

CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Rob Schroder called the meeting to order at 7:10 p.m. in the Council Chambers.

PRESENT: AnaMarie Avila Farias, Councilmember, Michael Menesini, Councilmember, Mark Ross, Councilmember, Lara DeLaney, Vice Mayor, and Rob Schroder, Mayor.

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

A. Proclamation declaring October 2013 as "Domestic Violence Awareness Month."

On behalf of the City Council, Mayor Schroder read and presented the proclamation to Kris Annette Jachens of STAND! For Families Free of Violence. Ms. Jachens thanked the Council and the City for taking the issue so seriously and for standing with them in efforts to end the struggles of those dealing with domestic violence.

B. Measure H Update.

City Treasurer Carolyn Robinson provided an update from the October 2, 2013, Citizens Bond Oversight Committee meeting and provided a PowerPoint presentation reviewing Measure H Park Projects, including a discussion of past successes (Martinez Library, Rankin Aquatic Pool, landscape improvements at City parks, and sports court resurfacing), and details of current and future projects. She also reviewed the financial summary noting that the balance after total project costs to date is \$11,534,576.83, and that \$5 million remains to be allocated to Alhambra, Foothill, Golden Hill, Hidden Lakes, Highland Avenue, John Muir, Morello Avenue, Mountain View and Susanna Street parks. Mr. Robinson indicated that the Oversight Committee had reviewed and confirmed that the expenditures thus far had been used for the purposes specified in the Bond Measure.

Mayor Schroder asked if funding for a dog park, at an existing park, could be allocated from Measure H Funds. Ms. Robinson discussed the possibility of additional amenities for the parks, provided they meet the Bond requirements, and she commented on the approval process for adding items to the already-anticipated list.

Vice Mayor DeLaney thanked Ms. Robinson for the excellent report. She asked, and Ms. Robinson reviewed the membership of the Oversight Committee (currently Richard Patchin, Marta Van Loan, Keith George, and Ed Keegan).

Councilmember Menesini expressed appreciation for Ms. Robinson's work.

C. Presentation on Energy Efficiencies.

Senior Management Analyst Michael Chandler provided a PowerPoint presentation reviewing timelines and details of current municipal energy efficiency projects. Mr. Chandler stated that the City has utilized a no-cost resource available through East Bay Energy Watch.

Brendon Havenar-Daughton, Municipal Implementation Team of East Bay Energy Watch, provided a program background and indicated that their program offers municipalities no-cost technical assistance, implementation assistance, and verification of energy efficiency improvements. He discussed different opportunities identified in Martinez and associated cost and savings estimates and timelines.

Vice Mayor DeLaney asked if the sports complexes had been considered for improvements. Mr. Chandler stated they were not considered; the business owners would be responsible for the improvements because they pay the utility bills.

Councilmember Avila Farias expressed concern that the City was working with one consultant exclusively without soliciting information from other organizations for the purposes of comparison. Mr. Chandler stated that MIT is a resource available through PG&E and noted that staff could conduct an RFP if the Council wished. Mr. Havenar-Daughton clarified that MIT would not profit from the service, and that MIT's funding from PG&E is based on savings that were created through municipal improvements. All the charges noted in the staff report would go directly to the cost of the improvements. Vice Mayor DeLaney stated she felt the projects listed were good opportunities no matter how they were identified.

**PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)
Reserved only for those requesting to speak on items not listed on the Agenda.**

Greg Staffelbach expressed concern with installing a dog park within the City limits. Mr. Staffelbach requested that the dog park be placed on the Council or PRMCC agenda so the public can receive updates. He suggested that they look into placing a dog park at the Waterfront Park. City Manager Philip Vince stated that it is a Council priority. Councilmember Menesini suggested that the PRMCC add it to their agenda and that the Citizens Bond Oversight Committee review the item.

Mike Alford expressed frustration with questions not being answered. He also requested clarification on what comments are appropriate under public comment and what questions can be answered. Mayor Schroder requested that the City Council Policy Guide be placed on the website and directed staff to provide copies at the meeting.

Richard Verrilli commented on the code of conduct developed two years ago and felt it was lacking. He commented on free speech and expressed how important it is to speak freely before elected bodies.

CONSENT CALENDAR

A. Motion waiving reading of text of all Resolutions and Ordinances.

1. Motion approving the City Council Minutes of September 18, 2013. [M.Cabral]
2. Motion rejecting Claim against the City by Thomas Wade, Claim #13-18. [M.Cabral]
3. Motion approving Check Reconciliation Register(s) dated 10/10/13. [C.Spinella/2.1.1]
4. Motion accepting AB 1600 report for fiscal year ending June 30, 2013. [T.Tucker&C.Spinella/2.01.00]
5. Motion accepting the Citizens' Bond Oversight Committee Annual Report for June 30, 2013. [T.Tucker&C.Spinella/16.17.17&02.09.00]
6. Motion directing staff to use Bidder Pre-qualification process for the Harbor View Reservoir Replacement Project. [T.Tucker/15.04.04]
7. Motion directing the City Manager to submit an application to PG&E for a retrocommissioning program study for the Water Treatment Plant. [M.Chandler/30.15.00]
8. Resolution No. 101-13 accepting bids for the LED Street Light Upgrade and awarding the construction contract to Bear Electrical Solutions, Inc. in the amount of \$113,220, and allocating \$33,000 of Gas Tax funds and \$42,000 of PG&E rebates to Account No. EEC1. [T.Tucker/12.01.00]
9. Resolution No. 102-13 approving a categorical exemption to the provisions of the California Environmental Quality Act, approving a sublease agreement with Onstage Repertory Theater ("Onstage") for use of the Premises located at 636 Ward Street and authorizing the City Manager to execute same. [M.Chandler&A.Simpson/9.12.07]

Mayor Schroder open and closed public comment on the Consent Calendar with no one coming forward.

Vice Mayor DeLaney requested that Item #4 be pulled off the Consent Calendar.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Vice Mayor, to approve Items #A through #3 and Items #5 through #9 of the Consent Calendar. Motion unanimously passed 5 - 0.

Vice Mayor DeLaney commented on the great work of Mary Hougey, Minutes Clerk.

Regarding Item #4, Vice Mayor DeLaney asked if the Council could consider reallocating some unspent budgets to specific projects not yet funded, such as using the cultural facilities fees for amphitheater improvements and using the park in lieu funds for the dog park. City Manager Phillip Vince stated the suggestion seemed feasible.

On motion by Lara DeLaney, Vice Mayor, seconded by Mark Ross, Councilmember, accept AB 1600 report for fiscal year ending June 30, 2013. Motion unanimously passed 5 - 0.

PUBLIC HEARING(S)

10. Public hearing to adopt a resolution of intention and introduce an ordinance authorizing an amendment to the contract between the City of Martinez and the California Public Employees' Retirement System (CalPERS) to enter into a 2% cost sharing agreement (PERS Section 20516) for classic local police members. [A.Shear/4.5.13]

Assistant City Manager Alan Shear presented the staff report. He provided background on the current MOU between the City and the Martinez Police Officers' Association, which provides for a gradual increase in the cost sharing to 4% by January 2015. He noted it is not possible to have the entire schedule of increases in the current contract.

On motion by Lara DeLaney, Vice Mayor, seconded by Mark Ross, Councilmember, to approve Resolution No. 103-13 of intent and introduction of an ordinance authorizing an amendment to the contract between the City of Martinez and the California Public Employees' Retirement System (CalPERS) to enter into a 2% cost sharing agreement (PERS Section 20516) for classic local police members. Motion unanimously passed 5 - 0.

11. Unreinforced Masonry Buildings: [D.Scola&A.Simpson/9.16.05]
 - A. Determine that the proposed Municipal Code Amendment is exempt from the requirements of CEQA, pursuant to general rule, Section 15061(b)(3).
 - B. Conduct a public hearing to introduce an ordinance amending Title 8, Health and Safety, Chapter 8.50, Section 8.50.050, of the Municipal Code relating to the timing of submission of construction drawings for the Seismic Hazard Retrofit Program for Unreinforced Masonry Buildings.

Public Works Director Dave Scola presented the staff report. He provided background on the City's program addressing unreinforced masonry buildings including the original voluntary ordinance and the mandatory retrofit program implemented for the remaining buildings. He also reviewed the number of buildings that have been or are in the process of being reinforced and the concerns expressed by property owners regarding cost and the difficulty of obtaining permits. He noted that staff is requesting a two-year extension for construction plan submittal to ensure all are completed.

In response to questions from Vice Mayor DeLaney, Mr. Scola explained the penalties for missing the deadline for completion of construction and the permit discounts available for seismic retrofits.

Mayor Schroder noted that the goal of the ordinance was to ensure public safety and the City could not wait forever for the improvements to be done, but the Council recognized the economic obstacles involved. He also noted a change of ownership of some of the buildings could revitalize them and be a benefit to the City's economy.

Councilmember Ross confirmed with Mr. Scola that the largest property owners had completed their retrofits.

Vice Mayor DeLaney asked if the cost of the construction plans was prohibitive and if a design firm could be identified and prequalified to do them at a reduced cost. Mr. Scola stated that testing had to be done before the plans could be completed, and once the plans were completed, work would have to start within six months. Councilmember Avila Farias noted that once the new deadline passed, the Housing/Economic Development Subcommittee would develop a plan to address the remaining buildings. Mayor Schroder added that a financing plan will also be discussed in the next six months.

Mayor Schroder opened the public hearing.

Mike Alford commented on the length of time since the original ordinance, and he urged the Council to move forward with addressing the noncompliant buildings.

Seeing no further speakers, Mayor Schroder closed the public hearing.

On motion by Michael Menesini, Councilmember, seconded by Mark Ross, Councilmember, to approve that the proposed Municipal Code Amendment is exempt from the requirements of CEQA, pursuant to general rule, Section 15061(b)(3); and introducing an ordinance amending Title 8, Health and Safety, Chapter 8.50, Section 8.50.050, of the Municipal Code relating to the timing of submission of construction drawings for the Seismic Hazard Retrofit Program for Unreinforced Masonry Buildings. Motion unanimously passed 5 - 0.

CITY MANAGER

12. Climate Action Plan and Sustainability Programs Recap for fiscal year 2012-13.
[M.Chandler/30.08.00]

Senior Management Analyst Michael Chandler presented the staff report and a PowerPoint presentation. He reviewed the Climate Action Plan, Citywide GHG Inventory, coordination with the Martinez Unified School District, and current goals and projects.

Mr. Chandler also expressed his appreciation to Ka Ho Kong, Intern, for his contributions, and noted he had been hired as an Engineering Aide by the City, but Mr. Kong has secured a fulltime job with the City of San Jose. Mr. Chandler discussed changes made to the City's website with Mr. Kong's help.

At the conclusion of his presentation, Mr. Chandler announced the upcoming first Reuse Roundup on Sunday, October 26th from 9:00 a.m. to 3:00 p.m.

Mayor Schroder expressed appreciation for the good work done by Mr. Chandler in all his presentations, but especially related to climate and environmental issues. He also commended Mr. Kong for his new job with San Jose.

Councilmember Ross echoed Mayor Schroder's comments to Mr. Chandler and Mr. Kong. As the hometown of John Muir, he agreed that Martinez should be a leader with sustainability programs. He suggested more research be done into telecommuting opportunities and whether

Martinez could do anything to encouraging businesses in that regard. Mr. Chandler noted that those possibilities could be expanded next year as the employer commuter benefit program expands.

Councilmember Menesini noted that not every job can benefit from telecommuting, which Councilmember Ross acknowledged, although even partially doing so can greatly reduce traffic/environmental impacts. He also commented on the benefits of casual carpooling.

Vice Mayor DeLaney expressed appreciation to Mr. Chandler and Mr. Kong, especially for the user-oriented improvements to the website and for partnering with Republic Services in the Reuse Roundup. She also noted that the deadline was up for participating in the Earth Hours City Challenge by the World Wildlife Fund, and she was glad Martinez had applied.

Mayor Schroder opened and closed public comment on the item with no speakers coming forward.

Report accepted.

13. Strategic Plan Update (Council goals and priorities) review implementation plan.
[P.Vince&A.Simpson/41.07.01]

City Manager Philip Vince introduced the item; and Deputy Director of Strategic Planning & Community Development Anna Gwyn Simpson presented the staff report, discussing staff's recommended goals and priorities. She also answered questions from the Council regarding the format of the report, why resources needed was not identified for each category, how best to identify lead staff for each item, how achievable the goals for the next year are, specifics about Measure H project funding, and the importance of the Annexation Subcommittee's role.

The Council made minor amendments to the priorities. They expressed appreciation for the document and suggested that it be reviewed on an ongoing basis. Staff was directed to schedule an Annexation Subcommittee meeting.

14. City Manager Comment(s)/Update(s)/Report(s).

City Manager Vince reported that a meeting of the Martinez Shoreline Joint Planning Agency with East Bay Regional Park District has been scheduled for Tuesday, October 29, at 9:00 a.m. in the Council Chambers.

CHIEF OF POLICE

15. Chief of Police Comment(s)/Update(s)/Report(s).

Chief of Police Gary Peterson reported that there was an AED save last week when an officer responded to a resident who had a heart attack, but the officer and the AED provided necessary treatment. Chief Peterson noted the patient's wife was very grateful and her husband had a quadruple bypass and is recovering very well. He indicated there will be a nomination for "Life Saving Award" soon.

Chief Peterson announced the Police Officer of the Year Award to be held on November 5th, and this year the honoree will be Detective Patrick Salamid; for further information, please contact Renee Jacobs. He reported on the Martinez Police Officers Association Fundraiser Poker Tournament which raised \$12,000 to the Tarantino Starzyk Memorial Scholarship Fund to support Alhambra High School students.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

16. Council Subcommittee Reports.

Mayor Rob Schroder provided an update on the City-State-DBAW meeting on the Marina held on October 15th, particularly with regard to landside development and issues with regulatory agencies.

Deputy Director of Strategic Planning and Community Development Anna Gwyn Simpson added information about the City's responsibilities in evaluating priorities regarding needed repairs and financial feasibility. Councilmember Menesini said he was encouraged with the new attitude at the State level and their willingness to work together as partners.

Councilmember Ross said he had been unsure about the benefit to be gained from reopening discussions with the State, but he was encouraged by the direction it seems to be going now. He was especially excited about possibilities for development, and he commended Mayor Schroder and staff for their efforts.

17. City Council Comments.

Vice Mayor Lara DeLaney commended the Martinez Historical Society for the wonderful Home Tour and the homeowners who opened their homes. She also recognized staff for their efforts on a successful Restaurant Tour. Vice Mayor DeLaney expressed concern with the cracks at the Golden Hills Park Tennis Courts, which seem to be getting larger. She urged staff to pursue the issue with the contractor for some type of repairs.

Councilmember Mark Ross stated that he is happy to grandstand and it is nice to be part of a local government that works and doesn't shut down. He added that when there is grandstanding, it is about positive things. He further stated that he is proud to work with his fellow Council and City staff.

Councilmember Michael Menesini recognized the Clampers (E Clampus Vitas) for their annual clean-up of the cemetery and their continued support. He also recognized Commissioner Harlan Strickland who was there to the end. Councilmember Menesini also commented about an ongoing issue with respect to the development of an Environment Impact Report regarding the expansion of a local oil refinery, which could put tankers full of explosive materials on the waterfront and could also increase traffic. He requested that the item put on the agenda for an upcoming meeting, and he suggested that County staff be invited to discuss the EIR.

City Manager Vince thanked Vice Mayor DeLaney for helping staff stay informed regarding County issues.

Councilmember AnaMarie Avila Farias asked how the Council was going to work on the progress of the priorities internally with the City vision and priorities. Mr. Vince responded that staff discusses and reviews the document at their weekly staff meetings.

Mayor Schroder announced the Zombie Beer Crawl on Saturday, October 19th at 2:30 p.m. in the downtown; costumes are encouraged.

ADJOURNMENT

Adjourned at 9:39 p.m. to the City Manager's Office to discuss in Closed Session, PUBLIC EMPLOYEE PERFORMANCE EVALUATION--Title: City Manager, then to a Regular City Council Meeting on November 6, 2013, at 7:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez California.

II. CLOSED SESSION (City Manager's Office)

- A. With respect to an item of business to be discussed in closed session pursuant to Cal. Government Code Section 54957. PUBLIC EMPLOYEE PERFORMANCE EVALUATION--Title: City Manager.

III. RECONVENE/ADJOURNMENT (Council Chambers)

The Council reconvened at 10:40 p.m. Mayor Schroder reported out that a review of the City Manager was performed, and it was decided to hold another closed session to complete the review and discuss "next steps."

Approved by the City Council

Rob Schroder, Mayor

Mercy G. Cabral, Deputy City Clerk – 11/6/13