

CALL TO ORDER

Mayor Rob Schroder called the meeting to order at 6:30 p.m. with all members present; Councilmembers DeLaney and Ross arrived shortly after roll call.

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

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to California Government Code Section 54956.8.

Property: Multiple parcels within the Alhambra Hills Specific Plan area (APNs: 164-010-019, 164-010-025, 164-010-026, 164-150-016, 164-150-022, 164-150-030, 366-010-007, and 366-060-007); Alhambra Highlands Project, Martinez.

Agency Negotiators: Jim Jakel, Interim City Manager; Alan Shear, Asst. City Manager, Jeff Walter/Veronica Nebb, City Attorney.

Negotiating Parties: Richfield Investment Corporation.

Under Negotiation: Purchase price, and terms of payment.

RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder reconvened the Council meeting at 7:18 p.m. in the Council Chambers. He stated that Closed Session was held regarding Conference with Real Property Negotiators regarding multiple parcels within the Alhambra Hills Specific Plan area and direction was given to the City's property negotiators.

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. Certificate of Recognition to Sylvia Fein, Arts and Culture Awardee 2014.

Ms. Sylvia Fein was unable to attend. Mayor Schroder, on behalf of the City Council, read the proclamation commending Ms. Fein's life's work of imaginative painting and congratulating her as the 2014 Arts and Culture Commission Awardee.

Councilmember Ross praised Ms. Fein's work and noted that she would be honored at the next County Supervisors' meeting.

B. Measure H Annual Update.

City Treasurer Carolyn Robinson provided a brief update on the Citizens' Bond Oversight Committee meeting of October 2nd. She indicated that discussion was held on openings for the Committee. City Treasurer Robinson indicated that Finance Manager Cathy Spinella provided a financial report as of June 30th and September 30th, noting that the balance as of September 30, 2014 on Measure H Funds is \$6,502,840. Based on the documents submitted by staff, the City has expended the bond proceeds only for the purposes set forth in the ballot measure. The fiscal year 2013-14 ended with the restricted fund balance of \$6,578,000. Ms. Robinson further indicated that City Engineer Tim Tucker provided a report on the ending projects and the upcoming new projects.

Mr. Enke provided a PowerPoint reviewing past successes, current and future projects, remaining work and remaining projects, including the library renovation, the Aquatic Center, landscape upgrades and other park updates. He noted Hidden Valley Park would officially re-open and a community workshop for Waterfront Park would be held next week. Mr. Enke reviewed the funds spent, the financial projection for Measure H bond funding to date, and the plan for the rest of the funding.

Mayor Schroder noted that the original plans for Waterfront Park were made when other parks were coming in under budget and there was not as much money left as planned, which is why the plans are being looked at again.

Councilmember DeLaney asked about the planned improvements for Morello Park, and Mr. Enke stated the playground equipment and irrigation system will be upgraded. Councilmember DeLaney asked if staff would be reviewing residents' comments on the completed parks. Mr. Enke stated those comments are being logged and would be addressed after the rest of the projects were completed, if funds were available.

Councilmember Ross commended staff for their hard work and keeping management and consulting costs low.

Interim City Manager Jim Jakel stated there will be a more complete presentation reviewing projects and funding from Measures H and W on November 19th, and that completed projects will be added. He stated the City's work on Measure H has been extraordinary.

C. Merry Christmas Martinez.

Ms. Jennifer Oertel discussed a plan for a Merry Christmas Martinez to increase the amount of decorations and community holiday spirit in the City. Ms. Oertel and others have held fundraisers and members of the community have donated money to purchase decorations. She discussed a window display contest and other opportunities for community involvement. She indicated that she has been in contact with Main Street Martinez and asked for assistance from the City in hanging decorations. Ms. Oertel stated that she would like to make Martinez the December destination. She provided her email jenniferoertel@marykay.com for comments or to provide assistance.

Mayor Schroder commended her for her initiative. He referred her to Lianne Peterson and Public Services Director Dave Scola to assist.

PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)

Reserved only for those requesting to speak on items not listed on the Agenda.

Mayor Schroder recognized Kathryn Kavanah with Hospice of the East Bay. Mayor Schroder announced the Martinez Tree of Lights campaign and ceremony, which will be held on Saturday, November 1st on Morello Avenue. On behalf of the City Council, he read and presented a proclamation declaring November as "National Hospice/Palliative Care Month."

Ms. Kavanah stated that Hospice of the East Bay has been putting on Tree of Light ceremonies in Martinez since 1990, as well as in other cities throughout the east bay. Ms. Kavanah introduced some of the members and distributed invitations. She indicated Hospice of the East Bay is one of the few not-for-profit hospices in the area. Ms. Kavanah expressed her appreciation to the Council for its continual support. The Council thanked her for her work.

Linda Lynelle requested a dog park in the City. Vice Mayor Menesini commented that the Parks, Recreation, Marina and Culture Commission is studying the possibility at a couple of different locations.

An unidentified speaker stated that it would be nice for teens and young adults to have something to do in Martinez, and she suggested that perhaps a creation of a youth center for young adults would be beneficial. The Councilmembers thanked her for her input and noted that staff and the Council have been discussing this possibility and how it might be funded.

Mike Alford urged the public not to put out attack pieces on members of the Council. He asked about the technical problems from the last meeting. Assistant City Manager Alan Shear indicated that there were technical difficulties with the sound and that these have been corrected. CCTV will rebroadcast the October 1st meeting on Friday, October 17th at 10:00 a.m. and Saturday, October 18th at 8:00 a.m.

Jim Neu noted that there is a draft environmental impact report for the Tesoro Avon Marine Oil Lease project and asked whether the Council was going to direct staff to review it and its effect on Martinez. He reviewed some highlights from the report and noted the public hearing is on October 20th and public comment closes on November 13th. He asked whether the City had received a security plan from Burlington Northern or from Union Pacific regarding the rail yard and the Implementing Recommendations of the 9/11 Commission Act.

Julian Frazer noted problems with the last meeting on the Internet and recommended livestreaming the meetings. Mr. Frazer mentioned the item added to the last meeting's agenda should have been added as an emergency item. Mayor Schroder stated the meetings have been livestreamed for the last six months.

CONSENT CALENDAR

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

1. Motion approving City Council Minutes of September 17, 2014. [M.Cabral]
2. Motion approving Check Reconciliation Register dated 10/09/2014. [C.Spinella/2.1.1]
3. Motion to receive and file the City's September 30, 2014 Cash and Investment Report. [C.Robinson&C.Spinella/2.1.1]
4. Motion to receive and file the Citizens' Bond Oversight Committee Annual Report for June 30, 2014. [T.Tucker&C.Spinella/02.09.00 &16.17.17]
5. Resolution No. 105-14 allocating \$10,000 of Water funds for the Martinez Unified School District's New Leaf Water Conservation and Rainwater Harvesting collaboration. [T.Tucker/6.10.01&15.02.01]

On motion by Lara DeLaney, Councilmember, seconded by Michael Menesini, Vice Mayor, to approve Item #A and Items #1 through #5 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.

PUBLIC HEARING(S)

CITY MANAGER

6. Strategic Plan Update: Review update to the implementation plan for Council priorities and provide additional direction to staff. [A.Shear/41.07.01]

Assistant City Manager Alan Shear presented the staff report reviewing the past strategic plan, the update process, and an overview of the key focuses of the plan.

Councilmember DeLaney asked for clarification of the two sections referencing funds set aside for infrastructure needs. It was clarified that one refers to allocation of surplus funds and the other refers to funds set aside initially. Councilmember DeLaney asked if the Budget Subcommittee had reviewed the Item, and Mr. Shear stated it was on the agenda for the October 29th meeting.

Councilmember Avila Farias asked what was currently being done to identify opportunities to increase revenue. Mr. Shear stated staff would provide more detail after looking at the fiscal year end statements. He added he could provide a report on specific efforts as well. Councilmember Avila Farias asked for more specific and measurable benchmarks in this area.

Councilmember Ross asked for an update on the installation of new parking meters and stated he looked forward to more readable meters as it gets colder and foggier.

Councilmember DeLaney asked when the fiscal analysis of the annexation plan would come to the Council. Councilmember Avila Farias stated the Annexation Subcommittee had questions which staff is working on, and it should come back to the Subcommittee within the next few weeks.

Councilmember DeLaney noted that this year's goal of a major street paving project had not yet been completed and the Council is receiving many complaints about the City's infrastructure. She agreed that the process for determining which roads are selected for maintenance should be updated and stated she would like to see community involvement in the development of that process. The Council agreed community involvement is necessary and important.

Councilmember Avila Farias noted staff does a good job filling the infrastructure needs with a limited amount of money.

Councilmember DeLaney asked if there was an update on the investigation of the feasibility of a dog park. Staff and Vice Mayor Menesini stated the PRMCC had identified a preferred site and a possible design. Staff can ask the Committee to move it forward at its next meeting.

Councilmember DeLaney asked for more details on the rehabilitation of the Historic Train Depot. Vice Mayor Menesini stated the City is working with the Martinez Historic Society on the appropriate use, and Councilmember Avila Farias stated the Subcommittee is currently reviewing a proposal and business plan.

Mayor Schroder opened the Item for public comment.

Julian Frazer urged the Council to consider public safety in the development of projects and priorities.

Mike Alford asked that the public be provided more details on the projects and initiatives under consideration, to enable the community to be involved and contribute ideas.

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

It was indicated that staff will review the Council's feedback and continue to work on the Strategic Plan Update.

7. Consider approval of the proposed Contra Costa Transportation Authority Martinez Area Countywide Transportation Plan project list. [T.Tucker/6.7.15]

Interim City Manager Jim Jakel presented the staff report, noting that at the last meeting the Council had requested a detailed list of transportation projects.

Councilmember Ross noted the widening of Muir Station Road was a priority and asked for a progress update.

Councilmember DeLaney noted a concern of some residents that too much emphasis is placed on downtown infrastructure and not enough on the Highway 4 corridor and other areas of the City. She brought up the need to make Arnold Drive more pedestrian-friendly. Councilmember Ross agreed that a walkway or bridge should be considered. Mayor Schroder noted that many of the Measure H projects were outside the downtown area. Vice Mayor Menesini noted that the pedestrian grade separation should be included in the project list under the Intermodal project, and Senior Civil Engineer Joe Enke stated it was included in the parking lot expansion, and clarified what was included in the Berrellesa Bridge project. Vice Mayor Menesini stated a grade separation should be considered for Arnold as well.

Councilmember DeLaney stated she hoped a downtown quiet zone was still a priority.

Mayor Schroder opened the Item for public comment.

Mike Alford brought up safety concerns with the widening of Muir Station Road, the pedestrian improvements on Shell Avenue, and speeding on Arnold Drive.

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

On motion by Mark Ross, Councilmember, seconded by Michael Menesini, Vice Mayor, to approve the proposed Contra Costa Transportation Authority Martinez Area Countywide Transportation Plan project list *with the proviso to add the pedestrian bridge, which is part of the Intermodal Project*. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor.

8. City Manager Comment(s)/Update(s).

Interim City Manager Jim Jakel stated that he had an opportunity to attend the Manufacturing Matters Conference, which was held in Martinez and sponsored by the Chamber of Commerce and East Bay Leadership Council. The Director of the State of California GoBiz Office was the keynote speaker. The Waterfront Initiative was discussed as an example of the ongoing economic development efforts. He recognized Assistant City Manager Alan Shear for serving on the committee that put the panel together and made it a successful event.

Interim City Manager Jakel announced that applications are now being accepted for the City Manager position.

CHIEF OF POLICE

9. Chief of Police Comment(s)/Update(s).

Lieutenant Aaron Roth reported on a disaster exercise held in the Emergency Operations Center last week. He reported it was a successful drill and staff looked forward to future exercises.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

10. Consider a resolution related to the Safety of Rail Transportation through the City of Martinez. [J.Jakel/6.7.13]

City Manager Jim Jakel presented the staff report. He reported on past discussion of the issue in the Public Safety Subcommittee and input from community members. He stated the proposed resolution is reflective of the City's resources as well as its limited jurisdiction in this area.

Councilmember Avila Farias noted the League of California Cities is continuing to work on this issue, and the City Manager and Mayor will meet with Union Pacific on October 27th.

Mayor Schroder opened the Item for public comment.

Christine Wisniewski urged the Council to protect the health of its residents.

Aime Durfee stated the proposed resolution needs more concrete action and staff should be directed to track other cities' work in this area. She asked why the Martinez Environmental Group (MEG) had not been invited to give a presentation before the resolution was considered.

Jim Neu stated the resolution should contain more concrete action on the part of the City instead of the State and League of California Cities. He provided a list of requirements that could be included.

Tom Griffith commented on the Bay Area Air Quality Management District's recent action to cut emissions. He urged the Council to follow the District's example and take a strong stand on this issue.

Kathleen Petricca asked the Council to oppose the transportation and storage of flammable materials in the City until proper safety measures could be demonstrated and to research the opinions of impartial experts. She submitted a petition with 261 signatures, noted 80 postcards were sent to the Council, and stated MEG will continue to work on this issue.

Jan Golovich expressed support of MEG's proposed resolution. She noted there were three derailments in Benicia this year and commented on the action of the Benicia City Council. She commended the Martinez City Council for taking action and urged a strong example.

Judith Sullivan provided a list of recent rail accidents involving the transportation of crude oil.

Elizabeth Genai urged the Council to be a leader for other cities in the area and oppose the transportation of crude oil in the City until the safety issues had been resolved.

Bill Nichols commented on his experience as a volunteer firefighter and stated that safety issues have to be addressed when they are brought to light instead of waiting for a disaster to happen. He urged the Council to protect the public's safety.

Nadine Peyrucain asked the Council to direct staff to work with the community on a stronger resolution.

Katherine Black stated that a derailment in Martinez would affect all the surrounding cities. She urged the Council to adopt a stronger and more comprehensive resolution.

Mark Thomson urged the Council to consider the input of the community in this issue.

Mike Alford asked the Council to take leadership on this issue. He stated the air quality issue caused by the refinery also needs to be addressed.

Ann Sheridan expressed opposition to the transport of crude oil through the City. She asked the Council to take a stand and stop the trains.

Gay Gerlack stated there have been two derailments near her home since she bought it. She asked the Council to protect the City's residents.

Beth Rainsford urged the Council to listen to the residents and take a stronger stand, as well as to work on an emergency action plan.

Julian Frazer provided suggestions to strengthen the resolution and asked the Council to adopt the resolution submitted by the Martinez Environmental Group.

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

Councilmember Avila Farias thanked the Benicia residents for coming to offer input. She stated the Council and Public Safety Subcommittee take this issue very seriously and see the resolution as a first step to many more to come. The League of California Cities is working to develop a solution at the State level, which will have more impact than a local resolution. She added the Council and staff are continuing the process of educating themselves and welcomed the community to offer input.

Councilmember Ross noted the Bay Area Air Quality Management District has jurisdiction to create regulations, while the City does not. The City is working to see what can be done in the rail yards. He stated the resolution on the table primarily expresses the Council's concern, and that may be the action taken tonight as a first step. He stated he would be willing to consider a stronger resolution.

Councilmember DeLaney stated the resolution should have more concrete action items and should state more of what the City wants to happen. She also stated that public safety should be listed as a higher concern in the resolution. She agreed it is a start but stated it is not enough of a start and does not send a strong enough message that the Council is concerned about the health and safety of the community. She suggested the Council should make use of the materials provided by MEG.

Councilmember Ross suggested that the City solicit input from the workers at the refinery and others who are on the front line of this issue.

Vice Mayor Menesini stated the resolution provided by MEG contained several things that he felt did not apply to Martinez' situation. He stated he would support staff's proposed resolution as a first step and that the Council and Public Safety Subcommittee should continue to pursue this, obtaining input from more groups regarding a follow-up resolution.

Mayor Schroder stated he felt it was important to take action tonight. He did not feel it was feasible to rewrite the resolution during the meeting and felt it was sufficient as a first step in a long process. He noted the Council is concerned about other things that are transported through the City in addition to crude oil. He added the City does continue to develop and practice emergency action plans.

After further discussion, the Council agreed to move the statement about public safety to be first in the resolution, remove the statement about the new tank car design, and amend the action items to state that the City Council urges the state and federal governments to take action, to better communicate the Council's stance.

On motion by Michael Menesini, Vice Mayor, seconded by AnaMarie Avila Farias, Councilmember, to approve Resolution No. 106-14 related to the Safety of Rail Transportation through the City of Martinez *as amended*. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor.

11. Council Subcommittee Reports.

12. City Council Comments.

Councilmember Mark Ross stated that he and Mayor Schroder met with the Muir Heritage Land Trust on a possible expansion of the National Park in Alhambra Valley. Vice Mayor Menesini stated that he was not against the idea but asked that it be considered in the context of other projects requiring funding and that the public be allowed input. Mayor Schroder stated that Muir Heritage Land Trust had approached him and Councilmember Ross to ask the City to become a partner in the purchase. The Council agreed to allow the use of some staff time on this issue.

Councilmember Lara DeLaney thanked the Martinez Historical Society and homeowners for opening up their homes to Home Tour and thanked the public for attending. She also thanked everyone who worked on the Restaurant Tour, and the Cemetery Commissioners and others who helped in the Cemetery Clean Up. She expressed concern about the lack of a plan for replacing the Interim City Manager. Councilmember DeLaney announced the Joe DiMaggio 100th Birthday Bash, which will be held at the Shell Club House on November 18th, and provided details. She urged the public to attend and help raise the rest of the money needed for the Joltin Joe boat restoration.

Councilmember AnaMarie Avila Farias thanked the Police Department for policing the Homecoming Parade and thanked City staff for their efforts. She gave kudos to Public Works Director Dave Scola and his staff for responding to all the pipeline breaks.

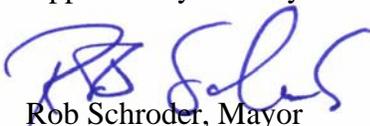
Vice Mayor Michael Menesini echoed the Council's comments on all the wonderful events that have been held this month. He wished the City's high school students good luck as they take the SAT.

Mayor Rob Schroder announced that on Friday at 6:30 p.m. at the Shell Club House is a Foster a Dream Event called "Sip, Savor and Swing" and on Saturday is the annual Zombie Beer Crawl. Councilmember Avila Farias noted on November 1st Main Street Martinez will be hosting the first "Dia De Los Muertos." Mayor Schroder again reminded the public to attend the "Martinez Tree of Lights" Ceremony for the Hospice of the East Bay on November 1st at the big oak tree on Morello Avenue.

ADJOURNMENT

Adjourned at 10:28 p.m. to a Regular City Council Meeting on November 5, 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 – 11/19/14