

CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

The meeting was called to order at 7:00 p.m. with Councilmembers Lara DeLaney, Michael Menesini, Mark Ross, Vice Mayor Janet Kennedy, and Mayor Rob Schroder present.

PRESENTATION(S)/PROCLAMATION(S)

II. *Recognition of Alhambra High School students selected into the "People to People" Student Ambassador Program.*

Alhambra High students Joseph Ledesma (Freshman), Stephanie White (Sophomore) and Jessica Patterson (Junior) gave a PowerPoint presentation describing the goals of the Student Ambassador Program, which was founded by President Dwight D. Eisenhower. The City Council recognized the students for being accepted into the People to People Student Ambassador Program and presented them with certificates honoring them for being representatives of the City and the nation in Australia this summer.

PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)

Bettye Andrewson expressed her concerns with the condition of bus shelters, bus fares, parking meters, garbage cans that block sidewalks, too many motorhomes in residential areas, and the need for restrictions on leaf blowers. Mayor Schroder responded to some of her comments.

Charles Martin stated that eight of the lantern lights downtown have been out for quite some time; Christmas lights that were put up in 2000 should be removed; and the trees need to be trimmed. He also mentioned that the plastic tags used for the bike race need to be removed from the parking meters. He was concerned about the appearance of the downtown. Mayor Schroder discussed plans to improve the lighting set-up so they can stay up year-round, as well as increased funding for the City's maintenance department.

Mike Alford expressed his frustration with not receiving a response regarding the Shell release. He also complained about panhandlers in the downtown. At the request of Mayor Schroder, Chief Cutaia explained that panhandling itself is not illegal. Mr. Alford asked why there was a sign posted that said begging and loitering were illegal. Chief Cutaia said the sign is on private property and on school property, where different rules apply.

Councilmember Ross responded to Mr. Alford's comments about the report on the Shell release.

Richard Verrilli requested that Council address global warming and possible effects on the City of Martinez if the ocean water level rises as expected. He suggested the new City Manager should investigate the matter.

Councilmember Ross noted that a presentation on global warming would be made to the Council at an upcoming meeting, and he mentioned a seminar to be held in Oakland on Friday.

CONSENT CALENDAR

Motion Waiving Reading of Text of all Resolutions and Ordinances.

Mayor Schroder pulled item 9 for discussion. He also noted that a revision to item 10 was on the dais.

Councilmember DeLaney asked that item 7 be pulled as well. Mayor Schroder indicated that he would have to abstain from the vote on the minutes of February 7.

Mayor Schroder opened public comment on items 1-6, 8, 10, and 11, with no speakers coming forward.

2. *Motion rejecting claim(s) against the City by Joe Silva, #06-31. [M.Cabral]*
3. *Motion approving Check Reconciliation Register(s) dated 02/01/07, 02/07/07, and 02/08/07. [C.Heater/2.1.0]*
4. *Motion approving Revenue Summary and Expenditure Summary for December 2006. [C.Heater/2.1.0]*
5. *Motion adopting Ordinance 1335 C.S. amending the Martinez Municipal Code, Title 22 (Zoning), Chapter 22.04 (Definitions), Chapter 22.12 (Residential Districts) and Chapter 22.34 (General Requirements and Exceptions) to add development standards and limitations for the construction of accessory structures, including secondary housing units built as accessory structures, in residential districts. [C.Simon/9.04.04.02]*
6. *Motion accepting the Mid-Year Financial Report for Fiscal Year 2006-2007; and adopting a Resolution No. 014-07 approving the mid-year adjustments to the adopted budget for the 2006-2007 fiscal year. [C.Heater/2.10.00]*
8. *Resolution No. 009-07 amending the position titles and salary ranges for Department Head positions. [D.Blubaugh/04.05.01]*
10. *Resolution No. 011-07 adopting a 401 Governmental Money Purchase Plan and Trust to be known as the ~~Pleasant Hill/Martinez Joint Facilities Agency~~ City of Martinez 401 Plan as revised.[L.Marshall/04.05.14]*
11. *Resolution No. 012-07 authorizing destruction of records pertaining to the City Manager's Office. [M.Cabral/40.10.01]*

On motion by Janet Kennedy, Vice Mayor, seconded by Lara DeLaney, Councilmember to approve the Consent Calendar, Items 2, 3, 4, 5, 6, 8, 10, and 11. Motion unanimously passed 5-0.

1. *Motion approving City Council Minutes of February 2, and February 7, 2007. [M.Cabral]*

On motion by Lara DeLaney, Councilmember, seconded by Janet Kennedy, Vice Mayor approve the City Council Minutes of February 2, 2007. Motion unanimously passed 5 - 0.

On motion by Lara DeLaney, Councilmember, seconded by Janet Kennedy, Vice Mayor approve Council Minutes of February 7, 2007. Motion unanimously passed 4 - 0. Abstain: Rob, Schroder, Mayor; Rest, Yes.

7. *Motion approving Community Groups Funding Policy. [M.Chandler/02.08.00]*

Councilmember DeLaney asked for clarification on the process and the wording of the policy. City Manager Don Blubaugh agreed it should be made clear that the funding is subject to Council approval.

Councilmember DeLaney noted some minor corrections. Councilmember Menesini suggested continuing the item to the next meeting so staff can respond to and incorporate the suggestions.

Vice Mayor Kennedy also made comments and suggestions. After further discussion, the item was continued to the next meeting.

9. *Resolution No. 010-07 urging Kaiser Permanente to continue existing services at the Martinez Facility. [L.Marshall/06.03.01]*

Mayor Schroder indicated he was asking Councilmember Ross and Vice Mayor Kennedy to meet with Kaiser Representatives on behalf of the City.

Ted Radke expressed appreciation for Council leadership in this matter. He submitted a petition circulated by Evelyn Barlantoni, who was unable to attend the meeting. He indicated his support of the proposed resolution, and he briefly commented on the continued prosperity of Kaiser, as indicated by their growth. He was particularly concerned about the necessity to keep basic services, such as minor illness and injury, to prevent more major illnesses. He also commented on the need for a survey of current users of the Martinez facility. He urged the Council to contact the County committee as well. He concluded by quoting Henry Kaiser, "find a need and fulfill it", not "find a need and leave it."

William Mendell, Martinez resident and longtime Kaiser member, noted that the Kaiser facility was one reason he moved to Martinez. He discussed the numbers of customers currently using the Martinez facility, noting most are from the immediate area of Martinez, Walnut Creek, and Concord. He was concerned about the elimination of services, and he discussed the difficulty in driving and parking at the Walnut Creek facility, as well as the shifting of doctors to the new

Antioch facility from Martinez and Walnut Creek. He cautioned against making decisions based on the bottom line financially, not concern for the care of people. He was also concerned about the eventual elimination of all Kaiser services from Martinez.

Carol Russo discussed her experience with parking and access to the emergency room at the Walnut Creek facility.

Jerry Telles thanked the Council for the proposed resolution. He asked for retiree or senior citizen representation at the meetings between the Council and Kaiser.

Barbara Hannafan suggested the possibility of a shuttle bus at Kaiser in Martinez to Walnut Creek and Antioch, if services are moved as planned.

Mike Alford commented on the long term relationship between Kaiser and Martinez, and the need to consider people more than finances. He urged the Council to enlist the support of Congressman George Miller in its negotiations with Kaiser.

Roger Goodwin discussed his experience as a Kaiser member over the years. He asked that Kaiser consider new services for Kaiser Martinez, even as current ones are shifted to Antioch.

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

Councilmember Ross expressed appreciation for the Mayor's appointments to the committee. He also discussed the many years of volunteer service at the Kaiser facility from members of the community, as well as the support the City has given to the facility in an earlier bond. He commented on the "major injury" that will result to the most vulnerable people if the minor injury services are shifted. He commented on access difficulties at Walnut Creek Kaiser for seniors in particular.

Vice Mayor Kennedy acknowledged she was troubled that the City may lose necessary healthcare. She urged Kaiser to listen to the concerns of its members, especially the most vulnerable ones that will be most impacted by the changes.

Councilmember DeLaney said she wouldn't be surprised if some Kaiser members from Walnut Creek come to Martinez because of the improved access and parking. She urged Kaiser to take a long-range view of the potential for expansion in Martinez.

Councilmember Menesini acknowledged that Kaiser, as a business, might be tempted to maximize efficiencies for financial reasons. He encouraged them to consider what their members want or need, or they may lose membership.

Mayor Schroder expressed appreciation for the excellent care delivered by Kaiser in the past, and he was hopeful that Kaiser would approach the issue with an open mind and be willing to re-consider the matter.

City Manager Don Blubaugh suggested that the resolution be amended to include references to the prior financial support and to provide Kaiser with the video and minutes of the meetings.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember adopt Resolution No. 010-07 urging Kaiser Permanente to continue existing services at the Martinez Facility as amended. Motion unanimously passed 5 - 0.

The Council took a 10-minute recess at 8:05 p.m.

PUBLIC HEARING(S)

12. *a. Public hearing on majority protest to proposed increase in water rates beginning May 1, 2007; and adopt resolution establishing proposed water rates after amendment of the Martinez Municipal Code. [T.Tucker/15.01.01]*
- b. Introduce an ordinance amending the Martinez Municipal Code Chapter 13.04.010 establishing Water Rates.*
- c. Direct staff to draft a fee resolution for the April 18, 2007 Council meeting in accordance with Attachment 1 of this report amending Section 14, Schedule of Fees and Rates, of the Regulations governing Water Service for the City of Martinez Water System.*

The staff report was presented by City Engineer Tim Tucker, who discussed past rate reviews, the last rate increase in July 1994, and rising costs. He reported that 9,960 parcels are served by the City's water system, to which approximately 12,000 notices were sent out on January 2, 2007; with 21 written protests received and 85 notices returned by the Post Office. He also reviewed the staff recommendation for changes to the municipal code and enacting increases in accordance with State law. The City Attorney advised the Council as to the process should there be more protest letters received at this meeting.

Councilmember Ross asked whether a deferral of rate increase could be granted to an entity such as a hospital, if requested. Mr. Tucker said it could be considered but the difference in rate could not be passed on to other customers, but would have to be covered through the general fund.

Mayor Schroder opened the public hearing, noting that written protests to the rate increase were also submitted by Alma Benett and Oliba Cardona at this meeting, citing economic issues.

Henry Benton asked for confirmation as to whether approval of the changes recommended by Council will allow the water district to raise rates up to 5% per year for the next ten years. Mr. Tucker clarified that there is no ending date for the change.

Mr. Benton suggested that allowing the rate increases without oversight would be unwise. He also discussed the need for water conservation by the City and the water district, particularly along Center Avenue and at Hidden Lakes Park. He questioned how the City rates compare to other jurisdictions.

Mayor Schroder noted that the City buys raw water from Contra Costa Water District (CCWD), and its rates have been increasing almost yearly. Mr. Tucker added that the City rates would be indexed to the increased cost of raw water purchased, capped at 5%.

Councilmember Menesini added that the City rates are lower than rates charged to CCWD users. Councilmember DeLaney asked how much CCWD has raised its rates recently. Mr. Tucker said 2 to 2.5% per year.

The Council discussed with Mr. Tucker other factors that have contributed to the need for a rate increase, such as rising labor and power costs.

David Piersall questioned whether CCWD rates are actually lower than Martinez rates, citing his own study and that of the Contra Costa Times comparing the two suppliers. He also questioned whether the quality of water offered by the two providers was substantially different, and whether the need to retain "local control" was worth the extra cost. He requested that a more equitable formula be used to establish the rates based on actual costs, so that Martinez residents not served by the district are not forced to subsidize those that are.

Mike Alford asked how the City rates would be affected by drought conditions. Mr. Tucker explained that water rates are not based solely on consumption, but also on overall costs within the system. He acknowledged that a drought would mean less revenues for the district.

Paul Wilson commented that Martinez water is not the best-tasting. He urged the Council to consider the citizens before raising the rates, in view of rising costs in all areas.

There being no further speakers, Mayor Schroder closed public comment.

Councilmember DeLaney asked what would happen if the rate study shows that the district has over collected based on the total cost to operate the system. Mr. Tucker confirmed that rate reductions could be made without a public hearing, if the reserve levels would warrant.

Councilmember Ross noted that there needs to be adequate reserves to maintain and upgrade the system. He also mentioned that if the Martinez Water System were to merge with CCWD, some of the revenue collected from Martinez could go to maintain equipment outside of the City.

Councilmember Menesini added that Martinez has remained competitive with CCWD rates and improved water quality over the years. He expressed hope that Martinez could continue to be in charge of its own system, allowing for implementation of new technology, etc., when appropriate. He was supportive of the proposal as very responsible, and he commended the employees who have worked for the system.

Vice Mayor Kennedy discussed the work of the Council Water Subcommittee, reviewing and considering major improvements and repairs that are needed.

Councilmember DeLaney agreed the City has been fiscally responsible to the water system, and the proposal under consideration is reasonable.

Mayor Schroder commented on his experience with East Bay Municipal Utility District Water, agreeing that the improved water quality in Martinez matched that supplied by any other provider. He also commented on the necessity for clean, safe, good-tasting water, and he expressed appreciation for the hard-working staff. He agreed the proposal was sound and prudent, particularly in view of the need for upgrades to the system.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember to approve Resolution No. 013-07 establishing proposed water rates after amendment of the Martinez Municipal Code. Motion unanimously passed 5 - 0.

On motion by Michael Menesini, Councilmember, seconded by Janet Kennedy, Vice Mayor to approve introduction of an ordinance amending the Martinez Municipal Code Chapter 13.04.010 establishing Water Rates. Motion unanimously passed 5 - 0.

Staff directed to draft a fee resolution for the April 18, 2007 Council meeting in accordance with Attachment 1 of this report amending Section 14, Schedule of Fees and Rates, of the Regulations governing Water Service.

CITY COUNCIL

13. City Council Comments.

Councilmember Ross expressed congratulations to Leanne Peterson and all the many volunteers who worked on the Martinez Bike Criterium. He indicated it was a tremendous success.

Councilmember DeLaney thanked City staff, Police Department, Public Works Department for all their work on this event and especially to Noralee Gipner for all her volunteer organizing efforts.

Mayor Schroder indicated that he received a telephone call from Leanne Peterson updating him on the event.

Councilmember Menesini suggested a Certificate of Appreciation be given to Noralee Gipner for all her hard work.

Vice Mayor Kennedy also reiterated her appreciation to all those who helped with the Bike event, and to the community who came out in the rain to support the event. She indicated that AMGEN is seriously considering Martinez again for a host city next year.

CITY MANAGER

14. Comment(s)/Update(s)/Report(s).

Don Blubaugh announced the newest staff member to the City--Assistant City Manager for Community and Economic Development Karen Majors. The Council welcomed Ms. Majors.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

ADJOURNMENT

Adjourned at 9:01 p.m. to a Regular City Council Meeting on March 7, 2007, 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 – 3/7/07