

## **CALL TO ORDER**

Mayor Schroder called the meeting to order at 5:45 p.m. with all members present except Vice Mayor Ross who was excused and Councilmember Menesini who arrived shortly after roll call. Council adjourned to Closed Session in the City Manager's Office.

### **I. CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 (one case relating to letter received from Thomas Lippe dated November 28, 2007)

### **II. RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL**

Mayor Schroder reconvened the meeting at 7:00 p.m. in the Council Chambers with Councilmembers Lara DeLaney, Janet Kennedy, Michael Menesini, and Vice Mayor Mark Ross present.

Mayor Schroder reported that a Closed Session was held and that it was the decision of the Council to continue Item #8A & B.

Vice Mayor Ross recused himself and left the dais.

On motion by Michael Menesini, Councilmember, seconded by Janet Kennedy, Councilmember, approve the continuation of Item #8, Freitas General Plan Amendment to the first meeting in March. Motion unanimously passed 4 - 0. Yes: Lara DeLaney, Councilmember, Janet Kennedy, Councilmember, Michael Menesini, Councilmember, and Robert Schroder, Mayor. Recused: Mark Ross, Vice Mayor.

Councilmember Ross returned to the dais.

### **PRESENTATION(S)/PROCLAMATION(S)**

- A. Swearing in of Gerardo Espinoza as Police Officer; Detective Aaron Roth as Police Sergeant; and Police Sergeant Eric Ghisletta as Police Commander.

Chief Tom Simonetti introduced the Officers and described their backgrounds. Swearing in performed by City Clerk Gary Hernandez. Mrs. Espinoza pinned her husband Officer Gerardo Espinoza, Mrs. Roth pinned her husband Sergeant Aaron Roth, and Mrs. Ghisletta pinned her husband Commander Eric Ghisletta. The City Council congratulated Officer Espinoza, Sergeant Roth, and Commander Ghisletta.

Mayor Schroder called a short recess a 7:21 p.m.

B. Presentation by Katherine Hern, Chairperson for "Citizens Committee on Parks Bonds."

Ms. Hern updated the Council on the progress of the Committee. She indicated that the support and volunteers are growing. Ms. Hern stated that it was the intent of the Committee to stay focused and narrow the bond to the municipal pool, library renovations, park and field improvements, and the bocce courts. She thanked Mayor Schroder and Councilmember Kennedy for volunteering to work on the Committee; and urged the Council's continued support and to approve the necessary bond professionals needed to prepare the bond for the November ballot.

Mayor Schroder expressed appreciation for Ms. Hern's leadership. He also recognized members of the Swim Team in the audience. He expressed strong support for the bond proposal.

Vice Mayor Ross also indicated an interest in the results of the poll, noting that recent bond successes have demonstrated that voters with diverse opinions can come together for the good of the community.

Councilmember Kennedy thanked staff and the committee, and all who have worked together to develop the bond concept. She especially appreciated the website and the narrowing of the focus for the bond, as opposed to the previous effort.

Councilmember Menesini thanked Ms. Hern for her outstanding presentation, acknowledging the important issues involved that need to be addressed, not the least of which is the community pool. He expressed appreciation and willingness to help.

Item 9 taken out of order.

9. Motion authorizing the City Manager to enter into agreements for professional services needed to poll the community and prepare what may be necessary to place a parks bond on the November 2008 ballot; and appoint two Council liaison members to the Citizens Committee and Parks Bonds. [J.Tool/40.20.00]

Deputy Director of Parks & Community Services Joann Tool presented the staff report. Mayor Schroder opened public comment on the item.

Paul Wilson commented on various cost estimates of the bond proposal for the consultants and pollsters. Mayor Schroder clarified the purpose of the proposed agreement, and Councilmember DeLaney noted that bond counsel fees are contingent upon successful passage of the bond.

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

Councilmember DeLaney indicated that she was supportive of the measure being proposed for the November ballot, but she was also concerned that the redevelopment issue not go by the wayside, if necessary.

Councilmember Menesini expressed concern that having both issues on the ballot could be problematic for gauging public sentiment. Vice Mayor Ross noted that having the poll for the bond issue might answer some questions.

On motion by Michael Menesini, Councilmember, seconded by Mark Ross, Vice Mayor, authorizing the City Manager to enter into agreements for professional services needed to poll the community and prepare what may be necessary to place a parks bond on the November 2008 ballot; and appoint Mayor Schroder and Councilmember Kennedy as liaison members to the Citizens Committee, and conduct a 20-minute poll to include the question of redevelopment. Motion unanimously passed 5 - 0.

## **PUBLIC COMMENT**

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

Mike Alford responded to Public Works Director Dave Scola's remarks from the last Beaver Subcommittee meeting, "Where did we lose our credibility?" He discussed past negative issues - the marina issue, high crime rate, graffiti, limited resources, homelessness (and inaccurate numbers in the past), the 2005 Shell incident, the change of "Columbus Day" to "Heritage Day", disrespecting the Italian descendants, and the long-lasting garbage strike.

Mayor Schroder asked, and Chief Simonetti confirmed that the City's crime rate has remained the same over recent years. Mayor Schroder also confirmed that the settlement from the Texaco incident was in an account, pending disbursement. Vice Mayor Ross indicated he would discuss that further with Mr. Alford privately.

Councilmember Kennedy also responded to Mr. Alford's statements about the homeless count. Councilmember DeLaney suggested Mr. Alford volunteer to help with the next count.

Seeing no further speakers, Mayor Schroder closed public comment.

## **CONSENT CALENDAR**

**MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.**

1. Motion approving City Council Minutes of January 9, and January 16, 2008. [M.Cabral]
2. Motion rejecting claim(s) against the City by Greg Mathias, Claim #07-33. [M.Cabral]
3. Motion approving Check Reconciliation Registers dated 01/10/08, 01/17/08. [C.Heater/2.01.01]
4. Motion accepting the Cash and Investment Report ending December 31, 2007. [C.Heater/2.01.01]

5. Motion adopting Ordinance No. 1343 C.S. amending Title 8 Health and Safety of the Martinez Municipal Code adding Chapter 8.19, Large Venue and Event Recycling. [B.Carr/30.01.01]

Items 6 and 7 were pulled for Council discussion.

Mayor Schroder opened and closed public comment on Items #1 through #5, with no speakers coming forward.

On motion by Janet Kennedy, Councilmember, seconded by Michael Menesini, Councilmember, to approve Items #1 through #5 of the Consent Calendar. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember, Janet Kennedy, Councilmember, Michael Menesini, Councilmember, Mark Ross, Vice Mayor, and Robert Schroder, Mayor.

6. Motion approving the reallocation of \$10,500 of the original allocation of \$15,000 for the library backyard fencing to be used for site furnishings.

Councilmember Kennedy said she thought this was a great project, but she recommended that the outside furniture be installed securely to avoid vandalism and loss.

Councilmember DeLaney congratulated the Friends of the Library on obtaining funding from Wells Fargo. Councilmember Menesini agreed.

Mayor Schroder opened public comment on the item.

Marta Van Loan acknowledged the project had been a long time coming. She agreed with Councilmember Kennedy and proposed that the Friends would find the money for securing the furniture, if the costs exceed the proposed allocation. Councilmember Menesini expressed confidence that the City could also help with the additional cost.

David Piersall expressed concern about the \$10,500 to be allocated by the City and suggested that the Friends bring back an itemized list of how the money will be used.

Harriett Burt suggested that money could be raised for the securing of the furniture by participating in the Friends of the Library book sale this Saturday. She also expressed appreciation to Wells Fargo for their contribution, and she commented on the fundraising done by the Friends, noting that the City allocation would be well used to benefit the community. She congratulated the Friends for a job well-done.

Mike Alford asked if the \$10,500 was only for anchoring the furniture. The Council clarified it was for the purchase of the furniture. Mr. Alford indicated he knew contractors, etc. in the community that could help with the anchoring.

Marta Van Loan (time yielded to her from another member of the public) responded to Mr. Piersall's comments, noting that the furnishings and cost estimates have been itemized. She also noted that some of the furniture would be from recycled materials.

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

Vice Mayor Ross stated that this was one of the most secure areas in the City. He was appreciative of the details given by the Friends, as a model for future applications to the City.

On motion by Michael Menesini, Councilmember, seconded by Mark Ross, Vice Mayor, approve the reallocation of \$10,500 of the original allocation of \$15,000 for the library backyard fencing to be used for site furnishings. Motion unanimously passed 5 - 0.

7. Motion accepting report and provide direction to staff on funding for a Priority Development Area in Downtown Martinez. [A.Lopez/9.19.00]

Deputy Director of Community Development Albert Lopez presented the staff report, discussing upcoming potential grant opportunities for projects in the downtown area and what additional research and planning would need to be done before the City could apply for the grants.

In response to a question from Mayor Schroder, Mr. Lopez also commented on the funding cycles.

Councilmember DeLaney suggested that the Council should give some consideration to the completion of the Downtown Specific Plan, particularly the area north of the railroad tracks. She also agreed that an updated parking plan, including a new parking structure, was something that should be considered. She encouraged application for the implementation grants to use for undergrounding utilities in the downtown.

Councilmember Kennedy echoed comments about the parking structure, and she also mentioned Brownfield mitigation funding where possible. She congratulated the Planning Commission on approving the Inclusionary Ordinance. She asked, and Mr. Lopez responded regarding the implications if it does not come to the Council before the end of February.

Vice Mayor Ross noted that the list of potential projects is long, but he expressed appreciation for Martinez being approved as a priority development area and the funding that will result from that. He also noted that ABAG is also considering nominations for priority conservation areas by the end of the year, which could be another source of funding. In response to a further question from Councilmember DeLaney, he expressed support for all five of the projects proposed by staff - leaving it to them to determine what would be most appropriate to pursue.

Councilmember Menesini commented that it does appear that the applications are project-driven and Martinez has plenty of projects. He encouraged some partnership with other governmental agencies, in order to strengthen the applications.

Mayor Schroder agreed that all the projects mentioned by staff were valid, especially the parking issue.

Paul Wilson asked for confirmation that Brownfield mitigation funds could only be used on City-owned property. He also commented on the Inclusionary Ordinance approved by the Planning Commission, including some potential exemptions by the Council. He questioned the appropriateness of some of the proposed uses for the grants, and he noted that the current market slowdown has affected development in the downtown area.

Mike Alford noted that there are a lot of missed opportunities, asking why a deep water port was not considered that could have brought much more revenue to the City.

Seeing no further speakers, Mayor Schroder closed public comment.

Councilmember DeLaney stated that she would never support loans for rental housing as one use for implementation funds. She also made further comments regarding resolution of the issue of housing north of the railroad tracks, particularly leveraging other funding. Councilmember Menesini agreed that would be a valid use, if a project could be found.

Vice Mayor Ross noted that the applications need to focus on plans that are already completed. He reiterated his support for the projects proposed by staff, and he suggested some funds be designated for the public hearing process as well. Vice Mayor Ross also noted that some of the PDA applications were denied because the plans were not complete.

Councilmember Kennedy expressed concern that rental housing not be ignored, as there is a need for housing at all levels, ownership as well as rental. She acknowledged that having completed the Specific Plan process was a plus for the City in its application. She agreed that consideration of the area north of the tracks was something to think about for the future.

Vice Mayor Ross confirmed that Councilmember Kennedy agreed that completed plans were preferred.

On motion by Michael Menesini, Councilmember, seconded by Mark Ross, Vice Mayor, accept report on funding for a Priority Development Area in Downtown Martinez. Motion unanimously passed 5 - 0.

## **PUBLIC HEARING(S)**

## **ORDINANCE(S)**

## **CONTINUED ITEMS**

- A. Resolution adopting a mitigated negative declaration and a mitigation monitoring program pertinent to a General Plan Amendment redesignating approximately 3 acres located at 635 Vine Hill Way from Open Space to Residential.

- B. Resolution approving a General Plan Amendment to re-designate approximately 3 acres from "Open Space" to "Residential," to allow the possibility of creating 4 additional single family home lots, in addition to the one existing single-family home on the 5.57 acre site at 635 Vine Hill Way. [V.Nebb/09.02.01]

Item continued to March 5, 2008.

## **CITY MANAGER**

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

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

## **CITY COUNCIL**

11. City Council Comments.

Councilmember Kennedy expressed concern about an injury accident at C Street and Alhambra Avenue where there are no markings and requested that it be taken care of soon. She also requested staff to look at extending the bike trail on Reliez Valley Road to John Swett School. She reported out on her attendance at the League of California Cities Conference meeting on Housing and Economic Development.

Councilmember DeLaney reported out on her attendance at the League's Conference meeting on the Environmental Quality Policy Committee meeting and requested placing the issue of "extended producer responsibility" on a future agenda for discussion.

Councilmember Menesini requested a status report on the surveillance cameras, to which Chief Simonetti responded. Councilmember Menesini also commented on the Alhambra Avenue Project, stating that he would like staff to look at the undergrounding of utilities from where Highway 4 crosses Alhambra Ave and south to John Muir. City Manager Don Blubaugh indicated it could be considered, but the Council would have to re-evaluate its priorities. Councilmember Menesini requested that staff look at retaining the County Community Development Department in the downtown.

Vice Mayor Ross requested that the Environmental Subcommittee meet soon. He thanked staff for removing the pier. He also gave a brief update on the status of the Beaver Subcommittee and announced that the next Subcommittee meeting would be canceled.

Mayor Schroder also thanked staff for the pier removal. He announced the State of the City Breakfast, February 7th at the Shell Clubhouse.

## **ADJOURNMENT**

Adjourned at 9:04 p.m. to a Regular City Council meeting on February 20, 2008, 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 – 2/20/08