

I. CALL TO ORDER - SPECIAL CITY COUNCIL MEETING 6:45 PM (Board Room)

A. Commission/Committee Interview.

Meeting canceled.

II. RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder called the meeting in the Council Chambers at 7:00 p.m.

PRESENT: Lara DeLaney, Councilmember, Debbie M^cKillop, Councilmember, Mark Ross, Councilmember, Anamarie Avila Farias, Vice Mayor, and Rob Schroder, Mayor.

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

A. Proclamation "Recognizing the 75th Anniversary of Joe DiMaggio's 56-Game Hitting Streak."

Mayor Schroder, on behalf of the City Council, read and presented a proclamation to Paula DiMaggio, granddaughter of Joe DiMaggio.

Ms. DiMaggio reminisced about Joe DiMaggio and expressed her appreciation to the Council for the proclamation and the recognition of his abilities and his importance to the Italian-American community.

Councilmember Ross acknowledged Mr. DiMaggio's incredible athletic accomplishments and his example.

Mayor Schroder noted an upcoming boat show at Carnelian Bay in Lake Tahoe September 17-20, which will feature Joe DiMaggio's boat.

B. Contra Costa Water District Update on Water Supply.

Mayor Schroder stated this item would be heard later in the meeting since the District's representatives had not yet arrived.

C. California Youth Energy Services Program.

Wells Brown, Regional Manager with Rising Sun Energy Center, reviewed the Martinez program and types of energy, recycling, and water conservation services offered at no cost to residents. He provided a summary of the 2015 program, including the number of households served and the Martinez youth that were hired for the summer. He also reviewed the 2016 program, and urged the public to sign up for a Green House call to see what might be beneficial for them.

Councilmember DeLaney asked about outreach through social media, which Mr. Brown discussed. Councilmember DeLaney expressed appreciation for the program and the sponsoring partners that make it possible.

In response to a question from Councilmember M^cKillop, Mr. Brown discussed the PLEDGE program sponsored by Root Solutions that focuses on behavioral steps to take to effect change habits. Councilmember M^cKillop said she was pleased with the progression of the program over the years that Martinez has been involved.

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

Felix Sanchez spoke on the aftermath of the fourth of July regarding illegal fireworks in Oakland. He explained his idea to make their use legal for a fee, and with professional assistance, lighting the fireworks at a safe location to allow families to safely enjoy the fireworks on a larger scale than using illegal fireworks. He thought this could bring revenue to the City and get illegal fireworks off the street.

Mark Thomson spoke on behalf of Friends of Pine Meadow (Friends) regarding free speech during public comments at meetings of the Design Review Committee, Planning Commission, and the City Council. He noted that some Friends have been sued because of comments they made in opposition to the development proposal at the golf course site. He asked that the Council ensure and protect freedom of speech and issue a statement of confirmation either verbally or on City agendas for future public meetings so citizens aren't afraid to voice their opinions.

Harriett Burt addressed issues in the City such as the condition of sidewalks, especially in the downtown. She discussed her own recent fall, but noted there have been many more and some much worse than hers. She asked that the City find a way to make the sidewalks safer. She commented briefly on the state of City streets as well.

Mayor Schroder noted that later in the meeting, the Council will be discussing the possibility of a ballot measure to cover needed infrastructure improvements. He stated there is a program in place to assist homeowners who wish to replace the sidewalk in front of their property. Councilmember DeLaney asked that the Council be given an update on the program. Councilmember Ross suggested a sidewalk survey of the downtown area as well. Staff and the Council briefly discussed the areas in most need of work.

CONSENT CALENDAR

- A. Motion waiving reading of text of all Resolutions and Ordinances.
 - 1. Motion approving Council Minutes of May 16, and June 1, 2016. [M.Cabral]
 - 2. Motion approving Check Reconciliation Registers dated 06/23/16 and 06/30/16. [C.Mosser/2.1.1]
 - 3. Motion authorizing the City Manager to submit an entry form for the Joltin Joe to participate in the 2016 Antique and Classic Boat Society International Show, September 17 - 25, 2016, at Carnelian Bay, Lake Tahoe, California. [D.Scola/11.15.04]

4. Resolution No. 074-16 authorizing the City Manager to execute an agreement for consulting services with Psomas for Stormwater Geographic Information System (GIS) Development not to exceed \$170,000, and allocation of \$30,850 of NPDES funds. [T.Tucker/10.06.06& 17.06.20]

On motion by Mark Ross, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve Item A and Items #1 through #4 of the Consent Calendar. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; Anamarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

PUBLIC HEARING(S)

CHIEF OF POLICE

Chief of Police Mangit Sappal commented on the Fourth of July festivities. He indicated there was a great attendance with no public safety issues other than a few minor incidents. He was amazed at the plan the Department has for getting the public out of town. He also reported that the "National Night Out" will be held on the first Tuesday in August.

Councilmember Ross requested a status report on the Rankin Park fire. Chief Sappal said it was started by three juveniles, and the City received terrific response from Con Fire and the East Bay Regional Park District. Councilmember Ross revisited the emergency evacuation route near Panoramic and Thomas Drive and requested it be re-examined and residents made aware of their exit routes so emergency vehicles can come in quickly. Mayor Schroder noted an emergency gravel path down the back side of the hill after the last big fire.

Councilmember DeLaney requested the emergency evacuation route and public sidewalks be added to a future Infrastructure Subcommittee meeting, and Mayor Schroder agreed. She noted the next Franchise/Public Infrastructure Subcommittee meeting will be held this Friday at noon. Vice Mayor Avila Farias requested a dialogue with Contra Costa County regarding the possibility of Fire Station #12 being re-opened.

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

CITY MANAGER

6. Discuss and provide feedback on a future revenue ballot measure. [C.Mosser& M.Chandler /43.00.04]

City Manager Brad Kilger introduced the item, acknowledging the report could have a broader scope, but because of the short turnaround, there was limited data available. He commended staff, however, especially Mike Chandler and Cindy Mosser for their quick gathering, analysis and presentation of the information.

Assistant to the City Manager Chandler presented a PowerPoint on the ballot measures, discussing types of tax measures that can be considered, voter approval percentages needed for the measures to pass, deadlines for submitting measures for the ballot, timelines, public outreach, and potential needs or uses.

Finance Manager Cindy Mosser reviewed potential revenue that could be generated and costs to prepare and submit a ballot measure.

Mayor Schroder asked whether a ballot measure could be used to generate income for purchasing open space.

City Manager Brad Kilger acknowledged it would be structured differently than a sales tax measure, but he believed one could be done without stipulating a specific property.

Assistant City Attorney Veronica Nebb discussed the difference between a special use tax and a general tax. She agreed a measure could be submitted for the purpose of purchasing open space without specifying a property, and it can be grouped with other general uses. She noted such measures often have end dates for a tax levy with an extension clause that can be added with the approval of the voters.

Mr. Kilger discussed his experience with sales tax ballot measures, and reiterated the types of elections and percentage approval needed for each type and confirmed that November 2018 is the earliest date he would recommend.

Councilmember Mark Ross said he thought that a sales tax measure dedicated to a specific issue (such as roads) could still be done this year in time for the November ballot, with a sunset provision. He also pointed out that a secondary could be done for the 2018 November ballot, perhaps with broader targets.

Vice Mayor Avila Farias said she thought it was too ambitious to do for this year, given all that would be involved. She indicated she was also concerned that the school board may also be considering a ballot measure for this election. She urged caution and care, noting that rushing to the ballot could result in the measure failing.

In response to a question from Mayor Schroder, Mr. Kilger reviewed the estimated consultant costs and what the likely tasks would be. He also noted he wouldn't want to submit a ballot measure unless it has a good chance of passing, whether now or in 2018.

Councilmember Debbie M^cKillop commented on the importance of having a grassroots group in the community that will support the measure and promote it among the voters, in addition to the staff and the Council. She agreed with Mr. Kilger that it would be better to go thoughtfully through the process to better ensure that it will pass.

Councilmember DeLaney acknowledged she was torn - she did not see any reason to poll the community about the need because it is obvious there is need for infrastructure improvements. She was confident, as well, that the community will support an infrastructure improvement bond because the need is so great. If the full Council were in agreement, she would strongly support going forward with a ballot measure in the upcoming election this year. Further, she stated that she did not think it would damage future chances at a successful broad tax measure if the Council proposes one.

Mayor Schroder questioned whether June of 2017 would be a compromise between the November election of this year or waiting until November 2018. He thought it would give time to build a base of support before committing to it.

Vice Mayor Avila Farias said she would rather wait to be sure support is there, to be "in it to win it." She thought waiting would allow staff time to adjust to recent changes in City Hall personnel and to educate the public further about the need. She felt either 2017 or 2018 would work better than November of this year.

Mayor Schroder opened public comment on the item.

Harriett Burt said she thought it was too late to start a successful campaign this year. She thought 2018 was better because a special election in 2017 when voter turnout is usually lower, might bring out those in opposition and the measure could fail.

John Stevens expressed concern that if the ballot is too full, people will just vote no to a sales tax measure based on principle. He suggested that the Council consider a sidewalk/streets improvement measure to address the issues raised by Ms. Burt earlier. He questioned whether the amount currently budgeted for street repairs would enable the City to keep up with current repairs, while the use tax covers the backlog of postponed work. If not, he worried that at the end of the 9-year period on the measure, the backlog would still exist. Mayor Schroder explained that the gas tax increment from the State is already decreasing the amount given to local jurisdictions, which we will then need to work harder and be more creative to meet budget needs or find other fund sources.

Nancy Newman expressed agreement with Ms. Burt that something needs to be done now to ensure public safety, but also acknowledged concerns on rushing to get an item on the ballot too quickly without enough preparation would not ensure its success. As a homeowner, she added that too many bond measures could also be a deterrence for her.

Eli Dominguez expressed concern about too many bond measures and too many taxes. He questioned why the City did not set aside funds during the prosperous times to help cover expenses during leaner periods. He also asked what guarantees would be given that the funds generated would be used to fix the roads and not go towards some other purpose.

Felix Sanchez noted that the last tax measure that was voted on (Measure Q) failed, which is why the City lost Fire Station #12. He discussed the lack of information for the public regarding the measure, and pointed out that there are many more ways to reach the public through social media which could help the cause regardless of when it is put on the ballot.

Rich Verrilli agreed the issue of the streets is well known throughout the City. He thought a single-issue measure would have a greater chance of success and that November's election was the best time for it.

Harriett Burt asked for clarification as to whether the poor street conditions are localized (i.e., just in the downtown area) or throughout the City. Mayor Schroder confirmed conditions are also poor south of Highway 4. Mayor Schroder noted that Ms. Burt said Mr. Verrilli made a good point that a single issue measure is best, and this November's ballot might be possible.

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

Mayor Schroder indicated he was supportive of the concept but expressed concern about the campaign that would need to be waged, given the opposition that many voters have toward additional taxes. He was unsure it could be done successfully before November. However, he was supportive of at least considering this year's ballot.

Councilmember Ross said he did not think the people of Martinez need any education regarding the need for road repairs in the City. He offered any resources he has for publicity in support.

City Manager Brad Kilger clarified that the necessary polling is not to see whether the public is aware of the need, but to find out if they will support a sales tax increase and in what increment, especially given similar measures from other jurisdictions. If the Council wants to aim for November, he did not think the polling would be possible. He also commented on the necessity for a consultant to assist staff in the process, and reviewed some of those tasks.

Councilmember Ross responded that even if Martinez had submitted its measure six months ago, the other measures would still be on the ballot as well. Rather than rejecting all taxes, he thought some voters would narrow their focus and vote "yes" on those that directly impact them.

Mr. Kilger clarified that he did not disagree with Councilmember Ross, however, he was concerned about the amount of time needed for staff or a consultant to analyze and make recommendations on the different tax increments and other details.

Mayor Schroder said he thought the item should be continued to the next week allowing staff to continue the research. He noted that if the Council decides to move forward for November, it will need to act at the next meeting and be prepared for whatever costs may be associated with the short turnaround. Mr. Kilger clarified with Mayor Schroder the other details of the proposed repairs.

Vice Mayor Avila Farias said although she didn't think November of this year was doable, she was happy to continue the item and have staff bring it back to the Council with more information.

By consensus, the Item was continued to the next meeting with staff to return with more specific information about a potential sales tax measure.

Harriett Burt said the City should use the skills of Roy Jean to publicize the issue by having him paint the areas where streets are in need of repair with bright paint saying "Vote for Measure ____" right on the street.

B. Presentation by Contra Costa Water District.

Contra Costa Water District Vice President John Burgh expressed his appreciation to the City's customers for conserving water, and noted that out of 550,000 rate payers, only two were fined for failing to conserve. He indicated that the success in the conservation programs prevailed with the elimination of the temporary drought charge.

Mr. Burgh provided information on the statewide water supply as well as the District's water supply; and urged the public to continue their conservation efforts. He touched on the conservation services that are continuing, especially the lawn to garden program and other incentive programs. Vice President Burgh commented there is a possibility to expand Los Vaqueros reservoir to 275,000 acre feet by having other water agencies pay for it, providing benefit to all.

Vice President Burgh also indicated the District has made an agreement with the State of California (California WaterFix Agreement) that if the Twin Tunnels were to ever be built, the State will build and pay for any facilities needed to preserve the water quality and will not cause rate increases. He also confirmed that Contra Costa Water District decided not to take a position on the project, but as an individual he was strongly opposed to it. He thought it was ill-conceived, poorly managed and has no financing mechanism as of yet.

Mayor Schroder opened public comment on the item.

Richard Verrilli expressed concern that Mr. Burgh is giving away his own right to vote on this issue - he can say he doesn't support it, but if he is not actively opposing it, it means the same as support. He also said he would rather pay more money for water than see the tunnels go through.

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

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

City Manager Brad Kilger reported that he spoke with Congressman Thompson and Sheriff Livingston about the homeless issue in the downtown area. He also has been taking tours around the City and recently accompanied Police Commander Eric Ghisletta while on duty. He added that the services the police department has offered are commendable. He further mentioned that he has had meetings with County Administrator David Twa regarding the future of the downtown.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

8. Council Subcommittee Reports.

9. City Council Comments.

Vice Mayor Avila Farias requested the City Manager meet with someone over the old jail. She thanked City staff for the great Fourth of July celebration.

Councilmember Debbie M^cKillop thanked Main Street and staff for a wonderful Fourth of July event. She was glad it was a safe event.

Councilmember Lara DeLaney thanked Main Street and everyone involved in the success of the Fourth of July event as well.

Vice Mayor Avila Farias suggested that next year the City should look into areas that can be made more ADA compliant.

Councilmember Mark Ross thanked staff who helped with the Fourth of July event and expressed appreciation for the great job that Doug Stewart did in his tenure of helping the homeless.

Mayor Rob Schroder indicated the Council would be adjourning in memory of Alfred Lomeli, who passed away on June 26, 2016. Born and raised in Martinez, he enlisted in the Marines during WWII after graduation from Alhambra High School. He was elected as Contra Costa County Treasurer-Tax Collector from 1978 until 1998.

III. CLOSED SESSION (Board Room)

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of California Government Code section 54956.9: one case.

Mayor Schroder reported out from Closed Session stating that discussion was held on one case and direction was given to legal counsel.

ADJOURNMENT

Adjourned at 10:00 p.m. *in memory of Alfred Lomeli* to a Regular City Council Meeting July 20, 2016 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 9/7/16