

## **CALL TO ORDER**

Mayor Schroder called the meeting of the Board of Directors of the Pleasant Hill-Martinez Joint Facilities Agency and the City Council to order in the Council Chambers at 5:30 p.m. with all members present.

## **PUBLIC COMMENT (Closed Session Items Only)**

There being no comments made, the Council adjourned to Closed Session in the City Manager's Office.

## **CLOSED SESSION: City Council and the Board of Directors Pleasant Hill-Martinez Joint Facilities Agency**

- A. City Council and Board of Directors of the JFA -- CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION -- Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Cal. Gov't Code section 54956.9: One potential case.
- B. City Council and Board of Directors of the JFA -- CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION -- Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Cal. Gov't Code section 54956.9: One potential case.
- C. City Council -- CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION -- Significant exposure to litigation pursuant to paragraph (2) Subdivision (d) of Cal. Gov't Code section 54956.9: One potential case.

## **RECONVENE - PLEDGE OF ALLEGIANCE - CALL TO ORDER**

Mayor Schroder reconvened the meeting at 7:30 p.m. in the Council Chambers. He noted that Closed Session was held regarding the Council and JFA, Conference with Legal Counsel, Significant Exposure to Litigation; and Conference with Legal Counsel, Initiation of Litigation, City Council, Conference with Legal Counsel, Anticipated Litigation, and stated that direction was given to legal counsel, and there was nothing further to report.

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

EXCUSED: None.

ABSENT: None.

## **PRESENTATION(S)**

- A. Scholarship presented to New Leaf Collaborative.

Mayor Schroder indicated that New Leaf Leadership Academy of Vicente High School, under the direction of Lorena Castillo, participated in a design contest for the City's special order of 3,000 reusable plastic bags. The winning design was created by student Alex Hayes and served as the final design for the reusable bags. The City is please to provide a \$500 scholarship to New Leaf for their contributions to the City's single-use plastic bag ban initiative.

Ms. Castillo expressed her appreciation to the City and spoke about the work done in the community by the New Leaf program, which is a leadership academy at the alternative high school.

B. Presentation of Hidden Lakes Open Space Recreation Use (Disc Golf).

Item continued to next meeting.

## **PUBLIC COMMENT**

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

Kristin Henderson spoke on historic preservation and read into the record an excerpt from the National Register of Historic Places on moved buildings. She also responded to the article in the *Gazette* regarding the Chinese being beaten and run out of Martinez in 1882, noting that those involved were prosecuted later.

Beverli Marshall stated that she moved to Martinez because of the commitment to open space and the environment. She expressed surprise on the City's enforcement of its outdated ordinance prohibiting urban beekeeping and the refusal of the Planning Department to discuss it with her. She requested the City Council direct the City Manager to assign a staff member to discuss the ordinance relative to the California Apiary Protection Act.

Kathy Edwards Reichert spoke on Hearts for Drama for teens, who had rented the Campbell Theater earlier this year for Tech Week and wanted to rent it again in 2015, but was informed that the lease is not being renewed. Mayor Schroder noted that the City's lease with the current owner expires at the end of the year, and the City will discuss future plans then.

Michael Alford asked why the old home at the corner of Willow and Susana was torn down and commented on its historical value.

## **CONSENT CALENDAR**

- A. Motion waiving reading of text of all Resolutions and Ordinances.
  - 1. Motion approving the City Council Minutes of May 7, 2014. [M.Cabral]
  - 2. Motion approving Check Reconciliation Register dated 05/29/2014. [C.Spinella/2.1.1]
  - 3. Motion recommending a neighborhood meeting on Disc Golf. [T.Tucker/11.01.00]

Item continued to next meeting.

4. Resolution No. 058-14 accepting bids for the Pedestrian Signal System and Curb Ramp Upgrade Project, Project No. C1010 and awarding the construction contract to AME Contracting Company in the amount of \$71,175. [T.Tucker/12.02.09]
5. Resolution No. 059-14 authorizing the City Manager to execute an agreement in an amount not to exceed \$100,000 for consultant services with HEI for the design of the Downtown PDA Pavement Restoration Project (C1047). [T.Tucker/12.02.10]

Mayor Schroder noted that Item #3, Disc Golf, has been continued to the next meeting.

Councilmember Avila Farias requested that Item #5 be pulled.

Mayor Schroder opened and closed public comment on Items #1, #2, and #4 with no speakers coming forward.

On motion by Michael Menesini, Vice Mayor, seconded by Lara DeLaney, Councilmember, to approve Item #A and Items #1, #2 and #4 of the Consent Calendar. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor.

Councilmember Avila Farias spoke on Item #5, Downtown PDA Pavement Restoration Project. She asked if HEI was the same firm who had done the streetscape on Barrellessa. City Engineer Tim Tucker replied that it is not. Councilmember Avila Farias asked if City staff could perform any of the responsibilities in the agreement to save on costs. Mr. Tucker stated the primary tasks contracted for are surveying and drafting, which the City does not have the capability to do in-house. The City staff will handle the project management aspects. Mr. Tucker also clarified the process of selecting a firm, explaining why the City had not carried out the full RFP process.

Councilmember DeLaney asked what was involved in the project that brought the cost so much higher than routine maintenance, and Mr. Tucker explained some of the specific federal requirements. He also noted why particular streets were selected for the project.

Mayor Schroder opened Item #5 for public comment.

Kristin Henderson asked if some of the sidewalk stamps could be preserved.

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

The Council discussed and directed staff to develop a resolution regarding saving historical sidewalk stamps for adoption at a future meeting.

On motion by Michael Menesini, Vice Mayor, seconded by Lara DeLaney, Councilmember, to approve Resolution No. 059-14 authorizing the City Manager to execute an agreement in an amount not to exceed \$100,000 for consultant services with HEI for the design of the Downtown PDA Pavement Restoration Project (C1047). Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor.

## **PUBLIC HEARING(S)**

6. Public hearing to introduce an Ordinance amending the Martinez Municipal Code by deleting Sections 8.18.350 through 8.18.380 and by adding to Title 8, (Health and Safety) Chapter 18.23, Carryout Bags, Sections 8.23.010 through 8.23.070 prohibiting retailers and public eating establishments from providing single use carryout bags to customers, requiring retailers to impose minimum charges for recycled paper carryout bags, and promoting the use of reusable bags by retail and public eating establishment customers; AND finding that the adoption thereof is exempt pursuant to the California Environmental Quality Act (CEQA), Sections 15307, 15308 and 15061(B)(3).  
[T.Tucker/M.Chandler/9.10.00]

City Engineer Tim Tucker presented a PowerPoint report reviewing the reasons to establish a plastic bag ban, including resource conservation, wildlife protection, and reduction of litter. He noted that the program had been developed in collaboration with local businesses and the Chamber of Commerce.

Senior Management Analyst Michael Chandler reviewed the proposed ordinance, which was based on Walnut Creek's recent ordinance. He highlighted the purpose of the ordinance, explained what would and would not be prohibited under the ordinance, explained the requirements for reusable bags, and reviewed the City's outreach efforts.

Mayor Schroder asked if grocery stores would continue to recycle product bags, produce bags, and newspaper bags, and Mr. Chandler indicated they would and confirmed they should not be placed in the residential mixed recycling bins. Mayor Schroder suggested that be included in the public education.

Councilmember DeLaney asked if farmers' markets were included in the ban. Mr. Tucker stated they could continue to use produce bags but the single use bags with handles would be prohibited. Councilmember DeLaney asked why the City Manager was given the authority to decide maximum prices for paper bags instead of the Council. Mr. Chandler stated the provision was copied from Walnut Creek's ordinance. Mr. Tucker noted the ordinance was designed to be long-term, and he would not expect the price to increase significantly over the short term. Councilmember DeLaney stated she would prefer prices increases be approved by the Council.

Mayor Schroder asked if the old polystyrene ban would be enforced. Mr. Tucker stated staff had discussed this with the business owners and planned to begin educating them about the polystyrene ban.

Mayor Schroder opened the Item for public comment.

Martha Dragovich of the Martinez Environmental Group commended the Council for considering the ordinance.

Ann Baker expressed support for the bag ban and thanked the Council for helping citizens to be more sustainable. She asked the Council to consider reducing consumption of single use plastic water bottles and enforcing the polystyrene ban.

Michael Alford brought up the question of large garbage bags and expressed concern that some people would continue to be irresponsible about the bags without good public education.

Beverli Marshall spoke about the impact of plastic bags on the water in the environment and expressed support of the ban and public education, with consideration given to those who find the cost of reusable bags prohibitive.

Sharon Funk expressed support of the ban and its ability to increase public consciousness of all single use plastic items.

Sheila Hill of Generation Green spoke about the amount of plastic litter in the ocean. She thanked the Council for its work on the ordinance and agreed the polystyrene ban should be enforced and use of plastic water bottles reduced.

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

On motion by Michael Menesini, Vice Mayor, seconded by Lara DeLaney, Councilmember, introduce an Ordinance amending the Martinez Municipal Code by deleting Sections 8.18.350 through 8.18.380 and by adding to Title 8, (Health and Safety) Chapter 18.23, Carryout Bags, Sections 8.23.010 through 8.23.070 prohibiting retailers and public eating establishments from providing single use carryout bags to customers, requiring retailers to impose minimum charges for recycled paper carryout bags, and promoting the use of reusable bags by retail and public eating establishment customers; AND finding that the adoption thereof is exempt pursuant to the California Environmental Quality Act (CEQA), Sections 15307, 15308 and 15061(B)(3). Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor.

## **CITY MANAGER**

### 7. City Manager Comment(s)/Update(s)/Report(s).

Interim City Manager Anna Gwyn Simpson reported that, as part of the City's Housing Element update, the City is conducting a survey of the community on housing needs. She encouraged residents to complete the survey, which can be found on the website.

## **CHIEF OF POLICE**

### 8. Chief of Police Comment(s)/Update(s)/Report(s).

Acting Chief Eric Ghisletta announced that the Special Olympics Bike to Bridges event will be held on Sunday, June 8th. It will start at the Marina, go over the Carquinez Bridge and come back over the Benicia Bridge. Councilmember Ross urged the public to participate in the event.

## **APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES**

## **CITY COUNCIL**

9. Consider decreasing the Candidate Statement to 250 words, which will then be adopted by a formal resolution for consolidation for municipal elections for the meeting on June 18th. [M.Cabral/40.20.00]

Mayor Schroder presented the staff report. He explained the reason for the potential change was the increased cost associated with the new format established by the County Elections Division. The Council discussed and agreed the budget impact is a concern, but the 300 word limit provides the public with more information. The Council agreed by consensus not to reduce the Candidate Statement to 250, but to keep the 300 word limit already established.

### 10. Council Subcommittee Reports.

Councilmember Avila Farias announced the next Public Safety Subcommittee meeting, on June 9th at 6:00 p.m. in the Council Chambers. Vice Mayor Menesini noted representatives from the Contra Costa Fire Department may be in attendance.

Councilmember DeLaney reported out on the Concert Ad Hoc Committee meeting that she and Councilmember Ross attended on May 30th. She stated the Committee went over the results of the Blues by the Bay Concert. Since the concert was successful and will have no negative impact on the General Fund, the Committee will be bringing a proposal for more events at the Amphitheatre. Councilmember Avila Farias asked that the proposal include details on the impact of these events on staff time. Councilmembers DeLaney and Ross clarified that future events would not require as much preparation by staff and an outside event management firm would be considered.

### 11. City Council Comments.

Councilmember Mark Ross expressed his gratitude to those who worked to help promote Measure E, the college bond measure, which passed and will greatly improve the campuses.

Councilmember AnaMarie Avila Farias recapped some past events, including Main Street Matters, which occurred last Friday. She commended Leanne Peterson and Dave Scola for finding that project for Martinez and Ms. Peterson for deploying such a successful event, and expressed appreciation to the City's community partners, Benjamin Moore. She also recognized Shell Refinery for the great turnout at the Annual Community Car Wash event. She indicated that Shell provided reusable bags filled with goodies, free refreshments and free car washes; Shell also provided an educational piece on greenhouse gas reduction. Councilmember Avila Farias noted that she and Mayor Schroder attended the John Swett clean up over the weekend and ended it with the County Fair. She urged residents to attend these great community events in the future if they could not make it this year.

Councilmember Lara DeLaney stated that the Benjamin Moore "Paint What Matters" project is a wonderful project. She asked if the City could match funds to complete other downtown sections as had been discussed at previous meetings, and noted Benjamin Moore promised a greater scope of work than had been finished due to liability concerns by the property owners. She expressed hope the City could continue on the project and take advantage of what had been started. She

also requested that the sign ordinance be enforced downtown. Interim City Manager Simpson indicated that the commitment was for two blocks and that she and Leanne Peterson worked with Benjamin Moore to include a third block (up to Ferry). Ms. Peterson continues to work with them to see how the project might be further expanded.

Councilmember DeLaney commented on the food trucks at the Marina no longer providing food truck service every Saturday. Ms. Simpson stated the Food Truck Mafia has scaled back to a monthly commitment due to a lack of participation by vendors. The monthly event will be held on the third Saturday beginning in June and the public will be notified. Mayor Schroder noted some concern has been expressed that the food trucks may be taking business from downtown restaurants.

Vice Mayor Michael Menesini joined Councilmember Ross in congratulating the Community College District for the passage of Measure E, and commented on the importance of the community colleges in California's education system.

Mayor Rob Schroder commented on the need to hear both sides on the beekeeping issue and noted the City of Oakley is reconsidering its ordinance. Councilmember DeLaney suggested that reconsidering the ordinance would be helpful and that New Leaf Academy could have a role in drafting an ordinance and/or providing research. Mayor Schroder also commented on the increasing amount of garbage cluttering the streets and the need for cars to be moved to allow streets to be cleaned in the early morning. He expressed hope the City can investigate and come up with a solution. On a personal note, Mayor Schroder mentioned that his wife got a hole in one at hole 7 at Grayson Woods and he congratulated her. He also congratulated his wife and their daughters on their completion of the Divas Half Marathon.

## **ADJOURNMENT**

Adjourned at 9:04 p.m. to a Regular City Council Meeting on June 18, 2014, 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 – 7/2/14