

I. CALL TO ORDER

Vice Mayor AnaMarie Avila Farias called the meeting to order at 6:15 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, California with all members present except Mayor Schroder and Councilmember DeLaney who were excused.

II. PUBLIC COMMENT (Comments are limited only Closed Session)

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

III. CLOSED SESSION

- A. PURSUANT TO CAL. GOV'T CODE SECTION 54957 PUBLIC EMPLOYMENT - Title: City Manager PUBLIC EMPLOYEE APPOINTMENT - Title: City Manager
- B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Initiation of litigation pursuant to California Government Code Section 54956.9 (d) (4): One potential case.

IV. RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

The meeting reconvened at 7:15 p.m. in the Council Chambers. Vice Mayor Avila Farias reported a Closed Session was held regarding Public Employment and Public Employee Appointment, Title: City Manager and Conference with Legal Counsel, Initiation of Litigation, one potential case; direction was given to legal counsel.

PRESENT: Debbie M^cKillop, Councilmember, Mark Ross, Councilmember, and AnaMarie Avila Farias, Councilmember.

EXCUSED: Lara DeLaney, Councilmember, and Rob Schroder, Mayor.

ABSENT: None.

PRESENTATION(S)

Vice Mayor Avila Farias noted that Item C under Presentations would be taken out of order.

- C. Certificate of Commendation acknowledging John Dickinson.

Police Chief Sappal read and presented a "Chief's Commendation" to John Dickinson, a citizen who volunteered his time to create an interactive map for the Police Department to allow citizens' use on the website. He reviewed how the map will work, and he expressed appreciation for Mr. Dickinson's help in creating the map and in training staff as well.

A. Swearing in of Police Officers Eric Broussard, Evan Tozier, and Ricky Vasquez.

Police Chief Manjit Sappal discussed how fortunate the City is to have been able to hire these very qualified officers. He introduced the officers, described their background, and introduced their families. The Swearing in was performed by City Clerk Gary Hernandez, who congratulated them. Officer Vasquez was pinned by Chief Sappal, Officer Tozier was pinned by his wife Adrienne Tozier, and Officer Broussard was pinned by his wife Cheri Broussard. The Council offered their congratulations.

B. Introduction of new Police Dispatchers Megan Magers-Rankin and Stephanie Cooley and Cadet Michelle Magana.

Police Chief Sappal introduced the new Police Dispatchers Magers-Rankin and Cooley and described their backgrounds. He also introduced Cadet Michelle Magana and described her background. The Council offered their congratulations.

Chief Sappal indicated that light refreshments were available in the lobby to welcome the new employees.

D. Proclaiming the 20th Annual East Bay Affordable Housing Week "Investing in Homes and Hope" May 13-May 21, 2016.

Vice Mayor Avila Farias read and presented a proclamation, on behalf of the City Council, to Krysta Morgenthaler, Habitat for Humanity East Bay/Silicon Valley. Vice Mayor Avila Farias commented on the importance of affordable housing in the state, especially in the bay area, and thanked Ms. Morgenthaler for coming.

Ms. Morgenthaler expressed appreciation on behalf of the several organizations that supported and organized activities for the Affordable Housing Week. She also discussed the work of Habitat for Humanity, which is building a 20-home development in the area. She encouraged everyone to participate in the activities and educate themselves about housing needs and options.

E. Presentation by Friends of Alhambra Creek and Proclaiming "25 Years of Friends of Alhambra Creek."

Friends of Alhambra Creek (Friends) provided T-Shirts to the Council and staff in honor of the Friends of Alhambra Creek. Mitch Avalon, Chair of the Alhambra Watershed Council, mentioned the Regional Water Quality Control Board is requiring cities and counties throughout the State to improve watershed health. He noted the Friends, all active volunteers, have been improving the watershed and creek health for 25 years.

Ben Wallace, Executive Director of Contra Costa Resource Conservation District, stated that this organization has been around for 75 years, adding that 25 years ago, the focus was mainly on farms and ranches in the County and now includes creeks as well. He also noted that 15 years ago, the Friends put out the Alhambra Watershed Management Plan, which became a model for stewardship in the watershed for watersheds throughout Contra Costa County, and a model throughout the State and the nation. Mr. Wallace expressed his appreciation to the Friends for 25 years of great service.

Igor Skardoff, Friends, shared pictures of volunteers and projects on the creek over the last 25 years, which benefitted the Alhambra Creek Watershed and its inhabitants, both human and otherwise. Some of their accomplishments were: projects for Flood Control and Riparian Ecological Restoration and creek cleanups; botanical trail of native plant gardens; water quality, phenology, fish and macro invertebrate and other scientific studies of the creek and watershed; and publication of the Alhambra Creek Watershed Plan and watershed maps. Mr. Skardoff recognized members who have passed away during the life of the organization, who left behind a lasting legacy: Alice and Mac Alderette, Bob Burchard, Don McPhee, Kathy Radke and Jeanne Will.

Vice Mayor Avila Farias, on behalf of the City Council, read and presented a proclamation recognizing "25 Years of Friends of Alhambra Creek." She also expressed her appreciation to each of the volunteers for their hard work in preserving the beauty for the next generation, including her own children.

As a founding member, Jayne Moore thanked City Engineer Tim Tucker and Deputy City Clerk Mercy Cabral for their assistance with the presentation, for the City's support and participation with the Friends in their work for the creek and the watershed, for the community's involvement and for the many volunteers, especially Shirley and Igor Skaredoff.

F. Water System Public Health Goals.

City Engineer Tim Tucker presented Acting Water Superintendent Alan Pellegrini, former Martinez Water Treatment Plant Operator and current Acting Water Superintendent. Mr. Pellegrini reviewed the Public Health Goals set by the Office of Environmental Health Hazard Assessment and are based solely on public health risk considerations. He reviewed the Maximum Contaminate Level that is allowed in drinking water. He added that data was collected in 2013, 2014, and 2015 for the purposes of determining compliance with drinking water standards and the City's water quality met all water standards, which is summarized in the Annual Water Quality Reports available for public review.

Acting Water Superintendent Pellegrini discussed the Flint Michigan Water Crisis and reviewed potential source for lead contamination. He indicated Martinez has been testing for lead since 1989 and explained the City's routine water testing process. In summary, the City does not have lead pipe or services, Martinez has a consistent source of water via Contra Costa Water District; and a Corrosion Control Program is in place and has not been changed. He noted there is a very low likelihood that any houses here have dangerous lead levels, and high risk homes can take steps to assess and minimize the risk.

Councilmember Ross asked about the City's ozone treatment process rather than chemicals that other facilities use. Mr. Pellegrini agreed, noting the City made the change back in the 1980s due to another contaminant that was in very high concentration in Martinez water.

Councilmember Ross asked whether the brominated chlorine that he puts in his spa is the same as the bromate that caused problems in Flint, and Mr. Pellegrini said it was not the same combination. Councilmember Ross asked why houses built from 1982-88 were the highest risk, which Mr. Pellegrini discussed.

Mr. Pellegrini stated the Water Treatment Plant will be shutting down for major repairs for three weeks and requested the community to double their conservation efforts during this period.

Councilmember M^cKillop asked for clarification on the contaminate levels cited by Mr. Pellegrini and whether they were continuing to go down. Mr. Pellegrini explained the statistics given were running annual averages and may have been caused by additional ozone needed to disinfect the water. He confirmed that the bromate formation has been reduced since that time.

Vice Mayor Avila Farias asked how/where people in homes at high risk for lead can have their water tested, and Mr. Pellegrini said the City will test the water for any households that want it done and assess the home with the residents. He also reviewed steps that homeowners can take to reduce their risks.

Councilmember Ross thanked Mr. Pellegrini and staff for making the presentation and allaying any fears that the Council or the community might have had. He also pointed out that Home Depot has free lead test kits as well.

Vice Mayor Avila Farias and Councilmember M^cKillop expressed their appreciation to staff also. In response to a further question, Mr. Pellegrini also discussed water-saving measures that residents can take during this season of drought.

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

Cheryll Grover commented on the historical significance of the old jail and expressed appreciation to the Council for their attention and for their efforts to get the county to recognize the City as a stakeholder in the planning process. She discussed construction impacts and hazards to the City that will result from destruction of the jail. She further mentioned that destroying the building for more parking spaces designated for county employees only is unnecessary and as proof, she submitted an impromptu survey she conducted by driving around 3:00 p.m., and she noted she found streets entirely deserted with 12 empty spaces.

Dutch, birth name Douglas Van Raam, spoke on saving the old jail and turning it into a medical marijuana dispensary to assist veterans. He commented on a flag he has that was made in China using hemp, but assembled in the United States with no petroleum products, and to which he will affirm allegiance; unlike the flag in the Council Chambers which no one knows its origin or components. He also expressed concern about illegally parked cars near the court house, while the drivers could have been inside testifying against others for breaking the law.

Eli Dominguez spoke on water being treated by the ozone which still leaves a funny taste. He acknowledged the new police officers, but expressed concern that police officers everywhere need more help psychologically. He also said he thought the police should involve the community in resolving the issues between them, rather than having a paramilitary presence which creates fear.

Vice Mayor Avila Farias read Mariana Angelilano's speaker card where she expressed her concern about earlier Closed Sessions.

Robert Moseley expressed concerns about the downtown and related economic issues, as well as needed repairs at the Marina, including public health and safety risks, and potential OSHA violations. He also noted that it appears sewage is being leaked out into the Marina too. He was concerned about the economic impacts on the City if the Marina continues to decline, and he suggested a bond measure or some other method to fund the repairs to save the Marina.

Felix Sanchez spoke about the old jail, stating that it should be saved, noting there are many potential ideas and viable opportunities that can be done other than using the site for additional parking. He expressed that the City is losing too many historic connections already - tearing it down is not the solution.

Richard Verrilli mentioned an editorial in the Contra Costa Times about a deal between the Contra Costa Water District and the State regarding the twin tunnels project, a deal made without a public hearing or public comment. He requested the Council take a position against the project because of the damage that will be done to the delta.

Mark Downing spoke on conditions at the Marina. He agreed there needs to be more funding from the State to help build it up, and the City should work to allow a restaurant to come in and/or create more events to bring more people down there.

CONSENT CALENDAR

Vice Mayor Avila Farias requested removal of Item 4 for further discussion.

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

1. Motion accepting Check Reconciliation Register dated 04/14/16. [C.Mosser/2.1.1]
2. Motion accepting the Cash and Investment Report ending March 31, 2016. [C.Robinson/2.1.0]
3. Resolution No. 036A-16 approving the financial provisions agreed to in the tentative agreement reached between the City of Martinez and the Management Compensation Plan. [A.Shear/4.5.7]
5. Resolution No. 033-16 authorizing the City Manager to contribute funding for a Community Choice Aggregation Study and amend the FY 2015-16 Budget with a Budget Transfer from Unassigned Fund Balance in the amount of \$15,000. [M.Chandler/30.08.00]
6. Resolution No. 034-16 accepting the Harbor View Reservoir Replacement Project per contract documents and instruct the City Clerk to file a Notice of Completion. [D.Salts/15.04.04]

Vice Mayor Avila Farias opened and closed public comment on Consent Items A, #1-#3, #5 & #6 with no speakers coming forward.

On motion by Mark Ross, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve Item A, Items #1 through #3 and Items #5 and #6 of the Consent Calendar. Motion unanimously passed 3 - 0. Yes: Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Councilmember.

4. Motion directing staff to hold a third Dog Park Workshop to further evaluate locations and develop a detailed options matrix; and direct staff to begin to develop preliminary cost estimates and feature options for a dog park. [T.Tucker/11.01.00]

Vice Mayor Avila Farias explained that she wanted the item pulled from Consent because she thought it would be good for the public to hear what is being proposed. She was appreciative of staff for bringing the item back to the Council in such a timely manner.

Interim City Manager Jim Jakel commented on the apparent consensus of support in the community and among the Council for having a dog park, noting that now it's simply a matter of where and when. He thought it is a very do-able project and one that he can give input on and perhaps make progress in the limited remaining time that he will be with the City.

Councilmember Ross expressed support for moving forward with the planning process.

Councilmember M^cKillop indicated her support as well and thanked Mr. Jakel for his work in bringing the report. She was appreciative of the progress being made and was excited about the possibilities.

Vice Mayor Avila Farias reviewed with staff the next steps in the process. Mr. Jakel discussed the timeline, saying he was confident in Mr. Tucker's abilities to manage the project and hopefully a third workshop should be possible sometime in June followed by a report back to the Council.

Vice Mayor Avila Farias opened public comment on the item.

Robert Moseley noted that the dog park supporters will continue to advocate for progress until it can be accomplished. Personally, he thought a downtown location would be most helpful since yard sizes are smaller in those neighborhoods. He asked, and staff confirmed that copies of the staff report are available to the public.

Seeing no further speakers, Vice Mayor Avila Farias closed public comment on the item.

On motion by Debbie M^cKillop, Councilmember, seconded by Mark Ross, Councilmember, direct staff to hold a third Dog Park Workshop to further evaluate locations and develop a detailed options matrix; and direct staff to begin to develop preliminary cost estimates and feature options for a dog park. Motion unanimously passed 3 - 0. Yes: Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Councilmember.

PUBLIC HEARING(S)

7. Public hearing to consider a Resolution increasing those fees included within the categories of the City's Fee Schedule as Community Services - Recreation - Municipal Swimming Pools General Admission Fees, Swim Lesson Fees, and Facility Reservation Fees. [M.Chandler/2.2.3]

Assistant to City Manager Michael Chandler presented the staff report, reviewing the last fee adjustments that were made in 2014, comparison of expenditures and revenue for 2014 and 2015, projections for 2016, and a summary of the proposed updates.

Recreation Supervisor Patti Lorick responded to questions from Vice Mayor Avila Farias about the revenue from swim lessons and the proposed change in the structuring of the lessons/fees.

Councilmember M^cKillop said she thought the proposed changes were modest and appropriate; she indicated her support for the staff recommendation.

Vice Mayor Avila Farias asked about assistance for economically disadvantaged children to be able to participate, and staff confirmed scholarships were available, which she reviewed.

Councilmember Ross asked about Measure H funding and discounts for Martinez residents, which Ms. Lorick discussed. Councilmember Ross also confirmed there have been only minor rate increases for the pool since 2012. He pointed out that the last pool got into financial distress because the amount of subsidy did not allow for adequate maintenance.

Vice Mayor Avila Farias opened and closed the public hearing with no speakers coming forward.

On motion by Debbie M^cKillop, Councilmember, seconded by Mark Ross, Councilmember, to approve Resolution No. 035-16 increasing those fees included within the categories of the City's Fee Schedule as Community Services - Recreation - Municipal Swimming Pools General Admission Fees, Swim Lesson Fees, and Facility Reservation Fees. Motion unanimously passed 3 - 0. Yes: Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Councilmember.

CHIEF OF POLICE

8. Chief of Police Comment(s)/Update(s) - None given.

CITY MANAGER

9. Draft General Plan Review and Adoption Process.

Interim City Manager Jakel introduced the item, noting that the consultant would be presenting the staff report.

Christine O'Rourke, Consultant, expressed appreciation and excitement for being able to work with the Council, City staff and the community on the General Plan update. She explained the purpose of the update, background on the existing General Plan (dating back to 1973) including required elements, the process thus far with the General Plan Task Force and public input, proposed next steps, four "white paper" policy questions for the Council to consider and discuss, and input requested from the Council on the overall process and content of the General Plan.

Senior City Attorney Veronica Nebb indicated she was available to answer any questions from the Council on the presentation as well as anything else related to the General Plan update.

Vice Mayor Avila Farias asked about the anticipated dates for each step in the timeline, which Ms. O'Rourke discussed, indicating she thought the Draft General Plan update could be ready for adoption by mid-2017. Vice Mayor Avila Farias expressed surprise at the estimated completion date, especially because it was begun in 2008. She also pointed out that a previous estimate for the completion was the middle of this year; she was confused why it still is a year away from completion.

Ms. Nebb explained that the one-year estimate given by Ms. O'Rourke was intended to cover any contingencies that might come up. She also discussed other factors that have slowed the process, such as staffing changes, the many letters that were received regarding the EIR which had to be responded to; legislative changes, and consideration of the white paper topics.

Vice Mayor Avila Farias expressed appreciation for the presentation, especially the clarity given to the process and the issues. She asked that a projected timeline to be included in future reports to establish clear goals and deliverables, especially in regard to the white paper topics. Ms. Nebb noted that the estimated time for the Planning Commission's review and input might extend the process slightly if they need multiple meetings to consider some of the policies.

Vice Mayor Avila Farias asked how General Plan Amendment requests are being handled in the meantime, which Ms. Nebb reviewed. She pointed out that the Council could decide not to consider GPA requests from now until the update is completed.

Councilmember M^cKillop expressed agreement with Vice Mayor Avila Farias regarding the need for a projected timeline. She asked for clarification on the changes made by the Office of Planning & Research and how they affect progress on the City's General Plan Update. Ms. O'Rourke said she has not had a chance to compare the draft document with the new Guidelines yet. She noted that some of the tasks could be done concurrently, which could save time overall.

Councilmember Ross said he would like to include sections on Air Quality and the Arts. Ms. O'Rourke said they were in the existing General Plan and were not proposed for deletion.

Councilmember Ross asked how external factors might affect the General Plan, such as a new proposed large development in a neighboring community that could have regional impacts. Ms. O'Rourke explained that the Martinez General Plan is intended to address growth and development within the City, so what another jurisdiction is doing or might do would not be considered in this process, unless it is within the City's sphere of influence.

Ms. Nebb agreed, although she acknowledged the City might decide to change some of its land use designations in order to mitigate against the plans of the other jurisdiction.

Councilmember Ross asked specifically about traffic impacts, and Ms. Nebb indicated that was slightly different and could be considered as part of the environmental analysis in considering the regional impacts. Councilmember Ross was appreciative of the report and expressed excitement at the General Plan Update finally being completed after so many years.

Vice Mayor Avila Farias asked that the projected timeline be brought to the Council within the next month, to ensure things don't get overlooked. Councilmember Ross pointed out it would give an opportunity for Mayor Schroder and Councilmember DeLaney to comment or ask questions about the update process.

At the request of Councilmember Ross, Ms. O'Rourke explained "white paper" topics provide background information on policy issues that have arisen. Ms. Nebb added the reports to the Council will also review the actions or decisions that the Council should consider for each issue.

Vice Mayor Avila Farias opened public comment on the item.

Mark Thompson reminded the Council there are legal issues that need to be considered regarding the Freitas' open space. He also clarified the Task Force's decision on the property, noting the Task Force disbanded before they were able to see visual studies they had requested. He acknowledged the studies were included in the Draft General Plan, however. He suggested that the policy decisions be made at the time the issues are presented and reviewed, not six months later, especially when those decisions might be controversial or unpopular.

Seeing no further speakers, Vice Mayor Avila Farias closed public comment on the item.

Vice Mayor Avila Farias expressed support for giving direction to staff tonight, and she thought Mayor Schroder and Councilmember DeLaney would understand. Councilmembers Ross and M^cKillop agreed.

Councilmember Ross responded to Mr. Thompson's comments and clarified that a policy decision or direction would be made as each topic is presented to the Council, although the final vote would be given when the General Plan is completed and approved.

On motion by Mark Ross, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve the proposed process to review the draft General Plan and adoption process. Motion unanimously passed 3 - 0. Yes: Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Councilmember.

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

Interim City Manager Jim Jakel notified the Council that due to the various staff changes, he requested the Council to consider cancelling the May 18th meeting and perhaps have three meetings in June. Mr. Jakel stated that he did not need an answer tonight, but to let him know for further discussion at the May 4th meeting.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

11. Council Subcommittee Reports.
12. City Council Comments.

Councilmember Mark Ross announced Earth Day on Saturday, April 23, 2016 at the John Muir Historical site, and he encouraged the public to attend.

Councilmember Debbie M^cKillop announced the Citizens Award on Saturday at the Shell Club House. She indicated she had attended Swan Day and Art Beat which were terrific events. Councilmember M^cKillop indicated she was proud of the Police Department and their growing police family.

Vice Mayor AnaMarie Avila Farias acknowledged Sandra Candanosa, Martinez resident, who is the regional recipient of the National Park Service George and Helen Hartzog Award for Outstanding Volunteer Service for bringing cultural heritage "Las Posadas" to the John Muir site, and will be receiving her award on Earth Day. She commended Chief Sappal on the community policing and response time, and she expressed excitement about the Police Department and is looking forward to the future.

ADJOURNMENT

Adjourned at 10:04 p.m. to a Regular City Council Meeting May 4, 2016 at 7:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez California.

Approved by the City Council,



AnaMarie Avila Farias, Vice Mayor

Mercy G. Cabral, Deputy City Clerk – 6/15/16