

## **CALL TO ORDER**

Mayor Schroder called the meeting to order at 5:40 p.m. in the Council Chambers with all members present except Councilmembers Menesini and Ross who arrived shortly after roll call.

## **PUBLIC COMMENT (comments are limited to items listed on the agenda)**

No comments made.

## **CLOSED SESSION (adjourn to 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  
PUBLIC EMPLOYMENT Title: City Manager

- B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Cal. Government Code Subdivision (a) of Section 54956.9.

Name of Case: City of Brentwood, et.al. v. Campbell, California Court of Appeal, First District, Case Number A138268.

## **RECONVENE- PLEDGE OF ALLEGIANCE - ROLL CALL**

Mayor Schroder reconvened the meeting at 7:12 p.m. He reported that Closed Session was held regarding Public Employee Evaluation and Public Employment, Title: Acting City Manager and Existing Litigation, City of Brentwood v. Campbell; there was nothing to report out.

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. Presentation by the Martinez Historical Society commemorating City Hall Home Tour 2012.

Carolyn Boone, Martinez Historical Society, thanked the Council for all their past support. Ms. Boone indicated that the Home Tour was very successful, bringing 300 visitors and raising \$10,000. The funds will go toward the train station fund, which now has \$80,000.

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

Matthew Rinn, representing the 3rd Ward of the Contra Costa Community College District, encouraged the Council and the community to celebrate 65 years of service of the Contra Costa County College District with a free afternoon of activities on December 7, 2013 from noon to 4:00 p.m. The event will take place at Universal Sports Academy, 330 Ferry Street. Mayor Schroder congratulated Mr. Rinn on his recent appointment to the District.

Mike Alford clarified that he is not using the podium and the newspaper for election purposes. He requested that the City Manager selection process be shared with the public.

**CONSENT CALENDAR**

- A. Motion waiving reading of text of all Resolutions and Ordinances.
  - 1. Motion approving the City Council Minutes of November 6, 2013. [M.Cabral]
  - 2. Motion rejecting Claim(s) against the City by Michael Davenport, #13-24. [M.Cabral]
  - 2.1 Motion approving Check Reconciliation Register dated 11/26/13. [C.Spinella/2.1.1]
  - 3. Resolution No. 110-13 authorizing the City Manager to designate in writing to the State Board of Equalization those appointed representatives of the City of Martinez with authority to examine sales, use and transactions tax records. [A.Shear/17.02.15]
  - 4. Resolution No. 111-13 authorizing the Mayor to enter into a Memorandum of Understanding with the East Bay Regional Park District to record a deed restriction on the Martinez Intermodal Facility, Phase 3 parcel that would prohibit permanent residential use in exchange for the reinstatement of access rights across Alhambra Creek to Berrellesa Street and an easement exchange for the Ferry Street Extension. [T.Tucker/3.4.1&6.7.00]

On motion by Michael Menesini, Councilmember, seconded by Mark Ross, Councilmember, to approve Item #A and Items #1 through #4 of the Consent Calendar. Motion unanimously passed 5 - 0.

**PUBLIC HEARING(S)**

- 5. Public hearing to adopt Ordinance 1375 C.S. repealing and reenacting Martinez Municipal Code Chapters 15.04, 15.05, 15.07, 15.16, 15.20, 15.24, and 15.28 , adopting by reference the 2013 Building Standards Code, Title 24 California Code of Regulations, including Parts 1 and 2 Building Code, Part 4 Uniform Mechanical Code, Part 5 Uniform Plumbing Code, Part 3 National Electrical Code, Part 9 International Fire Code, Part 11 International Green Building Standards Code and Part 2.5 International Residential Code with amendments; and adopting findings and an exemption from the provisions of the California Environmental Quality Act pursuant to Title 14, Chapter 3, California Code of Regulations, Section 15061(b)(3). [D.Salts/9.16.02]

Public Works Director Dave Scola presented the staff report on Item #5, noting that these are the State-approved inspection regulations with no substantive amendments.

Senior Management Michael Chandler presented the staff report on Item #6 and reviewed the proposed changes.

Mayor Schroder opened Items #5 and #6 for public comment.

Mike Alford spoke on Item 5, Building Standards Code, and requested clarification on the exemption from CEQA, which Senior City Attorney Veronica Nebb explained.

Seeing no further speakers, Mayor Schroder closed public comment on the Items.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Vice Mayor, adopt Ordinance 1375 C.S. repealing and reenacting Martinez Municipal Code Chapters 15.04, 15.05, 15.07, 15.16, 15.20, 15.24, and 15.28 , adopting by reference the 2013 Building Standards Code, Title 24 California Code of Regulations, including Parts 1 and 2 Building Code, Part 4 Uniform Mechanical Code, Part 5 Uniform Plumbing Code, Part 3 National Electrical Code, Part 9 International Fire Code, Part 11 International Green Building Standards Code and Part 2.5 International Residential Code with amendments; and adopting findings and an exemption from the provisions of the California Environmental Quality Act pursuant to Title 14, Chapter 3, California Code of Regulations, Section 15061(b)(3). Motion unanimously passed 5 - 0.

6. Public hearing to introduce an Ordinance amending the Martinez Municipal Code Title 8, Health and Safety, Chapter 8.19, Establishing the Requirements for the Recycling of Construction and Demolition Waste to "Recycling of Construction and Demolition Debris." [M.Chandler/9.10.00]

Item continued to December 18th Council meeting to include environmental impact findings.

## **CITY MANAGER**

7. Discuss options and provide direction to staff regarding possible study and initiation of annexation proceedings for various areas of Pacheco, including: [M.Chandler/1.000]
  - 1) Resubmitting the previously considered North Pacheco annexation application; and
  - 2) Expanding the boundaries to include additional areas, which could include the following: a) area east of the original North Pacheco application, along Blum Road; b) the Vine Hill/Arthur Road area; and/or c) the Mountain View area of unincorporated Contra Costa County.

Councilmembers AnaMarie Avila Farias and Mark Ross presented the report of the Annexation Ad Hoc Committee, noting that today's discussion was for the purpose of deciding which areas to focus on, and more detailed research and planning will come later. The Council discussed the advantages and disadvantages of potential approaches, the logistics of the financial analysis, and the resubmission of the application to LAFCO.

Mayor Schroder opened the Item for public comment.

Greg Staffelbach expressed his support for annexation as a resident of one of the areas under consideration.

Susan Guftason also expressed her support.

Anthony Garth stated he hoped the residents of the annexation areas would have a chance to approve it, and Mayor Schroder clarified the process would include an opportunity to protest.

An unidentified speaker asked about the zoning of the areas and if any of the land would be owned by the City, which Mayor Schroder and Sr. City Attorney Veronica Nebb explained.

Mike Alford expressed concern that the wishes of the annexation area residents be heard, and suggested the City should focus on infrastructure problems inside the current borders.

Richard Verrilli expressed support for investigating the idea.

Seeing no further speakers, Mayor Schroder closed public comment on the Item.

Senior City Attorney Veronica Nebb suggested that during the resubmission of the application for the original area, staff could meet with LAFCO for their perspective regarding the expansion areas.

Staff was directed to return to the next meeting for approval of funding for fiscal analysis; and staff will meet with the Ad Hoc Committee once the fiscal analysis and initial study of the feasibility of the expanded areas are completed for recommendation to the Council.

8. Strategic Plan Update (Council goals and priorities). [AG.Simpson/41.07.00]

Acting City Manager Alan Shear presented the staff report, reviewing the goals and explaining how they had been identified. He also summarized recently added items and noted the status update on some of the items.

Mayor Schroder opened the Item for public comment.

Greg Staffelbach asked that the creation of a dog park be a higher priority.

Cookie Tellas asked when a decision would be made on the Rankin Aquatic Center hours, and asked that it be addressed soon enough that the pool could potentially open in April.

Mike Alford requested clarification on the ownership of various parks being improved using Measure H funds.

Richard Verrilli asked if the City was monitoring the growing turkey population to decide if something should be done to address it.

An unidentified speaker noted that the Rankin Aquatic Center is very attractive to area families and urged the Council to make promoting it a priority.

Seeing no further speakers, Mayor Schroder closed public comment on the Item.

The Council thanked staff for their work on the plan.

The Council discussed changes including dedicating funds for infrastructure improvements to the City in general instead of the parks specifically; lowering the priority of the development of day trips with Amtrak and local businesses and pursuing that in partnership with the Chamber of Commerce; and making the annexation a higher priority. Staff was directed to address the cold weather parking meter situation and bring the annual free parking holiday for approval at the December 18 meeting.

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

Acting City Manager Shear reported that he recently met with the new Fire Chief Jeff Carmen and the Chief reiterated that there would be no additional station closures. Mr. Shear noted that he invited him to a future Council meeting.

**CHIEF OF POLICE**

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

Chief Peterson announced that Officer Zachary Poertner and his new canine partner Logan have completed their training and are on the street. Chief Peterson reviewed the statistical report for the 2012-13 year-to-date Monthly Performance Indicators and the Crime Comparison. The Council congratulated the Chief Peterson on the reduction in crime.

**APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES**

**CITY COUNCIL**

11. Consider a resolution appointing Councilmember Michael Menesini as Vice Mayor for the year 2013-2014. [41.02.01]

Mayor Schroder made opening remarks.

On motion by Rob Schroder, Mayor, no second required to approve Resolution No. 112-13 appointing Councilmember Michael Menesini as Vice Mayor for the year 2013-2014. Motion unanimously passed 5 - 0.

12. Council Subcommittee Reports.

Councilmember Avila Farias and Vice Mayor Menesini reported out on the Public Safety Subcommittee meeting held on December 2. The Subcommittee recommended amending the existing Medical Marijuana ordinance to prohibit any person from growing marijuana of any kind or type outdoors, with the exception of the cultivation of medical marijuana of no more than

6 plants per property. The recommendation will go before the Planning Commission and then to the Council. Councilmember Avila Farias thanked Chief Peterson for his analysis of the issue.

Councilmember Ross indicated that the Air District has a 1-800-4NO-ODOR line that residents can call to complain about odors; they will respond, inspect and issue citations if needed.

Vice Mayor Menesini reported out on the meeting of the Historic Train Depot Ad Hoc Committee which was held in November. The Committee discussed the creation of a non-profit with representatives from various community organizations to govern the train depot.

Mayor Schroder announced that the Marina Subcommittee will meet with representatives from the State Lands Commission on December 17th in Sacramento.

Councilmember DeLaney noted that on the same day there will be a School Liaison meeting with the School District at 6:30 p.m. at the District's office.

Councilmember Avila Farias reported that she and Mayor Schroder met with Supervisor Glover regarding the RCD Project at Barrellesa Palms. She indicated that the Housing Authority has agreed to modify their policy to add a local preference for Martinez residents to the RCD Project at Berrellesa Palms. It will be considered by the Board of Supervisors on December 17, which she plans to attend and report back.

### 13. City Council Comments.

Councilmember Lara DeLaney announced the Kiwanis See's Candy sales, which are occurring at Les Schwab and 516 Main Street. She announced the Holiday Frolic and activities beginning on Friday, December 6, through Sunday.

Vice Mayor Menesini expressed appreciation to City Engineer Tim Tucker for the MOU with East Bay Regional Park District with respect to Phase III of the Intermodal, which was timely and well done.

Councilmember AnaMarie Avila Farias encouraged the Council to attend the PRMCC community meeting for Measure H improvements at the Waterfront. Councilmember Avila Farias announced that St. Catherine's through the Guadalupana Club will be providing a free lunch on December 12, commemorating the Virgin Mary; she encouraged all to attend.

Councilmember Mark Ross commented on the Highway 4 westbound traffic, which is impacting City residents. Councilmember Avila Farias indicated that it is due to the construction of the Bart extension and other Hwy 4 improvements. Councilmember Ross also noted that Measure H funded improvements at the Waterfront are restricted to the guidelines approved by the voters.

## **ADJOURNMENT**

The meeting adjourned at 9:17 p.m. to a Regular City Council Meeting on December 4, 2013, at 7:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, California.

Approved by the City Council,

Rob Schroder, Mayor

Mercy G. Cabral, Deputy City Clerk – 1/22/14