

I CALL TO ORDER

The Council met in closed session at 5:45 p.m. with all members present except Councilmember Michael Menesini who arrived at 6:00 p.m.

II CLOSED SESSION:

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

Property: APN #373-030-018 & APN #373-030-019
Agency Negotiator: Don Blubaugh, City Manager; Wendy Roberts, Asst. City Attorney;
Richard Pearson, Transportation Projects Manager.
Negotiating Parties: City of Martinez and Alhambra Industrial Park Under Negotiation: Price and Terms.

PUBLIC EMPLOYEEMENT - pursuant to Section 54957 of the California Government Code.

Title: Chief of Police

III RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

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

Mayor Schroder reported that the Council met in closed session with respect to Conference with Real Property Negotiators and direction was given to the City's property negotiators. He also reported that with respect to Public Employment, direction was given to the employee negotiators.

PRESENTATION(S)/PROCLAMATION(S)

PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)

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

Charlie Crosby appealed to the Council for assistance with a code enforcement issue with a neighbor dispute regarding her side fence on 2810 Castro Street. At the direction of Mayor Schroder, Public Works Director Dave Scola indicated he would meet with Ms. Crosby to see what could be done.

Phillip Ciaramitaro stated that he wanted to work with the City Council and move forward together on current projects, such as the City pool and the Marina. He especially urged the Council to repair the fishing pier and provide other needed maintenance. He also asked the Council to work towards unity in the community. Mayor Schroder expressed appreciation for his input.

Mike Alford clarified statements he made that were omitted from the minutes from the last Council meeting. He indicated he would continue to write about the issues, and he would be accurate, in response to a question from Vice Mayor Kennedy at the previous meeting. He suggested a citizens group could facilitate better communication, since the Council seems to ignore certain issues. He urged other members of the public to come speak to the Council as well.

Bettye Andrewson inquired as to the status of bus shelters and extra stops especially at the Kaiser facility. Mayor Schroder said the bus system was looking at alternative locations for the bus shelters and schedule changes. He encouraged Ms. Andrewson to communicate directly with them.

Ms. Andrewson asked about garbage cans that are left on the curbside. Mr. Scola indicated that City ordinance only allows the garbage cans to be out 24 hours before and after pickup. He also gave the phone number for contacting code enforcement. In response to a question from Ms. Andrewson about recreational vehicles parked in the street, Mayor Schroder noted the Planning Commission was studying the issue. City Manager Don Blubaugh said that the only attendees at the Planning Commission were opposed to further restrictions.

Councilmember Menesini also mentioned that there is an ordinance in place, that might need better enforcement before enacting new regulations.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Motion approving City Council Minutes of March 21, 2007.
2. Motion rejecting claim(s) against the City by Elisa Ghanadan, Claim #07-05.
3. Motion approving Check Reconciliation Register(s) dated 03/15/07 and 03/23/07.
4. Motion authorizing the Mayor to sign a letter of support for Senate Bill 286 (SB 286), the implementation legislation for Proposition 1B, Street Rehabilitation funding.

6. Resolution No. 018-07 allocating Traffic Mitigation and Water Surplus Funds to Account No. C1005 for the Alhambra Avenue Improvements Project, accepting bids, and awarding the construction contract to Bay Cities Paving and Grading, Inc. in an amount of \$5,032,095 and authorize the Mayor to execute the construction contract.

- Resolution No. 019-07 authorizing the submittal of grant applications to the California Integrated Waste Management Board for Used Oil Block Grants through June 30, 2009 and authorize the Public Works Director to execute all documents.
- 7.

Item #8 was pulled from the Consent Calendar for discussion. Mayor Schroder opened public comment on Items 1-7.

Regarding Item #5, Paul Wilson asked for clarification on the wording of the proposed policy, as well as who is allowed to submit inserts. He suggested no more inserts be allowed. He questioned the effectiveness of the inserts, and whether the City's legal counsel had seen the ordinance. Mayor Schroder said legal counsel had reviewed it.

Mike Alford agreed that the inserts are not the best way to notify people of new policies, etc. Councilmember DeLaney responded that the notices of rate increases were not sent as an insert, but as a separate mailing. Mr. Alford said many residents did not remember getting the notices. Vice Mayor Kennedy said that the Council Subcommittee had researched and found that a separate notice was sent out in February. City Engineer Tim Tucker confirmed that to be so, in compliance with the legal noticing requirements. He indicated that notices were also put in the local newspapers, the Contra Costa Times and the Martinez Gazette.

Councilmember DeLaney noted that the Martinez Historical Society would qualify as a nonprofit that could use the inserts, under the proposed ordinance.

Roger Goodwin clarified the intent of the ordinance to allow nonprofits to place inserts in the water bill, without additional cost to the City. He expressed support for the ordinance.

On motion by Mark Ross, Councilmember, seconded by Janet Kennedy, Vice Mayor, to approve Items 1 through 7. Motion unanimously passed 5 - 0.

8. [Resolutions directing the City Engineer to prepare the Engineer Reports and Assessment Diagrams for the following Landscaping and Lighting Assessment Districts:](#)

- a. Resolution No. 020-07, 2000-2, Terra Vista, for fiscal year 2007-08.
- b. Resolution No. 021-07, 2001-1, Alhambra Estates, for fiscal year 2007-08.
- c. Resolution No. 022-07, 1997-1, Brittany Hills, for fiscal year 2007-08.
- d. Resolution No. 023-07, 1994-1, Creekside, for fiscal year 2007-08.
- e. Resolution No. 024-07, 1988-1, Center Martinez, for fiscal year 2007-08.
- f. Resolution No. 025-07, 1983-3, Vista Oaks for fiscal year 2007-08.
- g. Resolution No. 026-07, 1981-3, Muir Station Park, for fiscal year 2007-08.
- h. Resolution No. 027-07, 1979-3 (LL-2), Village Oaks Terrace, for fiscal year 2007-08.

Councilmember DeLaney commented on a complaint from a citizen regarding the adequacy of the Brittany Hills improvements. Mr. Tucker explained the purpose of the reports to summarize maintenance and improvements done, as well as a cost breakdown with the goal of only collecting enough to cover the costs. He further explained the process involved and the Council's role.

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

On motion by Lara DeLaney, Councilmember, seconded by Michael Menesini, Councilmember, approve Item 8 directing the City Engineer to prepare the Engineer Reports and Assessment Diagrams for the Landscaping and Lighting Assessment Districts as indicated on the agenda. Motion unanimously passed 5 - 0.

PUBLIC HEARING(S)

ORDINANCE(S)

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

Taken out of order:

11. [Consider the creation of a Council Economic Development Ad Hoc Committee and appoint Councilmember DeLaney and Vice Mayor Kennedy.](#)

Mayor Schroder briefly discussed the background and rationale for the Committee.

Councilmember DeLaney clarified that the Committee would be Ad Hoc and not a Standing Subcommittee, since it is tied to a specific need and funding.

Paul Wilson expressed his opposition to Ad Hoc Subcommittees, especially since the public is not usually included in the process. He also reviewed the many current Ad Hoc Subcommittees.

Mike Alford agreed with Mr. Wilson that the meetings should be open to the public. He asked the Council to explain why there is not more direct contact with the citizens.

Roger Goodwin expressed support for the formation of the committee and for the appointments of Councilmember DeLaney and Vice Mayor Kennedy.

Phillip Ciaramitaro confirmed that citizens are allowed to approach any Subcommittee and make suggestions. He encouraged all the residents of the City to take the initiative with the Council. Councilmember Menesini discussed the purposes of Ad Hoc Committees, as opposed to standing ones, noting that the law allows for both types. He also clarified that none of the Committees can make decisions on their own, but rather only make recommendations for the Council to consider in a public forum. He acknowledged the concerns expressed, but indicated his support for the proposed new Committee.

Councilmember Ross echoed Councilmember Menesini's comments, but he also agreed it might be time to clean up some of the older Ad Hoc Committees. He was supportive of the creation of the Subcommittee, and of the appointments proposed.

On motion by Rob Schroder, Mayor, no second required create a City Council Economic Development Ad Hoc Committee and appoint Councilmember DeLaney and Vice Mayor Kennedy. Motion unanimously passed 5 - 0.

CITY COUNCIL

9. City Council Comments.

Councilmember Ross urged the City to let nature take its course with the new beaver habitat. He announced the Earth Day celebration on April 21, beginning at the Downtown Plaza and the John Muir House.

Vice Mayor Kennedy reported on her attendance at the League of California Cities Community Services Committee meeting. She indicated there was much discussion about Measure 1C money being set aside for parks and open space, in relation to affordable housing developments and global warming. She also reported on the Housing Community and Economic Development Policy Committee meeting where housing and homeless issues were discussed. She announced the Walk and Win for Families event on Saturday May 12, at the Martinez Regional Shoreline; for more information call 687-8844 x 237.

Councilmember DeLaney also attended the League's Conference and reported out on the Environmental Quality Policy Committee meeting where they discussed climate change, mandates, and related issues. She also reviewed some of the guidelines and recommendations for leadership at the city level.

Councilmember Ross commented on ABAG's development of guidelines for green building principles and climate change impacts.

Councilmember Menesini requested that consideration of funding assistance for the Farmer's Market be placed on the next agenda. Councilmember DeLaney requested an article on the Farmer's Market be included in the City's newsletter. Councilmember Menesini acknowledged complaints he had received on the Carnival held last weekend, as well as complaints about Home Depot trucks off-loading and loading between 10:00 pm and 5:00 am. Staff indicated they would follow up with Home Depot management.

Councilmember Menesini also wanted to know how many resolutions were received from other agencies regarding Kaiser services. Mayor Schroder responded that the School District and East Bay Regional Park District had passed resolutions similar to Martinez.

Mayor Schroder indicated that the Farmers Market item will not be placed on the next agenda, but perhaps later. He recommended that they apply for funding using the process that the Council recently established. Councilmember Menesini asked that a letter be sent letting them know the process and that some type of economic assistance will be made available.

CITY MANAGER

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

No comments made.

ADJOURNMENT

Adjourned at 8:15 p.m. to a City Council Budget Workshop on April 18, at 5:30 p.m. in the Council Chambers then to a Regular City Council Meeting on April 18, 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 - 4/18/07