **$9,025.88** in fees is made up of transportation costs, documentation, bringing the vehicles into California, service fees, and other related administrative costs.

1) Interest rates and pricing assume a minimum of $300,000 in financed vehicles/equipment. Final payments and interest rates may vary based on total financed amount.
2) If applicable, equipment pricing quoted is based on upfitter's best estimate. Final pricing is determined after all equipment is ordered and labor for installation is completed. Once financing is finalized, any variance in final equipment price must be paid in full by the client. Please budget accordingly.
3) Financing options above includes a 9.25% sales tax.
4) The financing options listed above are valid for 30 days.
5) Financing options represent per-vehicle pricing.

Next Steps

1. Complete and return the Acceptance Form below to UFS.
2. Complete and return the Credit Application provided by UFS.
3. UFS submits to Bank for underwriting and approval.
4. Bank issues lease documents through E-Sign. Customer must verify the date the resolution was adopted.
5. Customer/Insurance Agent must provide proof of insurance to Bank/UFS.
6. Once items 1-5 are completed, vehicle delivery is scheduled.

Acceptance

[ ] I have reviewed the attached Terms and Conditions and request Unified Fleet Services to pursue underwriting and approval of a commitment for the described lease agreement with the following quantities: _____

_____

_____

_____

_____

_____

_____

Accepted this ____ day of _____, 2026

_____

(Entity Name)

Federal Tax ID#: _____

By: _____

Printed Name: _____

Title: _____

Authorization: Lessee acknowledges and agrees that Lessor may furnish all Lessee presented information, financials, analysis, and related credit and review materials to its employees, counsel, and agents as well as its participants and assigns. Lessee authorizes Lessor to contact Lessor' funding partners, and all trade suppliers and other references of Lessee, and to order any and all credit checks and investigative reports, all as Lessor deems necessary in connection with the evaluation of the transaction.

Confidentiality: Except as required by law, the proposal and its terms and conditions will not be disclosed publicly or privately except to those individuals who are your officers, employees or advisors who have a need to know because of being involved in the proposed financing. The foregoing confidentiality provisions shall not apply to the disclosure of the federal income tax structure or treatment of the proposed financing.

Additional Terms

- This is a proposal only and is not a commitment to finance. This proposal is subject to credit review and approval and proper execution of mutually acceptable documentation.
- OBLIGOR'S TOTAL AMOUNT OF TAX-EXEMPT DEBT TO BE ISSUED IN THIS CALENDAR YEAR WILL NOT EXCEED THE $10,000,000 LIMIT, OR THE INTEREST RATE IS SUBJECT TO CHANGE.
- Client-Owned Equity: UFS leases are structured so that the client retains 100% ownership from the start and retains 100% of the equity proceeds from sale. Vehicles are sold through high-efficiency channels to maximize value.
- Profit Return: All net proceeds from vehicle sales, after applicable closing costs, are returned to the client. This differs from traditional fleet services that retain resale profits. Proceeds may be returned as a check to the client, credit on account or applied to existing lease principal balance.
- Early Termination: Clients may exit early simply by paying the stated payoff amount on the lease. No additional administrative fees apply. Traditional rule of 78s does not apply.
- Liquidation Fees: The greater of $500 or 10% of the vehicle's sales value — will apply to cover resale costs. Liquidation fees apply if Unified liquidates the equipment and it is NOT replaced with new leased vehicles or equipment or if existing surplus equipment is liquidated by Unified. There is no obligation to use Unified to liquidate vehicles.
- Renewal Options: Clients may renew, purchase the vehicle, or initiate a replacement lease. UFS can advise on the best timing based on projected equity and market trends.
- Failure to consummate this transaction once credit approval is granted and the documents are drafted and delivered to Obligor may result in a documentation fee being assessed to the Obligor.
- This transaction must be credit approved, all documents properly executed and returned to Unified Fleet Services, LLC and their assignees, financial partners and related and the transaction funded on ALL proposals within 30 days of this proposal. If funding does not occur within that time-frame, or there is a change of circumstance which adversely affects the expectations, rights, or security of Obligee or its assignees, then Obligee or its assignees reserve the right to adjust and determine a new interest rate factor and payment amount, or withdraw this proposal in its entirety. Should there be a significant change in market rates at any time prior to funding of the transaction, Unified Fleet Services, LLC and their assignees and partners reserves the right to adjust the Interest Rate quoted above.
- This transaction must be designated as tax-exempt under Section 103 of the Internal Revenue Code of 1986 as amended.

April 29, 2026 Item No. **11a**

Honorable Mayor and Members of the Marina City Council

City Council Meeting of May 5, 2026

THE CITY COUNCIL OPEN A PUBLIC HEARING AND CONSIDER INTRODUCING ORDINANCE NO. 2026-, AMENDING THE MARINA MUNICIPAL CODE (MMC) 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.

RECOMMENDATION:

It is recommended that the City Council:

1. Open a public hearing and introducing Ordinance No. 2026-, amending the Marina Municipal Code (MMC) Section 17.42.170 Short-Term Rentals (STR); and
2. Find that adoption of an ordinance is exempt from environmental review pursuant to Section and 15061(b)(3) of the CEQA Guidelines."

BACKGROUND

On November 5, 2019, City Council 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.

On August 6, 2025, City Council initiated a discussion on strengthening the City's Short-Term Rental Program to better protect neighborhood integrity. City Council directed staff to identify ordinance amendments that would improve the effectiveness of the program.

On March 17, 2026, the Marina City Council held a public hearing at which staff presented the proposed amendments and received input from the Council. The Council recommended adoption of the ordinance with the following additional modifications:

1. Requiring a 180-day rental limit for each year.
2. Prohibiting short-term rentals in recreational vehicles (RVs), tents, and other non-permanent structures.
3. Continuing to require owner occupancy for short term rental properties, consistent with the original 2019 adopted ordinance.
4. Establishing a cap of fifty (50) short-term rental permits.
5. Requiring a visible on-site placard displaying the contact information of the property manager.
6. Requiring the posting of the property address and property manager contact information on all online listings.
7. Creating an online complaint form on SeeClickFix.
8. Limiting short-term rentals to single-family residential homes.
9. Prohibiting short-term rentals on properties that have ADU or JADU.

On April 7, 2026, the public hearing was continued to the April 21, 2026, meeting.

ANALYSIS

April 21, 2026, City Council Meeting

At this meeting the City Council took public comment from STR permit holders and engaged in a lengthy discussion with City staff on two key issues: (1) revising the ordinance to carve out pre-2020 ADUs from the prohibition of using ADUs as STRs; and (2) clarification on the definition of "one family".

Ordinance Revisions from April 21, 2026 Council Meeting

ADU Property Carve Out for ADUs that received approval prior to 2020: the City Council recommended reinserting the Planning Commission's recommendation that would allow property owners to obtain an STR permit if their ADU was built prior to 2020. The Planning Commission's rationale for carving out pre-2020 ADUs was based on the fact that Ordinance No. 2020-06 (enacted in 2020) required that ADUs that received approval after the effective date of Ordinance No. 2020-06 required a deed restriction that would not allow an ADU to be used as an STR. See March 17, 2026 Council Staff Report.[1] The effective date of that ordinance was November 19, 2020. However, ADUs approved by-right, beginning in January 1, 2020, were also restricted by State law from being used as STRs. As a result, Staff proposes that Council's recommended carve-out be for ADUs and JADUs that received approval prior to January 1, 2020.

Below are the two edits to the draft Ordinance that would implement Council's April 21, 2026, direction:

> 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.

Ordinance Clarification; No Proposed Revisions from April 21, 2026

One Family Definition: the City Council requested clarification on what type of dwellings could be used as STRs. Per the draft ordinance, STRs would be allowed in one family dwellings.

The draft ordinance states: "A primary residence is a "one-family" dwelling as defined in Section 17.04.290." Section 17.04.290 of the Zoning Ordinance defines a "one family" dwelling as:

> *17.04.290-Dwelling, one-family. "One-family dwelling" means a detached building designed for, or occupied exclusively by, one family with facilities for living, sleeping, cooking and eating, but containing only one kitchen. (Ord. 2020-07 § 2, 2020; Zoning Ordinance dated 7/94, 1994)*

[1] See March 17, 2026 City Council Staff Report Page 2 summarizing Planning Commission's February 12, 2026 recommendation: "Prohibiting short-term rentals in accessory dwelling units and junior accessory dwelling units. Accessory dwelling units built prior to 2020 could continue to be rented, as prior to 2020, the City's ADU/JADU permitting process did not require the owner to execute a deed restriction prohibiting use of the ADU/JADU as an STR."

Considering that the revisions set forth above regarding the carve-out are not "[c]orrections of typographical or clerical errors"[2], City staff are recommending that the first action the City Council takes on May 5, 2026 is a first reading on the ordinance.

FISCAL IMPACT

The City Council supported city staff contracting with Deckard Technologies to enhance STR enforcement, which will cost approximately $11,000 on an annual basis. This contract will be paid for from the Community Development Department budget.

ENVIRONMENTAL DETERMINATION

The proposed project is exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the State CEQA Guidelines. Staff has determined that the exemption applies in this case 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.

CONCLUSION

This request is submitted for City Council consideration and action.

Respectfully submitted,

_____
Brian Kim
Assistant Planner
City of Marina

REVIEWED/CONCUR:

_____
Guido Persicone, AICP
Community Development Director
City of Marina

_____
Layne Long
City Manager
City of Marina

Attachments:
Exhibit A: Draft Ordinance

[2] See Government Code Section 36934.

ORDINANCE NO.

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.

-oOo-

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

CONTINUED FROM APRIL 21, 2026

April 17, 2026 Item No. **13a**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting of
May 5,2026

CITY COUNCIL CONSIDER ADOPTING RESOLULTION NO. 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

REQUEST:
It is requested that the City Council:

1. Approve Resolution No. 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.

BACKGROUND:
The City Council has supported and approved the development of an Asian American Garden at Locke-Paddon Park. The site under consideration is located as part of Parcel 43 which is owned by the Monterey Peninsula Regional Park District. While the City has prepared a conceptual design (Exhibit A) of the Asian American Garden, the Park District has requested that the city prepared a more in-depth design of the proposed project before they can consider it for approval.

The Asian American Garden is anticipated to use about one-acre of land on Parcel 43. The garden is envisioned as a tranquil, destination-quality space inspired by traditional Japanese garden design, similar in character to the Ume Grove Japanese Garden in Shinzen Park in Fresno.

The project will include meandering pathways, scenic outlook areas, a naturalistic creek with a small waterfall meandering through the garden. It will contain a plant palette emphasizing Japanese species adapted to Marina's coastal climate. A small tea house or pavilion may also be considered.

An Asian American Garden will be another key community park in Marina, providing open space for residents and visitors and presents an opportunity to introduce a unique garden experience that enhances the park's identity and expands its cultural and passive recreation offerings.

The Asian American Garden concept aligns with Marina's community interests in:

- Expanding high-quality public spaces
- Providing peaceful, contemplative environments
- Enhancing tourism and regional appeal
- Celebrating the City's diverse cultural identity and landscape traditions

The proposed garden draws inspiration from traditional Japanese strolling gardens, particularly those featuring seasonal flowering trees, naturalistic water elements, and carefully composed views.

ANALYSIS:

The RFP will solicit proposals that include detailed fee estimates for design services. Staff anticipate design costs to be in a range typical for specialty landscape projects of this scale. A refined budget will be presented to Council when staff brings back the consultant for selection.

Construction cost estimates will be determined following conceptual design but may vary depending on features such as water elements and structures.

Key design elements will include:

- Scenic overlook areas and seating nodes
- Meandering walking paths designed for exploration and contemplation
- A water feature including:
    - A small waterfall
    - A meandering creek flowing through the site
- Use of natural materials such as stone and wood
- Traditional garden elements such as bridges, lanterns, and stone groupings

The planning approach will have an emphasis on Japanese or Japanese-inspired plant species with an adaptation to Marina's coastal conditions (wind, fog, sandy soils, salt air) and a seasonal interest through flowering trees and foliage color. This approach will make it a hybrid type garden. The project may include a small Japanese tea house or pavilion.

The selected consultant will provide landscape architectural services including:

1. Site Analysis & Concept Development
    - Site evaluation and constraints analysis
    - CEQA impacts
    - Preliminary cost estimates
2. Design Development
    - Refined site plans
    - Grading and drainage concepts
    - Water feature design
    - Planting and materials concepts
3. Construction Documents
    - Plans and specifications
    - Irrigation and planting plans
    - Construction details
4. Bidding & Construction Support
    - Assistance during bidding

This project supports City goals related to:

- Enhancing public spaces and parks
- Promoting community well-being
- Increasing cultural and recreational amenities

Attached is a copy of an initial concept design for the Asian American Garden.

FISCAL IMPACT:
None

ENVIRONMENTAL DETERMINATION
This action (authorization to solicit proposals through an RFP) is not a project under CEQA. Environmental review will be conducted at the appropriate stage once a project design is developed.

This request is submitted for City Council consideration.

_____
Layne P. Long
City Manager
City of Marina

RESOLUTION NO. 2026-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA APPROVING 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

WHEREAS, the City Council of the City of Marina has previously supported and approved the concept of developing an Asian American Garden at Locke-Paddon Park as a destination-quality public open space that celebrates the City's diverse cultural identity; and

WHEREAS, the proposed garden site is located on a portion of Parcel 43 within Locke-Paddon Park, which is owned by the Monterey Peninsula Regional Park District, and the Park District has requested that the City prepare a more detailed design of the proposed project prior to consideration of its approval; and

WHEREAS, the Asian American Garden is envisioned as an approximately one-acre tranquil space inspired by traditional Japanese garden design, incorporating meandering pathways, scenic overlook areas, a naturalistic creek with a small waterfall, traditional garden elements such as bridges, lanterns, and stone groupings, and a plant palette emphasizing Japanese species adapted to Marina's coastal climate; and

WHEREAS, the Asian American Garden will serve residents and visitors as a community gathering space and cultural amenity, enhancing the City's park system and expanding its passive recreational and cultural offerings, and may also include a small Japanese tea house or pavilion; and

WHEREAS, the selected landscape architectural consultant will provide services including site analysis and concept development, design development, construction documents, and bidding and construction support, with a refined budget to be presented to the City Council upon return of a recommended consultant; and

WHEREAS, approval of this RFP is not a project under the California Environmental Quality Act (CEQA), and environmental review will be conducted at the appropriate stage once a project design has been developed.

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

1. Approve the request for proposals (RFP) for landscape architectural design services for an Asian American Garden at Locke-Paddon Park; and
2. Authorize staff to solicit proposals and return to Council with a recommended consultant.

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

_____
Bruce C. Delgado, Mayor

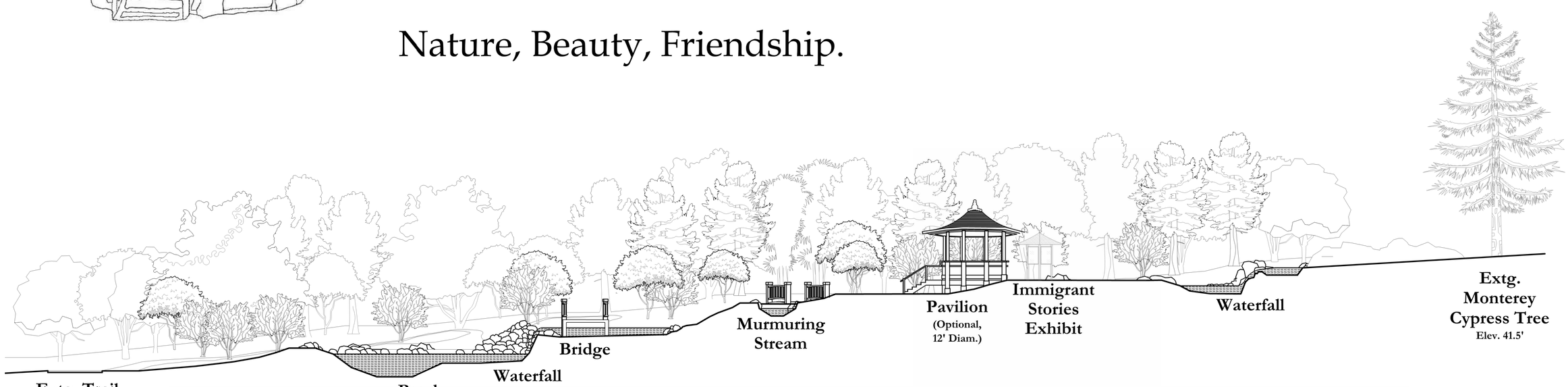
ATTEST:

_____
Anita Sharp, Deputy City Clerk

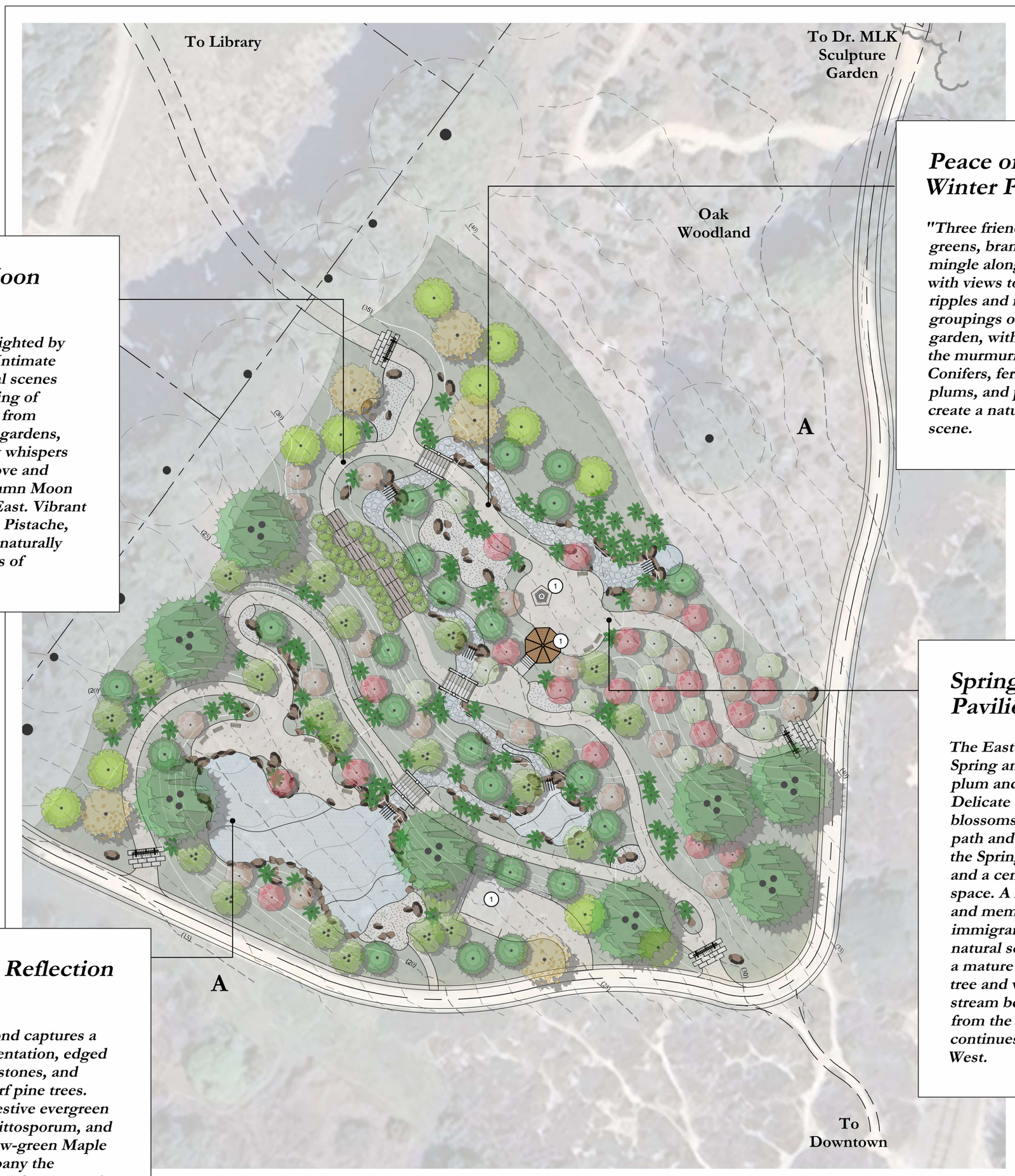
ASIAN AMERICAN GARDEN

Marina, California

Nature, Beauty, Friendship.



Section AA
Scale: $\frac{1}{16}$' = 1'-0"



AUTUMN

Autumn Moon Respite

Autumn is highlighted by the setting sun. Intimate walks and natural scenes bring the unfolding of sequential views from small-scale rock gardens, through the cozy whispers of a bamboo grove and towards the Autumn Moon rising from the East. Vibrant Ginkgo, Chinese Pistache, and Maple trees naturally display the colors of Autumn.

WINTER

Peace of Winter Passage

"Three friends of Winter"- greens, branches, and white mingle along the pathway, with views to the fine, gravel ripples and natural stone groupings of the meditation garden, with soft sounds of the murmuring stream. Conifers, ferns, bamboo, plums, and pine trees help to create a natural and peaceful scene.

SPRING

Spring Blossoms Pavilion

The East entrance welcomes Spring and the beauty of plum and cherry trees. Delicate and seasonal blossoms wrap the entry path and transport visitors to the Spring Blossom Pavilion and a central gathering space. A kiosk shares stories and memories of the local immigrant experience. The natural scene is anchored by a mature Monterey Cypress tree and waterfall as the stream begins its journey from the North East and continues towards the South West.

SUMMER

Summer Reflection Pond

The lower pond captures a Southern orientation, edged with natural stones, and views of dwarf pine trees. Bright and festive evergreen Pine trees, Pittosporum, and pops of yellow-green Maple trees accompany the leisurely days of summer. A spilling waterfall mutes the sounds beyond the garden, creating a space for reflection and an appreciation of the sublime in nature.

LEGEND

SYMBOL	DESCRIPTION
1	OPTIONAL PAVILION (ELEVATED OBSERVATION DECK WITH SEATING, ROOF COVER, AND OPEN SIDES, 12' DIAM.)
2	IMMIGRANT STORIES INTERPRETIVE PANEL
	BRIDGE
	GATE/ENTRY
	WATERFALL/CASCADES
	BENCH
	NATURAL BOULDER (SMALL)
	NATURAL BOULDER (MEDIUM)
	NATURAL BOULDER (LARGE)
	STONE

SYMBOL	DESCRIPTION
	STONE WALL
	CONCRETE (ADA ACCESSIBLE)
	STONE PEBBLES
	DECOMPOSED GRANITE (DG)
	ELEVATED WOOD WALKWAY
	POND
	STREAMBED
19	MECHANICAL EQUIP/SERVICE AREA

0 30 60 90 feet
SCALE: 1" = 30'

BEK collective

April 28, 2025

April 17, 2026 Item No. **13b**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting of
May 5, 2026

CITY COUNCIL TO RECEIVE AN INFORMATIONAL UPDATE REGARDING CITY FACILITIES AND POTENTIAL NOVEMBER BALLOT MEASURE

REQUEST:
It is requested that the City Council:

1. Receive an informational update regarding city facilities and potential November ballot measure; and
2. Provide direction for city staff.

Update City Facilities and Potential November Ballot Measure

The City has scheduled a series of tours of city facilities including the city hall, city council chambers, community center, and police and fire station. Anyone from the public is invited to attend and the purpose is to allow residents the opportunity to see in-person the condition of the City's facilities, the space limitations, and the operational challenges to meet the community's needs. City leadership will also be available to answer questions on-site.

Thursday, April 23 at 6 p.m.
Saturday, April 25 at 10 a.m.
Thursday, April 30 at 6 p.m.

There will also be two community workshops to discuss the state of the City facilities, identify needs, discuss the proposed plan under consideration for future construction and outline possible funding solutions. These will be held at the Marina City Hall:

Saturday, May 2 at 10 a.m.
Wednesday, May 27 at 6 p.m.

It is currently estimated that $50 million is needed to build a new police station, fire station, and city hall and city council chamber. The City Council has directed staff to look at a potential utility user tax (UUT) as potential funding mechanism to pay for the new facilities and has directed city staff to review potential funding rates from 5% to 7% and potential options for discounts or lower rates for low-income households.

The City has contracted with FM3 research to conduct a statistically valid survey regarding issues facing Marina residents and their opinions about constructing new city facilities and a potential UUT ballot measure to fund construction new city facilities.

Extensive public outreach will continue during the months of April, May, June, and July as well as continued discussions with the city council and the public.

Issues have been raised in the public about sites to build city facilities. The City will not be having any discussions on specific sites for any of the facilities until after a ballot measure has been approved by the citizens of Marina. There are various potential sites including the existing city hall that can be available and there may be new sites identified by the public which will be part of an extensive public outreach process after the election.

Layne P. Long
City Manager
City of Marina

2032262.1

Agenda Item: **13c**

MARINA POLICE DEPARTMENT

Council Briefing May 2026

4th of July Fireworks Operations

2023–2025 Operational Review & 2026 Decision Framework

Chief Randy Hopkins

Marina Police Department

Prepared for Marina City Council · Neutral, fact-based briefing

Why this is before Council · Current legal framework

Why now

- Community views are divided on Safe & Sane fireworks
- Regional policies are mixed — Marina, Seaside, Salinas allow S&S; 5 Peninsula cities ban
- Public-safety and operational demand continue — 100+ CFS on July 4
- Enforceability depends on resources and real-time identification

Marina's current framework

MMC 9.16.030

Local fireworks ordinance — Safe & Sane permitted, dangerous fireworks prohibited

Cal. H&S §12500–12706

State framework defines dangerous fireworks; Cal. H&S §12671 = statewide misdemeanor

Cal. H&S §12700+

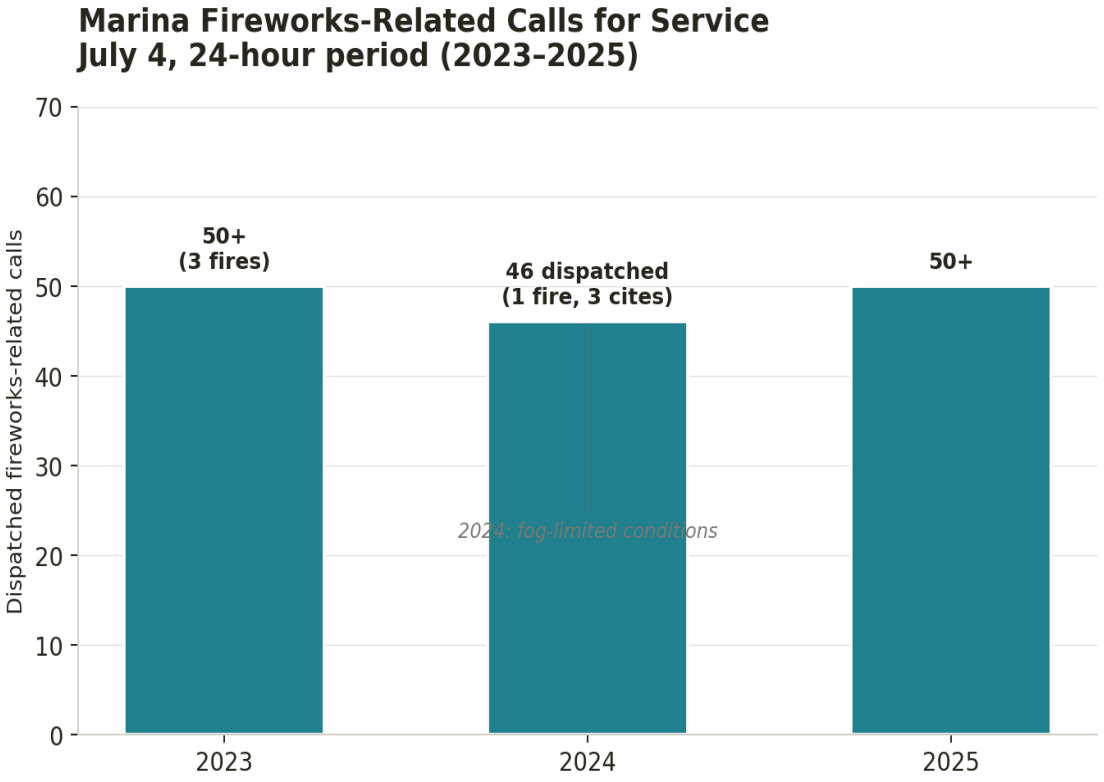
Quantity-based escalation: $500–$50,000 + jail/prison

Marina enforcement

Zero-tolerance: tiered admin fines $333.92 / $533.92 / $1,133.92 (36-mo look-back)

Source: Marina Municipal Code 9.16.030, California Health & Safety Code, Marina PD Administrative Citation Instructions for Fireworks

Marina · three-year operational view



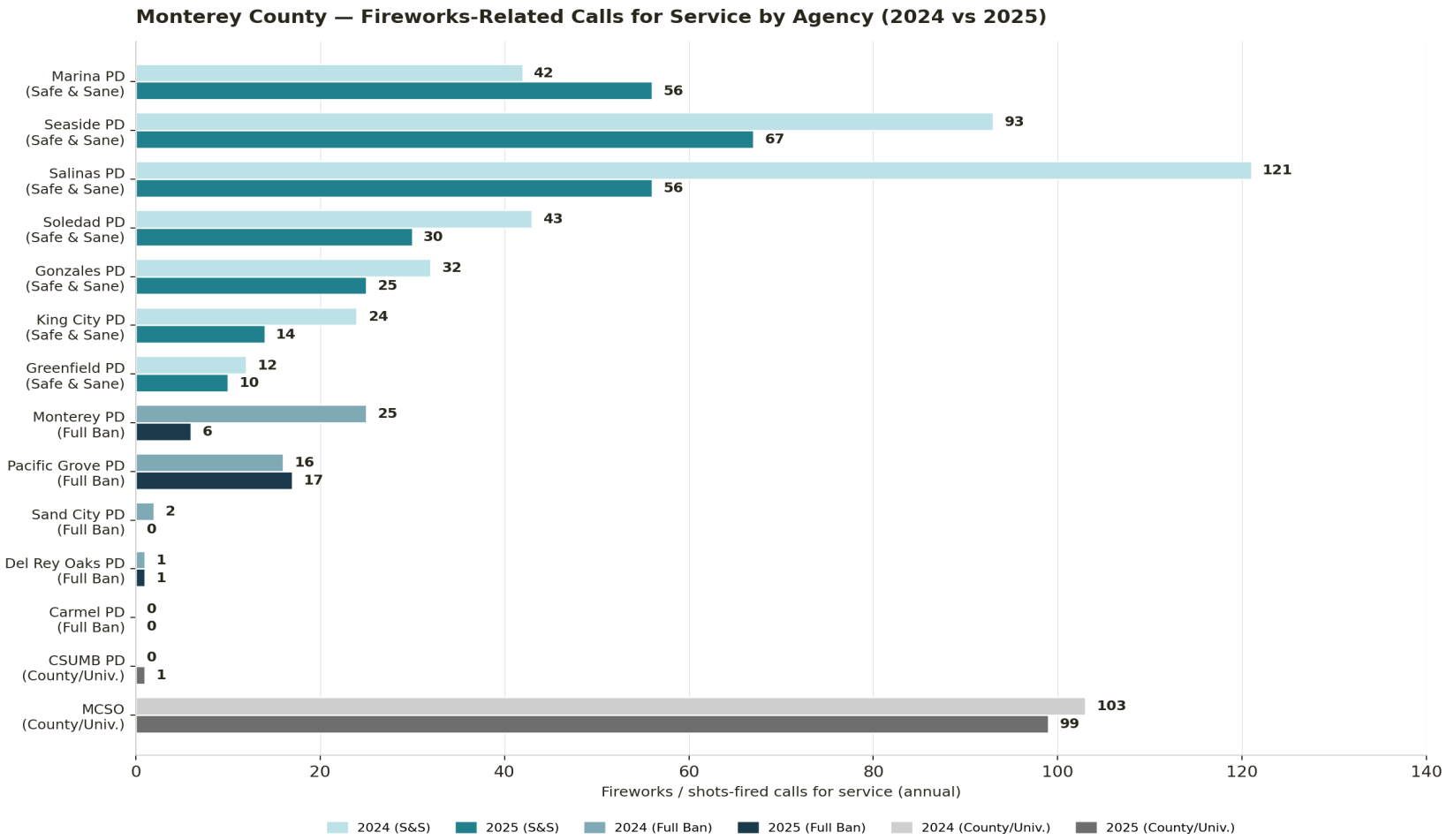
Source: Marina PD 4th of July Deployment PPTs (2024, 2025, 2026); Mgmt Analyst S. Clegg (7/5/2024). 2024 value is analyst-confirmed dispatched count (down from 55 in 2023).

What the data shows

- 2023: 50+ illegal FW calls, 3 fires, 9 cited/arrested
- 2024: 46 dispatched CFS (CAD-confirmed) under fog-limited conditions
- 2025: 50+ CFS; airport celebration committed majority of staffing
- Zero fireworks-related injuries reported in Marina in 2024 and 2025 — a favorable safety outcome alongside elevated call volume

Above-normal staffing augmentation reported: +1 Sergeant and +8 Officers (2024 & 2025). 2023 = not reported. Normal shift staffing not disclosed publicly.

Countywide comparator · Monterey County PD calls, 2024 & 2025



Headline

Marina is the only Peninsula Safe & Sane city with a year-over-year increase.

Safe & Sane: Marina 42→56 (+33%) · Seaside 93→67 (−28%) · Salinas 121→56 (−54%)

Full-ban: Monterey 25→6 (−76%) · PG 16→17 (+6%) · Sand City 2→0

County/Univ: MCSO 103→99 (−4%) · CSUMB 0→1

Scope note

Police Department CFS only — Fire responses excluded. Annual totals (not July 4 alone). Salinas hosted pro displays in 2024 & 2025 after 8-yr hiatus.

Source: Monterey County inter-agency data compilation (2024–2025)

Marina enforcement directive · Regional penalty ladder

Marina · Zero Tolerance

1st offense	**$333.92**	*$200 base + $133.92 cost recovery*
2nd offense (36 mo)	**$533.92**	*$400 base + $133.92 cost recovery*
3rd offense (36 mo)	**$1,133.92**	*$1,000 base + $133.92 cost recovery*

Authorities: MMC 9.16.030 (violation) · MMC 15.32.580 (cost recovery) · Dual-target: user + homeowner. Felonies → Monterey County D.A.

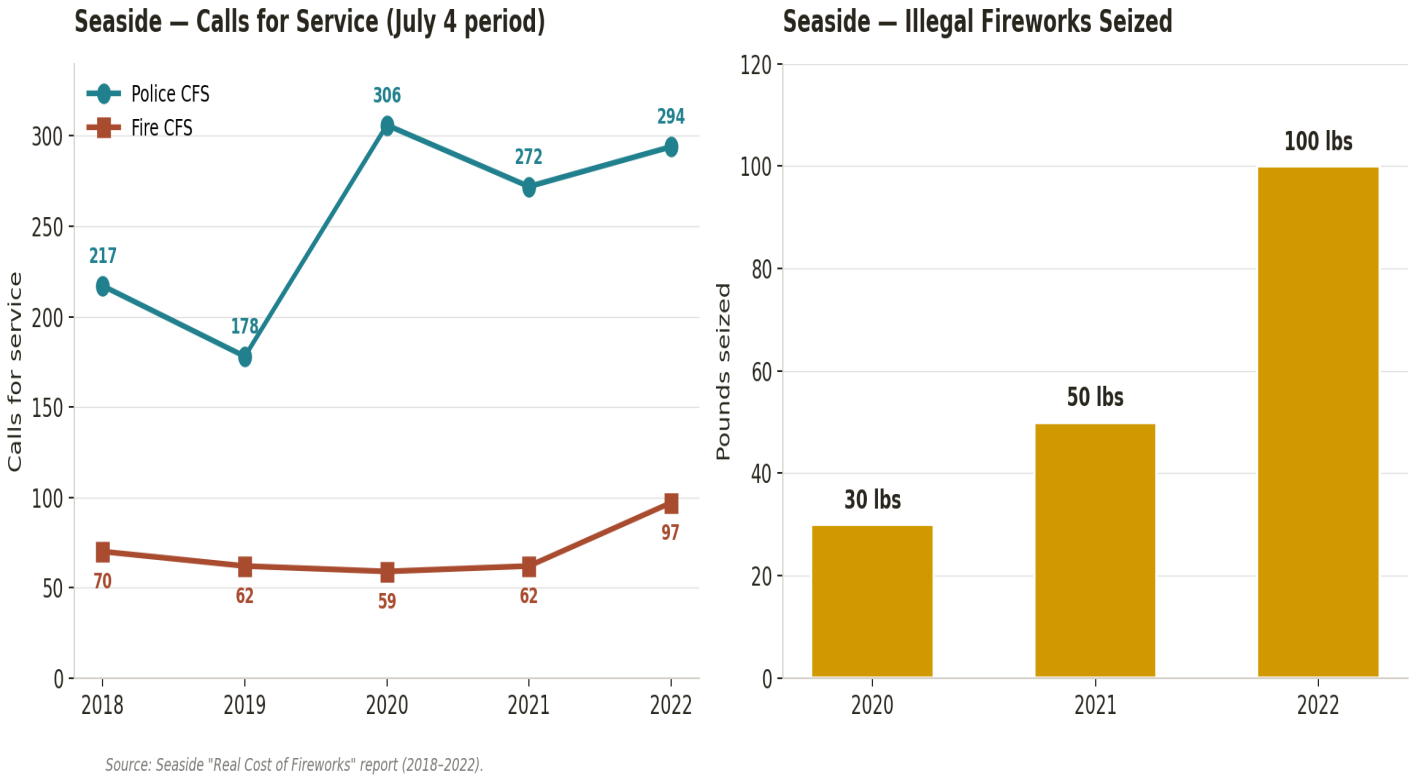
Where Marina sits regionally

Marina	**$333.92 → $1,133.92**	*Tiered admin schedule*
Seaside	**$1,000 flat**	*SMC Ch. 8.32 admin fine*
Salinas	**$1,500 / violation**	*2024: $58,126 across 118 citations*
Full-ban cities	**No published local schedule**	*Enforce via local + state overlay*
State (H&S §12700+)	**$500 → $50,000**	*Quantity-based; up to prison time*

Source: Marina PD Administrative Citation Instructions for Fireworks, City of Seaside SMC Ch. 8.32, Salinas 2026 fireworks public messaging

Partial-allow comparators · Seaside & Salinas

Partial-Allow Comparator: Seaside Operational Indicators



Source: Seaside "Real Cost of Fireworks" report (2018-2022).

Seaside (2018–2022): police CFS ranged 178–306; fire CFS 59–97; illegal seizures 30→50→100 lbs. Total CFS did not trend down despite escalating enforcement.

Enforcement infrastructure invested

Seaside

- 10pm discharge curfew
- Drone deployment for detection
- Body-worn cameras on enforcement
- Escalating fines + Measure CC (Nov 2024)

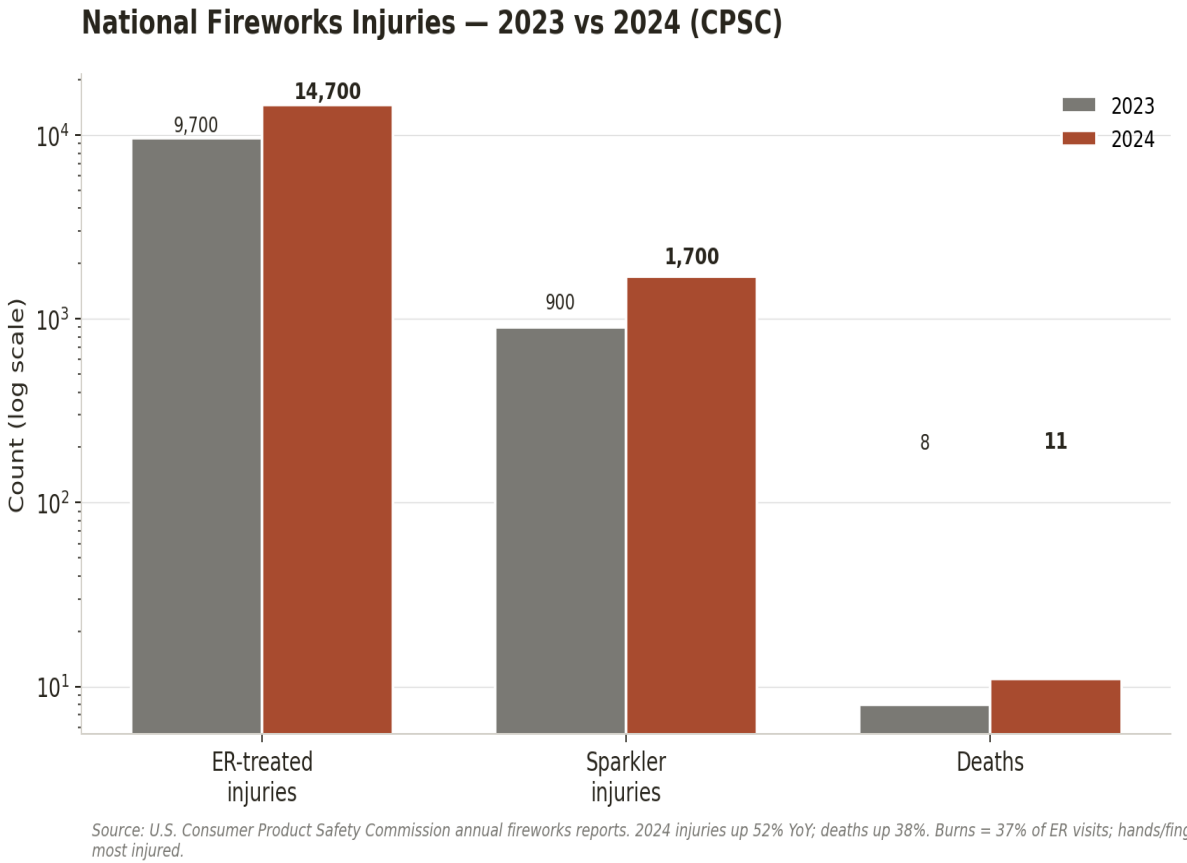
Salinas

- Fire Prevention Office runs program
- Stand-lottery system
- 6 drone pilots
- $84,000 in citation revenue (2023)
- $1,500+ per-violation fines

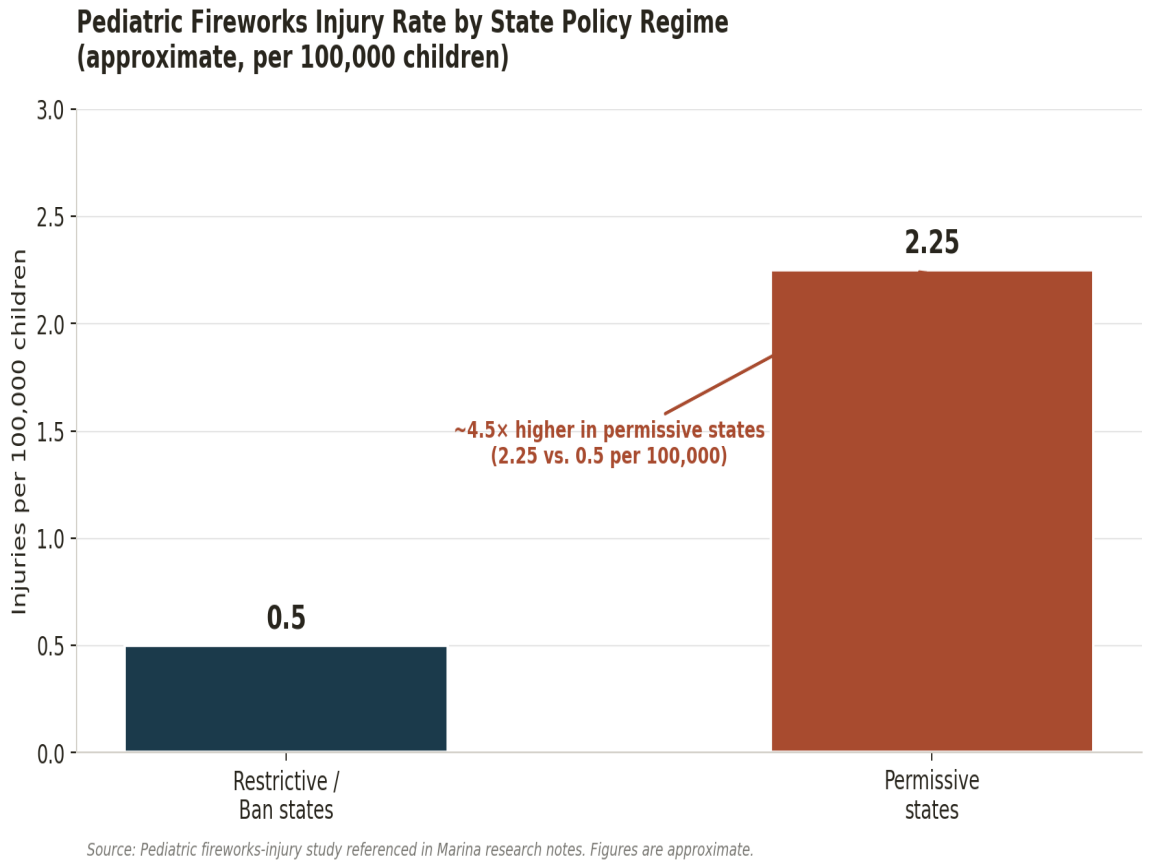
Both cities pair S&S with substantial enforcement layers, treating Safe & Sane as a baseline that requires added investment to manage.

Source: City of Seaside "Real Cost of Fireworks" 2018–2022, City of Salinas Fire Prevention public messaging 2023–2026

National safety data · CPSC 2024 & pediatric injury rate



Source: U.S. Consumer Product Safety Commission annual fireworks reports. 2024 injuries up 52% YoY; deaths up 38%. Burns = 37% of ER visits; hands/fingers most injured.



Source: Pediatric fireworks-injury study referenced in Marina research notes. Figures are approximate.

CPSC 2024 (most recent): 14,700 ER-treated injuries, 11 fatalities. 36% of injuries to children under 15.

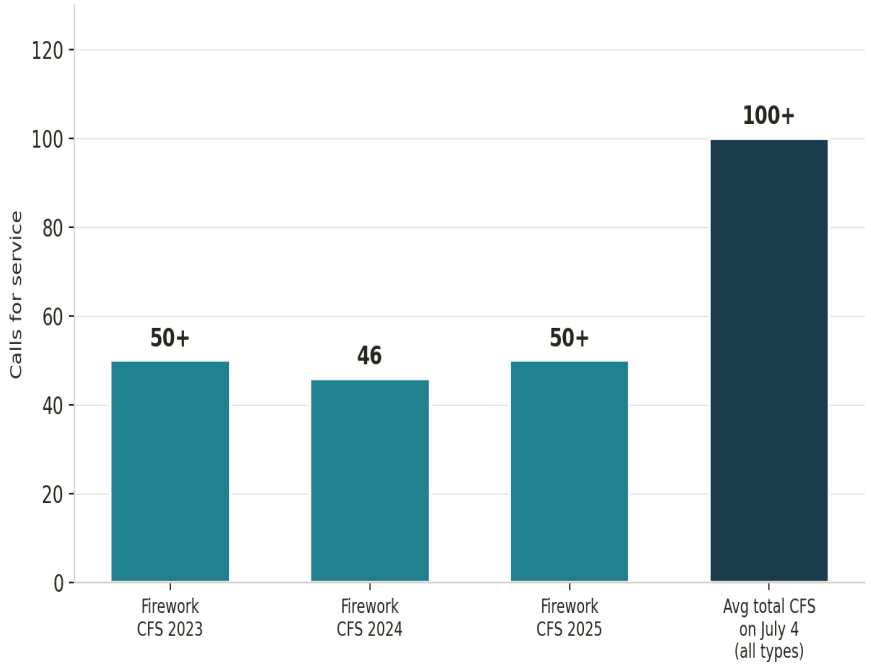
Pediatric ER rate: ~0.5/100k in restrictive states vs ~2.25/100k in permissive states — ~4.5× higher in permissive states.

Source: CPSC 2024 Fireworks Annual Report, Pediatrics journal — Fireworks Injuries by State Policy

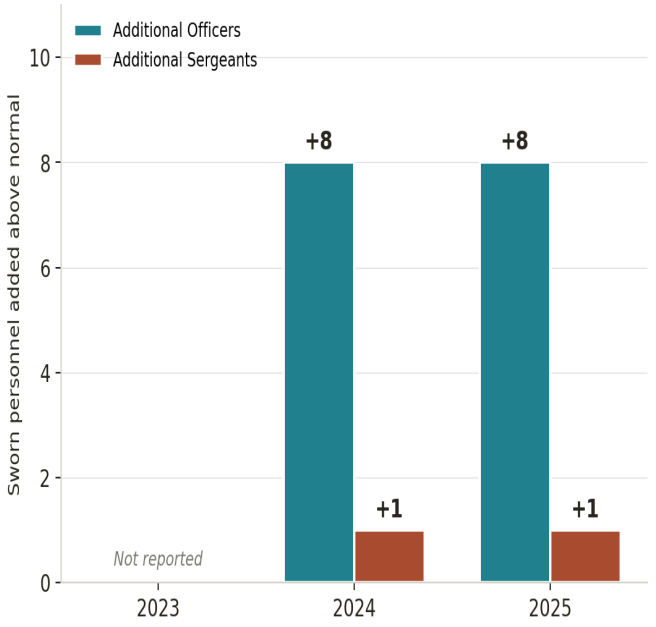
Marina staffing and deployment on July 4

Marina July 4 — workload + above-normal staffing augmentation

Marina July 4 workload — firework CFS vs total CFS



Marina July 4 fireworks detail — personnel added above normal



Figures reflect additional sworn assigned ABOVE normal patrol staffing. Normal shift staffing levels are not disclosed for operational reasons.

Source: Marina PD 4th of July Deployment PPTs (2024, 2025, 2026); Mgmt Analyst S. Clegg CAD pull (7/5/2024). Total CFS reflects all call types across the 0000–2359 July 4 window.

Operational reality

The 4th of July is an All-Hands mandatory workday.

1 Sergeant and 8 Officers above normal patrol staffing (reported for 2024 and 2025).

Normal (resting) shift staffing is not disclosed publicly for operational reasons; figures available in closed session.

2025 note

Airport celebration committed the majority of the augmented detail — limited personnel available for citywide illegal-fireworks response.

Policy options before Council · Decision framework

A · Status quo

Maintain MMC 9.16 and current enforcement resources.

B · Enhanced enforcement

Keep S&S; add drones, staffing, curfew, higher fines (Seaside/Salinas model).

C · Restricted Safe & Sane

Narrow discharge window, geographic zones, or tighter sales conditions.

D · Full ban

Align with Monterey, PG, Carmel, Sand City, Del Rey Oaks.

Evaluate each option on 5 criteria

01

Public safety impact

Injury & fire risk under each option

02

Operational demand

Can Marina PD/Fire deliver at current staffing & budget?

03

Regional consistency

Fit with neighboring jurisdictions

04

Community values

Resident expectations & tradition

05

Enforcement feasibility

Can the policy be enforced fairly & consistently?

Source: Marina PD policy review framework, 2026

WHAT THE EVIDENCE SUPPORTS

01 **Safe & Sane legality does not remove enforcement workload**

Marina, Seaside, and Salinas all see significant July 4 call volumes despite lawful S&S programs.

02 **Partial-allow cities pair S&S with stronger enforcement tools**

Curfews, drones, body-worn cameras, escalating fines — investments on top of the lawful framework.

03 **Regional inconsistency complicates compliance**

Marina sits in a Peninsula environment where most bordering cities now prohibit fireworks.

04 **Marina-specific data should be strengthened**

Multi-year CAD / citation / seizure / staffing extracts would further strengthen any Council record.

Marina PD will execute professionally and fairly whichever direction Council sets.

Chief Randy Hopkins · Marina Police Department

April 30, 2026 Item No. **13d**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 5, 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)

DRAFT

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

DRAFT

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.

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 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.

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.

About the League of California Cities

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