

CALL TO ORDER

Mayor Schroder called the meeting to order at 5:45 p.m. with Councilmembers Lara DeLaney, Janet Kennedy, and Vice Mayor Mark Ross. Councilmember Michael Menesini arrived shortly after roll call. Adjourned to closed session in the City Manager's Office.

CLOSED SESSION (adjourn to City Manager's Office)

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Cal.Gov't Code section 54956.9(b): One potential case. Initiation of litigation pursuant to Cal. Gov't Code section 54956.9(c): One potential case.
- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to California Government Code Section 54956.8. Property: APN 373-030-018-7 & 373-030-019-5, Ferry Street, Martinez. Agency Negotiators: Karen Majors, Acting City Manager; Jeff Walter, City Attorney; Wendy Roberts, Asst. City Attorney. Negotiating Parties: City of Martinez and Carlo Zocchi, Alhambra Industrial Park; Ethan Friedman, Miller Starr & Regalia. Under Negotiation: Purchase Price, and terms of payment.

RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

The meeting reconvened at 7:00 p.m.

PRESENT: Lara DeLaney, Councilmember, Janet Kennedy, Councilmember, Michael Menesini, Councilmember, Mark Ross, Vice Mayor, and Robert Schroder, Mayor.

EXCUSED: None.

ABSENT: None.

Mayor Schroder reported that the Council met in closed session and direction was given to legal counsel with respect to Conference with Legal Counsel; and direction was given to the City's negotiators with respect to Conference with Real Property. There was nothing else reported.

PRESENTATION(S)/PROCLAMATION(S)

- A. Presentation by AT&T.

Mr. Will Rigney and Mario Vernizi, on behalf of AT&T, presented a check in the amount of \$5000 towards the City's 4th of July fireworks. The City Council extended their appreciation for the funds.

Councilmember Lara DeLaney reminded the Mayor that Shell Oil will be underwriting all the lighting for the event. Mayor Schroder expressed his appreciation to Shell Oil as well.

PUBLIC COMMENT

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

George Vesper spoke on the condition of a home on 1851 Ophir Court that is a fire and safety hazard as well as a terrible eyesore. After brief discussion staff was directed to investigate the matter and take whatever action possible.

Julian Frazer asked if the public will be allowed to speak on the Freitas project and on Item 4. Mayor Schroder stated that there will be an opportunity to speak on each subject. Julian Frazer expressed his concern with the downtown pockets. He indicated that it is unclear if all the businesses have encroachment permits, and would be wise to make sure everyone is treated equally. Mayor Schroder indicated that the entire streetscape would be evaluated, not just Luigi's location.

Paul Wilson expressed concern with a home across from his that has been vacant, with weeds that have grown so much that they are now a hazard. Mr. Wilson expressed his disappointment that the 4th of July celebration is being privatized after this year, and not being sponsored by the City.

Harriett Burt expressed the concerns of her friend, Fran Hammond, who reported the disappearance of the plaque on the memorial bench which her family purchased. Ms. Burt reported that several plaques from memorial benches at the Marina have also been removed. Ms. Burt indicated that it appears to be a pattern for people to steal these objects to sell the metal for money. She wanted the Council to be aware as well as the public. Mayor Schroder asked, and staff confirmed that the City has an inventory of the locations of the memorial plaques, but it is the responsibility of the individuals to maintain the plaques.

Vice Mayor Ross commented on the need for legislation to crack down on the recycling centers that are receiving these stolen metals. Councilmember DeLaney discussed pending legislation dealing with the issue.

Councilmember Menesini congratulated Ms. Burt on the 60th anniversary of the AAUW. He also commented on Ms. Burt's unique style in reciting the Pledge of Allegiance.

Mike Alford stated that all the stealing that is going on is a sign of the times. He reported there were people with pitbulls in the plaza, holding signs "Keep Martinez Clean, Give Us Money." He questioned why some action was not taken against them since the City has an ordinance regarding pitbulls. Mr. Alford also commented on the monies being spent on attorney fees with respect to the beavers, all to respond to Al Turnbaugh's attorneys.

Mark Thomson spoke about the Chamber of Commerce Barbecue Cook Off, which was a great event. He urged the City to look at other events, similar to the guitar event in Concord, to bring people in. Mayor Schroder agreed with Mr. Thomson. He also noted that there was some work towards developing a Fourth of July parade, but it may take a few years to get full support.

Harriett Burt suggested that the City has a wonderful opportunity to support the Arts in Martinez because people are coming to Martinez to see the performances by organizations like the Willows, Martinez Opera, Martinez Arts Association, and the Magic Theater. She indicated that the Arts might be an avenue towards revitalization in the City. Vice Mayor Ross and Councilmember Kennedy mentioned other arts venues in the City.

Julian Frazer suggested that a way to protect memorial benches is to shift the location, where they can be watched or use memorial planters throughout the town.

Mike Alford expressed appreciation for the way in which Mayor Schroder and Councilmember Kennedy handled the pockets meeting.

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 June 4, 2008. [M.Cabral]
2. Motion approving Check Reconciliation Registers dated 6/12/08, 6/19/08, and 6/25/08. [C.Heater/02.01.01]
5. Resolution No. 056-08 requesting and consenting to consolidation of a General Municipal Election on November 4, 2008, setting specifications of the election order, and requesting that the County Elections Official handle the issuing and filing of Candidate Nomination Papers. [M.Cabral/40.20.03]

Items 3, 4, and 6 were pulled for discussion.

Mayor Schroder opened and closed public comment on Items 1, 2 and 5, with no speakers coming forward.

On motion by Lara DeLaney, Councilmember, seconded by Janet Kennedy, Councilmember, to approve Items 1, 2, and 5 of the Consent Calendar. Motion unanimously passed 5 - 0.

3. Motion introducing an ordinance amending the Martinez Municipal Code Title 9, Public Peace Morals and Welfare, Chapter 9.52, Drinking Alcoholic Beverages in Public, to include the Consumption and Possession of Alcoholic Beverages in certain public places; and amend Title 1, General Provisions, Chapter 1.12, Violations - Infractions to include the amended provisions of Chapter 9.52. [G.Peterson/04.08.12]

Chief of Police Tom Simonetti presented a brief staff report, explaining the purpose of the proposed amendments, based on similar provisions in the cities of Concord and Walnut Creek.

Mayor Schroder opened public comment on the item.

Julian Frazer questioned whether this will mean that a person will be given a ticket for public drunkenness, rather than being taken away by the police (which he thought was more effective). He also questioned whether certain areas would be targeted rather than the whole City. He noted that he called once with a similar incident, and no one came for over an hour. Chief

Simonetti indicated that there has always been a State law in effect prohibiting "public drunkenness," and giving the police authority to take someone into custody who is unable to care for himself. He confirmed that this law will allow citation of a person with an open alcoholic beverage, and that person would either be cited or taken into custody if the situation warrants.

Mike Alford agreed this would be a good additional tool for the police. He asked whether a person could pick up a bottle and then go to the park to drink it, noting that public drunkenness increases the City's liability if someone should fall while intoxicated. Mayor Schroder said he thought the park district does not allow drinking alcohol on their properties.

Paul Wilson noted that being an alcoholic is a sickness, and sometimes it takes strong action to dissuade someone from drinking. He questioned whether there could be some sort of public education program, as there has been with drunk driving. He encouraged the City to take action to enforce the laws, rather than just issuing tickets.

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

On motion by Michael Menesini, Councilmember, seconded by Mark Ross, Vice Mayor, to approve introducing an ordinance amending the Martinez Municipal Code Title 9, Public Peace Morals and Welfare, Chapter 9.52, Drinking Alcoholic Beverages in Public, to include the Consumption and Possession of Alcoholic Beverages in certain public places; and amend Title 1, General Provisions, Chapter 1.12, Violations - Infractions to include the amended provisions of Chapter 9.52 Motion unanimously passed 5 - 0.

4. Motion authorizing the Mayor to sign a letter on behalf of the City in support of AB 1836 - Infrastructure Financing Districts. [M.Chandler/41.01.00]

Councilmember DeLaney indicated that the bill has been amended by the author to apply to the formation of public transit districts to fund public transit projects. She thought the bill still merits the Council's support.

The Council briefly discussed the status of the bill and comparisons with other similar bills.

Vice Mayor Ross said he was generally supportive, but he also would like to see how the bill looks when it comes out of committee.

Mayor Schroder opened public comment on the item.

Julian Frazer expressed concern that 2/3 support was seen as an unreasonable requirement; he was especially concerned that the goal of the bill is contrary to "sunshine" law.

Mike Alford agreed completely with Mr. Frazier. He expressed concern about the economic impacts. Councilmember DeLaney said there would be no increase in taxes. Mr. Alford also commented on the economic effects of bond issues.

Mayor Schroder clarified that this was a pending State bill, noting that the Council's vote of support would have no financial effect. Paul Wilson expressed concern about usurping the 2/3 vote that would affect taxation without representation. He questioned where the tax increment would come from - what other programs would be impacted. He was especially concerned because the State is going broke, the County is going broke, and so is the City.

Councilmember DeLaney noted that according to State law, the infrastructure financing districts cannot take money from schools. Mr. Wilson questioned how the money would be diverted and to what purpose.

Mayor Schroder clarified that the City is not going broke, and in fact has a healthy reserve fund.

Vice Mayor Ross noted that the current form of this bill would only benefit transit districts, which the City of Martinez is not.

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

Mayor Schroder echoed earlier comments from Vice Mayor Ross that he would rather wait to support the bill until it is in its final form.

Councilmember DeLaney suggested authorizing the City Manager to act once the bill is finalized.

There was brief discussion of the projected timeline for the bill. The Council decided by consensus to continue Item 4 to a future meeting.

6. Resolution No. 057-08 accepting bids for the Nancy Boyd Park Improvements and awarding the construction contract to the lowest responsible bidder. [T.Tucker/11.06.00]

Vice Mayor Ross thanked staff and the Park & Recreation Commission for their hard work, and indicated he was looking forward to the project going forward.

Mayor Schroder opened public comment on the item.

Julian Frazer commented on the previous item again, noting that the term for bonds was extended from 30 to 40 years. Regarding the park improvements, he urged that future repairs be made more promptly, out of consideration for the residents who have no other park. He noted that the repairs could have been made almost immediately, under the authority held by the City Manager.

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

On motion by Mark Ross, Vice Mayor, seconded by Janet Kennedy, Councilmember, to approve Resolution No. 057-08 accepting bids for the Nancy Boyd Park Improvements and awarding the construction contract to the lowest responsible bidder. Motion unanimously passed 5 - 0.

CITY MANAGER

Item 17 pulled out of order for discussion.

17. Discuss and approve the recommendation of the Parks and Recreation Commission to set the Parks bond amount at \$30 million, and accept the proposed bond language, and select the escalating debt service financing formula for the purchase of the bonds.
[J.Tool/40.20.03]

Deputy Director, Parks & Community Services, Joann Tool presented the staff report.

At the request of Mayor Schroder, Building Director Dave Scola discussed maintenance costs for the facilities, confirming that it is easier to maintain new facilities than older ones. Councilmember DeLaney asked about costs from increased water usage from the irrigation systems, as well as the useful life and replacement costs for the new synthetic surfaces. Staff said the useful life is 7-15 years for the synthetic fields, but the subsurface materials would not need replacement.

Mr. Scola again expressed confidence that the costs for repairs and staff time would be easily handled. Councilmember DeLaney commented on rising water costs around the State, expressing concern that the City is prepared to take on those costs.

Mayor Schroder commented on the easy programmability of the new systems, saving staff time and allowing for easy adjustments for different weather conditions. Staff noted as well that the new system will actually reduce water consumption, due to the use of energy-efficient and environmentally-friendly materials. Acting City Manager Karen Majors also commented on the ability of the system to adjust to the individual micro climates within the City.

Vice Mayor Ross echoed Mayor Schroder regarding maintenance costs for used equipment as opposed to those for new equipment. He agreed it would be good for the City to upgrade the facilities to allow for better efficiency, less water usage, less staff time, a more cost-effective system, and for the public good.

Councilmember Kennedy agreed with Vice Mayor Ross that there will be an ultimate cost-saving to the City from improving the facilities and equipment.

Councilmember DeLaney noted her concern was that the Council fulfills its fiduciary responsibility to make sure the City is aware of the financial impacts of the improvements.

Councilmember Menesini asked about indications of public support based on the amount of the bond. Ms. Tool indicated there was little change between the \$15 million and the \$30 million bond amount. She noted that a lower bond amount would mean that the City would not be able to do all the proposed improvements.

Mayor Schroder opened public comment on the item.

Dylan Radke, on behalf of Parks and Recreation Commission and Citizens for a Better Library and Parks, thanked Councilmember DeLaney for her generous support of the proposal. He noted that it is a very worthy cause and encouraged everyone to make whatever contribution they can in support. He briefly commented on how the proposed bond amount was determined. Breaking down the cost per homeowner per month, he expressed confidence that it was very affordable for the benefits realized. He asked for Council support. Mayor Schroder thanked Mr. Radke and all the Parks & Recreation Commission for their hard work.

Cliff Souza acknowledged that the parks were one of the best assets in the City. He commented on the difficult financial times, noting that this may not be the best time for a bond measure, especially since the School District and the Park District may also have bond measures on the November ballot. He asked whether the City has a back-up plan for the pool repairs and ADA requirements, such as grants or loans.

Mayor Schroder commented on past proposals for repair of the pool, noting specifically the need to replace the filtration system. He acknowledged it might not be the best time for a bond, and he urged grass-roots public support to ensure that it passes since it is the best option for the City. He noted as well that there are always grants available, and staff is very good at finding them.

Paul Wilson said the City should have a back-up plan for the pool, even if it means closing all but the lap pool. He expressed concern that even though the repairs are long overdue, the City has never managed to come up with enough funding. He was concerned that the swim team and the children need an adequate pool. He urged the Council to consider using the reserve fund for the repairs.

Gay Gerlack, citizen member of the Citizens for a Better Library and Parks, discussed the close failure of the last bond measure and better efforts made on this measure. She noted that the Park District bond measure would not represent an increase in taxation, only a continuation of what exists. She also discussed public outreach activities on behalf of the bond measure. She was concerned that failure of the measure will have a devastating effect on the City. She was confident that the measure will pass.

Mike Alford asked why the City isn't putting on concerts at the John Muir Amphitheatre to generate more income for the City. He was especially concerned about the costs spent on consultants, rather than actual needs of the City. He urged unity for the betterment of the community.

Harriett Burt encouraged the Council to focus on success, commenting on past efforts to improve the City even at taxpayer expense. She noted that the pool repairs have been needed since the 1960s, and the library improvements are also greatly needed. She urged support of the bond measure.

Julian Frazer urged inclusion of some creek restoration, noting that support of the Parks District bond increased dramatically when creek restoration was included. He also cautioned against using artificial turf. Regarding the pool, he recommended using a different filter for each pool. He asked that some consideration be given to preserving some part of the existing pools. He agreed with Mr. Wilson that the City reserves could also be used.

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

Councilmember DeLaney indicated she thought the \$30 million amount was a reasonable amount.

Vice Mayor Ross asked how soon the assessment would appear on the tax bills, if approved by the voters.

Sara Hollenback, Public Financial Management, said it would not affect voters until fiscal year 2009-2010.

Councilmember Menesini indicated his support for a \$30 million bond amount, noting it makes good economic sense for the community.

Councilmember DeLaney asked how fixed the amounts were for the individual allocations. Ms. Tool said the language was broad enough to allow for shifting of the funds as necessary. Vice Mayor Ross noted that was the role of a bond oversight committee.

Councilmember Kennedy expressed her support for the measure, noting that the Park Master Plan documents the need and the actual financial costs. She also noted that the City park and recreation facilities are free or low cost, which is why the ADA improvements are necessary. She encouraged Mr. Alford to use his fund-raising abilities for the bond itself, and she noted that grant opportunities are very competitive.

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Vice Mayor, approve the recommendation of the Parks and Recreation Commission to set the Parks bond amount at \$30 million. Motion unanimously passed 5 - 0.

Councilmember DeLaney suggested some changes to the bond language. The Council discussed the changes, and agreed to clarify that it was replacement of the pool, not just repairs, that was proposed.

Mayor Schroder opened public comment on the bond language.

Paul Wilson suggested that if replacement of the pool is clarified, it should be made clear that it will be at the same location.

Mayor Schroder realized that he had opened public comment in error, since the bond language was not a separate item.

Julian Frazer complimented the Council on allowing public comment on both areas. He urged that as much public input as possible be allowed at the meetings.

Mayor Schroder closed public comment on the item.

On motion by Lara DeLaney, Councilmember, seconded by Michael Menesini, Councilmember, to approve the proposed bond language as amended. Motion unanimously passed 5 - 0.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember, select the escalating debt service financing formula for the purchase of the bonds. Motion unanimously passed 5 - 0.

The Council recessed for five minutes.

Item 16 pulled out of order for discussion.

CONTINUED ITEMS:

16. General Plan Amendment at 635 Vine Hill Way; Applicant: Gary Freitas.
[K.Majors/09.02.01]
 - 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.

Mayor Schroder stated that the applicant withdrew his application.

He opened public comment on the item.

Mark Thomson expressed appreciation to the Council for their handling of the issue. He also acknowledged that it must have been a difficult decision for Mr. Freitas to decide to withdraw the application. He commended City staff (Corey Simon, Mercy Cabral, and Karen Majors) for their professionalism and patience. He asked the City to find a place in the General Plan revision process for much public input, and he indicated that the Keep Our Open Space Committee members are willing to help in any way necessary. He asked the Council to do whatever possible to preserve the City's open space.

Julian Frazer said it was obvious that the applicant knew he would lose the legal battle and that is why he withdrew the application. He also expressed concern about possible special treatment that Mr. Freitas may have received from the Council or staff. He agreed with Mr. Thomson that the City needs to tighten up all the open space and scenic easement provisions. He commented on the strong City support for open space preservation. He encouraged the Council to look carefully at the current housing stock before building new ones.

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

Councilmember Ross returned to the meeting.

PUBLIC HEARING(S)

7. Public hearing to introduce an ordinance amending Title 13 "Utilities" by adding Chapter 13.62, Regulation of State Video Franchise Holders of the Martinez Municipal Code; and establish franchise and PEG fees and costumer service penalties. [M. Chandler/31.08.00]

Staff report presented by Senior Management Analyst Michael Chandler.

Mayor Schroder opened and closed the public hearing with no speakers coming forward.

Councilmember DeLaney commended Mr. Chandler for his presentation tonight and to the Franchise Subcommittee previously.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember, introduce an ordinance amending Title 13 "Utilities" by adding Chapter 13.62, Regulation of State Video Franchise Holders of the Martinez Municipal Code; and establish franchise and PEG fees and costumer service penalties. Motion unanimously passed 5 - 0.

Mayor Schroder opened and closed the public hearing for Items 8-15 with no one coming forward.

8. Public hearing on Landscaping and Lighting Assessment District for 1979-3 Village Oaks Terrace: [T.Tucker/10.02.34]
 - a. Motion ordering any changes in improvements, report, diagram, or assessments.
 - b. Adopt Resolution No. 058-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year.
 - c. Adopt resolution overruling protests (if required, must be adopted by 4/5 vote).

On motion by Janet Kennedy, Councilmember, seconded by Mark Ross, Vice Mayor, to approve Resolution No. 058-08 approving the Engineer's report and confirming the district diagram and assessment for fiscal year 2008-09. Motion unanimously passed 5 - 0.

9. Public hearing on Landscaping and Lighting Assessment District for 1981-3 Muir Station: [T.Tucker/10.02.15]
 - a. Motion ordering any changes in improvements, report, diagram, or assessments.
 - b. Adopt Resolution No. 059-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year.
 - c. Adopt resolution overruling protests (if required, must be adopted by 4/5 vote).

On motion by Janet Kennedy, Councilmember, seconded by Michael Menesini, Councilmember, to approve Resolution No. 059-08 approving the Engineer's report and confirming the district diagram and assessment for fiscal year 2008-09. Motion unanimously passed 5 - 0.

10. Public hearing on Landscaping and Lighting Assessment District for 1983-3 Vista Oaks:
[T.Tucker/10.02.35]
 - a. Motion ordering any changes in improvements, report, diagram, or assessments.
 - b. Adopt Resolution No. 060-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year.
 - c. Adopt resolution overruling protests (if required, must be adopted by 4/5 vote).

On motion by Mark Ross, Vice Mayor, seconded by Janet Kennedy, Councilmember, to approve Resolution No. 060-08 approving the Engineer's report and confirming the district diagram and assessment for fiscal year 2008-09. Motion unanimously passed 5 - 0.

11. Public hearing on Landscaping and Lighting Assessment District for 1988-1 The Center Martinez: [T.Tucker/10.02.31]
 - a. Motion ordering any changes in improvements, report, diagram, or assessments.
 - b. Adopt Resolution No. 061-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year.
 - c. Adopt resolution overruling protests (if required, must be adopted by 4/5 vote).

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Vice Mayor, Resolution No. 061-08 approving the Engineer's report and confirming the district diagram and assessment for fiscal year 2008-09. Motion unanimously passed 5 - 0.

12. Public hearing on Landscaping and Lighting Assessment District for 1994-1 Creekside:
[T.Tucker/10.02.36]
 - a. Motion ordering any changes in improvements, report, diagram, or assessments.
 - b. Adopt Resolution No. 062-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year.
 - c. Adopt resolution overruling protests (if required, must be adopted by 4/5 vote).

On motion by Lara DeLaney, Councilmember, seconded by Janet Kennedy, Councilmember, to approve Adopt Resolution No. 062-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year. Motion unanimously passed 5 - 0.

13. Public hearing on Landscaping and Lighting Assessment District for 1997-1 Brittany Hills: [T.Tucker/10.02.37]
 - a. Motion ordering any changes in improvements, report, diagram, or assessments.

- b. Adopt Resolution No. 063-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year.
- c. Adopt resolution overruling protests (if required, must be adopted by 4/5 vote).

On motion by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Councilmember, to approve Adopt Resolution No. 063-08 approving the Engineer's report, and confirming the district diagram and assessment for the 2008-09 fiscal year. Motion unanimously passed 5 - 0.

- 14. Public hearing on Landscaping and Lighting Assessment District for 2000-2 Terra Vista: [T.Tucker/10.02.40]
 - a. Motion ordering any changes in improvements, report, diagram, or assessments.
 - b. Adopt Resolution No. 064-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year.
 - c. Adopt resolution overruling protests (if required, must be adopted by 4/5 vote).

On motion by Lara DeLaney, Councilmember, seconded by Michael Menesini, Councilmember, to approve Resolution No. 064-08 approving the Engineer's report, and confirming the district diagram and assessment for the 2008-09 fiscal year. Motion unanimously passed 5 - 0.

- 15. Public hearing on Landscaping and Lighting Assessment District for 2001-1 Alhambra Estates. [T.Tucker/10.02.41]
 - a. Motion ordering any changes in improvements, report, diagram, or assessments.
 - b. Adopt Resolution 065-08 approving the Engineer's report, and confirming the district diagram and assessments for the 2008-2009 fiscal year.
 - c. Adopt resolution overruling protests (if required, must be adopted by 4/5 vote).

On motion by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Councilmember, to approve Resolution No. 065-08 approving the Engineer's report, and confirming the district diagram and assessment for the 2008-09 fiscal year. Motion unanimously passed 5 - 0.

CITY MANAGER

- 18. Comment(s)/Update(s)/Report(s).

Acting City Manager Karen Majors stated that the new City Manager, Phil Vince, will start on Monday.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

19. City Council Comments.

Councilmember Janet Kennedy reported on her attendance at the League of California Cities Policy Committee on Housing Community and Economic Development. She also congratulated all the participants at the "King of the County Barbecue, which was a great event, she wished everyone a wonderful 4th of July, and she wished Vice Mayor Mark Ross a happy birthday.

Councilmember Lara DeLaney reported on her attendance at the League of California Cities Environmental Quality Control meeting, indicating she will provide information to staff and the Climate Control Committee.

Vice Mayor Mark Ross requested one meeting in September or October to encompass information on climate control, environmental issues, etc., to which Mayor Schroder agreed. Vice Mayor Ross also announced future performances by the Willows Theatre.

Councilmember Michael Menesini spoke on future annexation projects, noting the Ad Hoc Committee will be working with staff to determine the costs and timing of these annexations. He also stated that he and Acting City Manager Karen Majors met with the new Water Emergency Transit Authority, and he reported that they have allocated half a million dollars to look at a potential ferry landing site in Martinez.

Mayor Schroder wished everyone a happy Fourth.

Harriett Burt requested that the meeting adjourn in memory of Florence "Faire" Sax.

ADJOURNMENT

Adjourned at 9:45 p.m. in memory of Florence "Faire" Sax, then to a Regular Meeting on July 16, 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 – 09/03/08