

**I. CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL**

Mayor Rob Schroder called the meeting to order at 6:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez.

PRESENT: AnaMarie Avila Farias, Councilmember, Lara DeLaney, Councilmember, Debbie M<sup>c</sup>Killop, Councilmember, Rob Schroder, Mayor, and Mark Ross, Vice Mayor.

EXCUSED: None.

ABSENT: None.

**PRESENTATION(S)**

- A. Certificate of Recognition to Doug Stewart, Civil Service Commissioner; Kathy Fuller, Contra Costa County Library Commissioner (City's Representative); and Maria Dona, Veterans Commissioner.

Mayor Schroder and the City Council presented Certificates of Recognition to former commissioners for their service on various boards and outside agencies. The Council expressed their appreciation for their public service. Mayor Schroder noted former Commissioner Stewart was not present, since he works for the Central Contra Costa Homeless Outreach and is out at night working.

Honorees thanked everyone for the opportunity to serve.

- B. Rising Sun Energy Center.

Michael Chandler, Senior Management Analyst, stated the City has just completed the second program year and is currently submitting application for the next year. He indicated Rising Sun will be located at the Boys and Girls Club next year, because the Adult School is going through a transition process. He introduced Wells Brown, Regional Manager with Rising Sun Energy Center, who provided a recap of the 2015 California Youth Energy Services Program in Martinez.

Mr. Brown reviewed the work done in the last year, discussing successes in offering home energy and water conservation services, youth employment/training, services/equipment to residents and homeowners, a summary of energy savings, and demographics supplied by those served. He also thanked the City and partnering agencies for allowing his company to operate in the community.

Councilmember DeLaney asked for more information on the youth who applied and those hired, which Mr. Brown discussed including the rigorous interview process followed. Councilmember DeLaney expressed appreciation for the opportunities and benefits provided to students and residents.

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

Richard Verrilli welcomed the Police Officers in the audience and stated they provide an excellent service to the City and everyone appreciates their efforts. He was hopeful for good and fair negotiations on both sides. Mr. Verrilli brought to the Council's attention an article recently published in the Sunday Times regarding local government and the right to freedom of speech. He noted the article states we all have a right to speak in the time allotted and if not disruptive, the person has a right to speak no matter what terrible or bad things they say. Mr. Verrilli brought up the Public Decorum sign, which indicates the Mayor has a right to remove a person from the Chambers before they have finished speaking.

Mayor Schroder indicated he spoke with Mr. Verrilli earlier in the day, and noted he would be speaking with the City Attorney regarding how best to proceed in those situations.

Susan Gustafson expressed her support for the Police Department in their ongoing negotiations, and she encouraged the Council to provide pay and benefits comparable to other cities.

Felix Sanchez stated there is a sign at the Marina regarding trains blocking the intersection for longer than 10 minutes. He indicated a freight train recently stopped at the intersection for over an hour, which can be a hazard especially if there is an emergency on the other side of the tracks. He urged the Council to address this concern.

Eli Dominguez spoke about an individual who is dumping toxic waste in the creek, which he reported to the Police. He stated this needs to stop because it endangers the wildlife and the environment. He urged the Council to ensure the issue is addressed.

**CONSENT CALENDAR**

- A. Motion waiving reading of text of all Resolutions and Ordinances.
  - 1. Motion approving City Council Minutes for October 7, 2015. [M.Cabral]
  - 2. Motion approving Check Reconciliation Register dated 10/22/15. [C.Spinella/2.1.1]
  - 3. Motion direct staff to use the Bidder Pre-qualification process for the Hidden Lakes Soccer Renovation Project C5020. [T.Tucker/11.18.00&10.05.03]
  - 4. Resolution No. 103-15 of intention to grant a new pipeline franchise to Plains Products Terminals, LLC, d.b.a. Plains All-American Pipeline, LP, and to set a public hearing for December 2, 2015. [M.Chandler/31.00.00]
  - 5. Resolution No. 104-15 classifying four reserve categories in Assigned Fund Balance and a transfer from General Fund Unassigned Fund Balance to Assigned Fund Balance. [A.Shear/31.00.00]
  - 6. Resolution No. 105-15 establishing a rental charge and security deposit for private use of the Joltin' Joe Boat. [M.Chandler/02.02.00&11.15.04]

Councilmember Avila Farias requested Item #5 be removed and Councilmember DeLaney requested Item #3 be removed from the Consent Calendar.

Mayor Schroder opened public comment on Items A, #1, #2, #4 and #6.

Regarding Item #4, Eli Dominguez said he was opposed to the pipeline and would prefer Plains All American find cleaner energy alternatives. He also expressed concern about public safety with the pipelines.

Richard Verrilli asked for clarification on the pipeline, and Vice Mayor Ross explained it is an existing pipeline changing ownership. In response to a further question from Mr. Verrilli, Councilmember DeLaney discussed the finances of the agreement, and she noted there will be a public hearing on the issue at a subsequent Council meeting.

Seeing no further speakers, Mayor Schroder closed public comment on Items A, #1, #2, #4, and #6.

Councilmember DeLaney requested Item #1 be voted on separately, since she was not in attendance.

On motion by Debbie M<sup>c</sup>Killop, Councilmember, seconded by Lara DeLaney, Councilmember, to approve Item A and Items #2, #4, and #6 of the Consent Calendar. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M<sup>c</sup>Killop, Councilmember; Rob Schroder, Mayor; Mark Ross, Vice Mayor.

On motion by Mark Ross, Vice Mayor, seconded by AnaMarie Avila Farias, Councilmember, to approve City Council Minutes for October 7, 2015. Motion unanimously passed 4 - 0. Yes: AnaMarie Avila Farias, Councilmember; Debbie M<sup>c</sup>Killop, Councilmember; Rob Schroder, Mayor; Mark Ross, Vice Mayor. Abstain: Lara DeLaney, Councilmember.

### Item #3: Bidder Pre-qualification process for the Hidden Lakes Soccer Renovation

Councilmember DeLaney questioned whether the issues with the synthetic turf had been resolved or if there will be time to discuss them fully before the fields are installed.

City Engineer Tim Tucker explained the Council's earlier action had been to approve the schematic for the fields, but issues with the types of material used are still being considered by the Parks, Recreation, Marina and Cultural Commission.

Councilmember DeLaney said the State is still evaluating the use of synthetic turf and potential toxicity concerns. She indicated she would forward information to staff for their review. She confirmed with Mr. Tucker there will be additional discussion at the Council level.

Vice Mayor Ross noted he heard the same information Councilmember DeLaney referenced. He asked how it will be possible to create a prequalified bidders list if the type of material to be used is unknown. Mr. Tucker reviewed stages in the process, noting this list will be used in the first phase of the project, but will not include the infill material.

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

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Vice Mayor, directing staff to use the Bidder Pre-qualification process for the Hidden Lakes Soccer Renovation Project C5020. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M<sup>c</sup>Killop, Councilmember; Rob Schroder, Mayor; Mark Ross, Vice Mayor.

Item #5, Classifying four reserve categories in Assigned Fund Balance and a transfer from General Fund Unassigned Fund Balance to Assigned Fund Balance:

Councilmember Avila Farias asked why this item was on the Consent Calendar, as she felt the moving of funds within the budget should be fully discussed and explained in a public forum.

Finance Manager Cathy Spinella clarified there is no expenditure of funds. She explained the different types of fund balance and that the transfer is merely moving unassigned fund balance to four assigned fund balance categories.

Mayor Schroder explained there was more revenue at the end of fiscal year 2015 than had been expected, coming from one-time sources.

Vice Mayor Ross added more details on the revenue, noting some was insurance rebate, some salary savings, etc.

Councilmember M<sup>c</sup>Killop asked if the funds can be transferred from one category to another since they have been moved from Unassigned Funds to Assigned Funds. Ms. Spinella said yes, as long as they are not in a Committed Fund Balance, which would require more than a Council resolution.

Councilmember DeLaney expressed appreciation for the detailed report and for the amount of reserves the City has been able to accumulate, with \$5.3 million to remain in the Unassigned Funds and an additional \$5 million in assigned fund balance, after the transfer.. She commended staff for the strong financial position the City is in. Councilmember DeLaney expressed the need to transfer more to assigned fund balance to help with future pension costs and infrastructure needs.

Vice Mayor Ross agreed with Councilmember DeLaney regarding the future challenges and the need to set aside more. He noted the Council Budget Subcommittee has frequently discussed those issues and options. He also noted a reserve policy will be brought to Council. Mayor Schroder, who also serves on the Budget Subcommittee, acknowledged pension costs and infrastructure needs were prime issues.

Assistant City Manager Alan Shear stated the reserve policy is planned for the November 18th meeting.

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

Councilmember DeLaney asked whether the Council could increase the transfer amount to assigned fund balance for OPEB (other post employment benefits) and for infrastructure by an additional \$500,000, and decrease the unassigned fund balance by \$1 million.

Mayor Schroder said he thought the reserve policy discussion should happen before taking action. The Council agreed by consensus.

Councilmember Avila Farias reminded the Council of their plan to discuss the potential use of sales tax revenue to address infrastructure needs. Vice Mayor Ross expressed confidence an in-depth review of the options will help Council make an informed decision.

On motion by Mark Ross, Vice Mayor, seconded by Lara DeLaney, Councilmember, to approve Resolution No. 104-15 classifying four reserve categories in Assigned Fund Balance and a transfer from General Fund Unassigned Fund Balance to Assigned Fund Balance. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M<sup>c</sup>Killop, Councilmember; Rob Schroder, Mayor; Mark Ross, Vice Mayor.

## **PUBLIC HEARING(S)**

### **CITY MANAGER**

7. Motion accepting the Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2015. [A.Shear/2.1.0]

Assistant City Manager Alan Shear introduced the item, discussing background information, staff input and recommendations, and the Council Budget Subcommittee's review of the report.

Tim Krisch of Maze and Associates discussed highlights of the report including the positive result of the City's finances and the audit and no areas of improvement needed, credit to staff for following the financial policies and direction of the Council, and pension liability issues.

Mayor Schroder clarified that there are two retiree categories - one for retirement salaries and one for OPEB (other post employment benefits).

Vice Mayor Ross added that recent legislation has resulted in each city being required to delineate and specify actual retiree costs, whereas in the past the information was pooled among several entities. He commented on the benefit of knowing and sharing specific data for Martinez, but he was concerned with difficulties inherent with understanding the metric and future implications, especially in comparison with other similar entities.

Mr. Krisch noted before issuing its report, his agency had to wait for CALPERS (California Public Employees Retirement System) to confirm the starting pension figures were accurate.

Vice Mayor Ross commented on the City's history over the past ten years with repeated positive results, and commended staff for their hard work as exemplified by their continued excellent achievements.

Councilmember DeLaney thanked Mr. Krisch for his report, expressing appreciation for the long-standing service supplied by Maze & Associates; as well as staff, especially Ms. Spinella, for the excellent accomplishments in service to the City.

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

On motion by Debbie M<sup>c</sup>Killop, Councilmember, seconded by AnaMarie Avila Farias, Councilmember, accept the Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2015. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M<sup>c</sup>Killop, Councilmember; Rob Schroder, Mayor; Mark Ross, Vice Mayor.

8. Report on Dog Park (review of history). [T.Tucker/11.01.00]

City Engineer Tim Tucker presented the staff report, discussing background history, efforts of the PRMCC (Parks, Recreation, Marina and Cultural Commission) to consider the issue, design criteria, types of amenities needed, evaluation of City parks for potential location, the preferred location of the PRMCC, status and next steps in the process.

Mayor Schroder commented on the history and progress, including potential sites and input from the public. He agreed with resident Linda Meza, who cautioned not to rush ahead with the dog park at the expense of other equally important needs facing the City, and to ensure a thoughtful process is followed to consider all aspects of the park.

Councilmember Avila Farias asked why this report was being given now rather than after the PRMCC finishes its process and makes recommendation to the Council. She noted she attended the last PRMCC meeting, but did not get the sense the process was being unduly rushed. She acknowledged the strong support and interest of many in the community and their valuable input.

Councilmember M<sup>c</sup>Killop expressed appreciation for all the effort and support since 2004 for creation of a dog park. She clarified whatever site is chosen for the dog park will also be a people park and will provide social and recreational resources for the whole community, not just dogs and dog lovers. She also agreed the process has not been rushed, considering it has been discussed and considered for more than ten years.

Councilmember DeLaney suggested the Waterfront Road open space be considered again, in spite of information received from the County; she reviewed their concerns and possible mitigations to address the issues raised thus far.

Vice Mayor Ross agreed the site had potential and should be considered and evaluated with other potential sites. He acknowledged the process should not be forced or rushed, but he agreed it was important to the community and should be followed through to implementation.

Councilmember Avila Farias commented on the excellent work of the PRMCC thus far; she thought it was premature for Council to make recommendation of a particular site at this point.

Mayor Schroder opened public comment on Item #8.

Lisa Mohoi indicated her interest in the project began in September when comments were made at a City Council meeting. She noted she created a Facebook page and now has 200 members in support, and while not wanting to "rush" the project, she wanted the Council to be aware of the community's interest and desire to see the process through to completion. She was not supportive of the Waterfront site, but acknowledged it could be evaluated along with other potential sites. She prefers a downtown location.

Rick Marrazani said he thought the toxic waste site would be a great second dog park, after it has been made safe for use. In the meantime, he also prefers a location near downtown. He expressed strong support for a dog park to finally be completed for the community, and thought the information presented by staff focused too much on the negatives. He also pointed out the report sent by the citizen group listed three potential sites, and urged the Council to consider their information and ensure it is forwarded to the PRMCC.

Mayor Schroder clarified that the Council is supportive of the concept; his point in citing the email from Ms. Meza was to ensure a careful process is followed, including review and recommendation from the PRMCC.

Rob Craulik commented on his desire to be involved in community activities, particularly now with the dog park. He was pleased to hear and see the majority of the Council is supportive of having a dog park and speaking positively about the idea. He was hopeful about the eventual completion and use of a dog park in Martinez.

Michael McGrath was optimistic about the possibilities forthcoming and expressed appreciation to Mr. Marrazani and others for organizing the community group. He asked the Council who makes up the Dog Park Subcommittee and how members were chosen. He also asked how the "preferred" site was chosen and by whom. Mayor Schroder explained the Subcommittee was made up of members from the PRMCC and chosen by them; he also clarified the preferred site was based on information/evaluation made in 2004 as part of the Parks Master Plan prepared by staff and the PRMCC. Mr. McGrath said he didn't like the site, but looked forward to the upcoming workshop on the subject.

Councilmember Avila Farias discussed the role of the Subcommittee within the PRMCC, noting they welcome any members of the public who want to be involved in discussions. She also pointed out Councilmember M<sup>c</sup>Killop has doggie treats available at the dais for any furry friends in attendance.

Marlene Bigley commented on the importance of a dog park, noting twelve years should be long enough to consider the issues and finally implement it. She expressed appreciation to the Council for their consideration and support.

Seeing no further speakers, Mayor Schroder closed public comment on Item #8.

Mayor Schroder stated the report was for information; and there was no need for any Council action.

Mayor Schroder recognized Doug Stewart in the audience and asked him to come forward.

Mayor Schroder and the City Council presented a Certificate of Recognition for his public service on the Civil Service Commission. Mr. Stewart expressed his appreciation to the Council as well.

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

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

10. Consider reappointment and appointments to the Planning Commission and the Veterans Commission: [M.Cabral/16.00.04&16.06.01&16.07.01]

A. Approve reappointment of Kimberley Glover and appointment of Jim Blair to the Planning Commission for a four year term.

Item continued to next meeting.

B. Approve reappointment of Charles Martin and appointment of Michael Menesini to the Veterans Commission for a four year term.

On motion by Rob Schroder, Mayor, no second required to approve reappointment of Charles Martin and appointment of Michael Menesini to the Veterans Commission for a four year term. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M<sup>c</sup>Killop, Councilmember; Rob Schroder, Mayor; Mark Ross, Vice Mayor.

### **CITY COUNCIL**

11. Council Subcommittee Reports.

Councilmember DeLaney announced a Pickle Ball Ad Hoc meeting on November 9th at 6:00 p.m. in the Council Chambers.

12. City Council Comments.

Vice Mayor Mark Ross stated the fiscal health of the City continues to be very impressive. He noted there is almost a 50 percent cushion between reserves and reserve accounts, and staff should be commended for keeping Council on the straight and narrow when it comes to fiscal responsibilities.

Councilmember Debbie M<sup>c</sup>Killop commended staff on the CAFR report. She wished her daughters Bryanna and Makaela Shields a happy 17th birthday.

Councilmember Lara DeLaney spoke on the Joltin Joe rental fee policy, whereby a couple groups would be exempt from the rental charge and security deposit. She requested the Martinez Historic Society be included in the exemption. Councilmember DeLaney noted the City allowed the Historic Society use of the Joltin Joe for the Home Tour, then charged them for the use.

Councilmember DeLaney requested staff to refund the money. Vice Mayor Ross questioned if the Council just approved the rental fee, how could they be charged? Councilmember DeLaney acknowledged she might be misinformed and would research further before requesting the refund.

Councilmember Avila Farias expressed her appreciation to Mayor Schroder and Officer Estanol for hosting John Swett Elementary School in the Council Chambers. She reported Mayor Schroder provided a civic engagement from 5 to 9 year old students where they toured City Hall. Mayor Schroder stated they held a mock Council meeting, which was a lot of fun.

Mayor Schroder announced a play at the Campbell Theater "To Kill a Mockingbird" November 13th through the 15th and 20th through the 22nd; he encouraged the public to attend.

Mayor Schroder also noted he received a letter, which he read, from Anthony Hurdle from San Rafael with an enclosed photo and poem of Mr. Frederick A. B., an official at the Chinese Consulate of San Francisco in 1878 who lived on a farm in Martinez. Mayor Schroder indicated he would forward both documents to the Martinez Historical Society.

Mayor Schroder requested the meeting adjourn in the memory of the two young ladies who passed away last Sunday. Councilmember DeLaney requested the meeting adjourn in memory of Susan Randall, mother-in-law of Captain Eric Ghisletta.

The Council adjourned to Closed Session.

## II. CLOSED SESSION (Board Room)

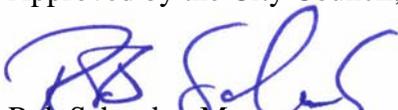
- A. Pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS  
Agency Designated Representatives: Rob Braulik, City Manager; Alan Shear, Asst. City Manager; Fran Buchanan, IEDA.  
Employee Organization: Laborers International Union of No. America, Local #324; Martinez Police Officers Association; Martinez Police Non-Sworn Employees Association and Management Compensation Plan.

Mayor Schroder reported direction was provided to the City's negotiators.

## ADJOURNMENT

Adjourned at 8:19 p.m. *in memory of Lauren Smith and Marlana "Marley" Rose Heim and Susan Randall*, then to a Regular City Council Meeting November 18, 2015 at 6:00 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 – 12/02/15