

CALL TO ORDER

Mayor Schroder called the meeting to order at 5:45 p.m. with all members present except Vice Mayor Menesini who was excused and Councilmember Ross who arrived shortly after roll call.

II. PUBLIC COMMENT (Closed Session Only)

No comments made.

III. CLOSED SESSION

A. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Section 54957.6 of the California Government Code.

Agency Designated Representatives: Donna Williamson, Liebert, Cassidy and Whitmore; Philip Vince, City Manager; Lianne Marshall, Assistant City Manager; Tom Simonetti, Chief of Police.

Employee Organization: Martinez Police Officers Association

IV. RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

The meeting reconvened in the Council Chambers at 7:07 p.m. Mayor Schroder reported that a closed session was held and direction was given to the City's negotiators.

PRESENT: Lara DeLaney, Councilmember, Janet Kennedy, Councilmember, Mark Ross, Councilmember, and Rob Schroder, Mayor.

EXCUSED: Michael Menesini, Vice Mayor.

ABSENT: None.

PUBLIC COMMENT

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

Emily Riggs and Santa Claus representing First Night announced the New Year's Eve celebration "First Night" on December 31st. Ms. Riggs reviewed the schedule of activities. Santa handed out First Night lapel pins.

Michael Alford wished everyone a Merry Christmas. He commented on how important relationships are with neighbors in the community. He cautioned against redevelopment, noting that by working together with the City officials and employees, Martinez can be built up and united again.

Leeann Peterson announced remaining dates and times that Santa will be available at the Santa House in the downtown plaza.

PRESENTATION(S)/PROCLAMATION(S)

A. Marina Vista Streetscape Project update.

City Engineer Tim Tucker gave an update on the Marina Vista Streetscape Project, including a PowerPoint presentation.

He also reviewed the stakeholder meetings and their comments, current status and next steps of the project, street design, architectural elements, and information about construction signage.

Councilmember DeLaney asked what the landscape consultant's opinion was regarding the pavers, since there were conflicting opinions from the public. Mr. Tucker indicated that the consultant had provided a varied palette of colors and materials, with overwhelming consensus on the type selected.

Councilmember DeLaney also asked for more information about bulb-outs, which Mr. Tucker provided. He also discussed entry design ideas.

At the request of Mayor Schroder, Mr. Tucker discussed the proposed timeline. Mayor Schroder asked about the possibility of undergrounding other utilities at the same time as PG&E's is done. Mr. Tucker indicated discussions were still ongoing.

Councilmember DeLaney asked about contact information for the public, and Mr. Tucker indicated it was on the website.

Councilmember Ross asked whether videos should be made of the sewer laterals to determine future problem spots and whether the signage would be updated during the process. Mr. Tucker said it could be included in the presentation to CalTrans and MTC.

Councilmember Ross asked what would be done for the area where the hill is, and Mr. Tucker said there would be some landscaping improvements.

CONSENT CALENDAR

MOTION WAIVING READING OF ALL RESOLUTIONS AND ORDINANCES

1. Motion approving City Council Minutes of November 19, 2008. [M.Cabral]
2. Motion approving Check Reconciliation Registers dated 11/26/08 and 12/04/08. [C.Heater/02.01.01]

3. Motion reintroducing an Ordinance amending the Martinez Municipal Code, Title 2, ADMINISTRATION AND PERSONNEL, by repealing Chapters 2.38, 2.40, and 2.42; and Reenacting Chapter 2.38 to create the Park, Recreation, Marina and Cultural Commission, and merge the functions of the Marina Commission, the Arts and Library Commission, and the Park and Recreation Commission into the newly-created Park, Recreation, Marina, and Cultural Commission.
[J.Too/16.00.00/16.03.00/16.05.00/16.09.00]
4. Motion adopting Ordinance No. 1350 C.S. amending the City's Municipal Code Title 5, Business Taxes and Regulations, Section 5.28.130, Fortune-Tellers, Astrologers and Other Similar Businesses, to reduce the fees charged to fortunetellers.[C.Heater/02.03.01]

Mayor Schroder opened and closed public comment on the Consent Calendar, with no speakers coming forward.

Motion to approve Items #1 - #4 of the Consent Calendar.

Moved by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Councilmember.

The Council voted to approve unanimously.

PUBLIC HEARING(S)

CITY MANAGER

5. Proposed Annexations: [K.Majors/1.000]
 - A. North Pacheco Annexation Update; and provide direction to staff.
 - B. Alhambra Valley Annexation Update; and provide direction to staff.

Assistant City Manager Community and Economic Development Karen Majors presented the staff report including a PowerPoint presentation of the proposed annexation areas. Ms. Majors reviewed the purpose of annexation, properties, assessed value and property taxes, tax sharing agreement, services to be transferred to the City, and impacts of the annexations.

Ms. Majors also responded to questions from the Council regarding tax-sharing and the boundaries of the annexation areas. Councilmember DeLaney asked, and Ms. Majors confirmed that some properties proposed for annexation had not requested it, and not all have been notified yet. The Council discussed other areas that could or should be included, for consistency of service, etc.

Councilmember Kennedy asked when and how the property values would be determined, given the current market. Mayor Schroder said it would likely be at the time that the LAFCO agreement is signed. Councilmember Kennedy also asked about the financial impact costs, and whether they are recovered from the property owners being annexed. Ms. Majors responded that there has been no discussion of cost recovery at this point.

Councilmember DeLaney asked what staff's recommendation would be for the boundaries of the annexation area. Staff mentioned the railroad trestle as a likely boundary.

Ms. Majors discussed the potential timeline with the Council.

Ms. Majors also reviewed the considerations for the Alhambra Valley annexation. Staff responded to questions/comments from the Council regarding municipal services review, pre-zoning of the annexation areas, reassurances regarding increased density, the urban limit line, potential voter/property owner support or opposition to the annexation, possible inclusion of Wanda Way, and incentives to encourage support.

Mayor Schroder opened public comment on the item.

David Piersall expressed concern about some parts of the proposed Pacheco annexation area. He questioned whether the annexation needs to be done now or whether it could be postponed a little longer. He urged caution in proceeding, noting the costs to the City could be greater than any benefit realized.

Michael Alford agreed with Mr. Piersall, noting that many of the properties are owned by the state, county or federal government and thus the tax benefits to the City would be negligible. He was concerned about crime in the area and potential redevelopment. Mayor Schroder indicated that the government-owned properties were not being considered for annexation.

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

The Council gave direction to staff regarding the boundaries, types of land uses, financial impact analysis, presentation to LAFCO, and redevelopment possibilities. They also authorized the expenditure of funds to proceed with the investigation process.

6. Consider acceptance of the recommendations of the Park and Recreation Commission on the formation, structure, and membership of the Bond Oversight Committee; and discuss and/or adopt the application process. [P.Vince&J.Tool/16.17.17]

Assistant City Manager Karen Majors presented the staff report. Mayor Schroder asked for clarification on the selection process. Councilmember DeLaney questioned the process for the City Treasurer's role. Councilmember DeLaney also noted that the citation of the Parks and Recreation Commission needs to be changed to reflect the new combined commission, as recently established by the Council.

Staff agreed to the wording changes to make it clearer.
Mayor Schroder opened public comment on the item.

Kathrine Hearn commented on the need to ensure opportunity for public input in the process of establishing the oversight committee.

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

Motion to accept the recommendations of the Park and Recreation Commission on the formation, structure, and membership of the Bond Oversight Committee subject to the changes and clarifications to Section 5 of the Bylaws and as amended by the City Attorney.

Moved by Janet Kennedy, Councilmember, and no second required. The Council voted to approve unanimously.

7. Willow Theatre Loan Request: [P.Vince&J.Tool/9.12.07/11.05.11/11.05.12]
 - A. Adopt a resolution that grants the Willows Theatre Company one time funding of \$100,000 in the form of a grant of \$60,000 and loan of \$40,000 under the specific requirements of the Loan Agreement; and
 - B. Motion authorizing the City Manager to sign the Loan Agreement for \$100,000 with the Willows Theatre Company.

City Manager Philip Vince presented the staff report.

Councilmember DeLaney asked for clarification on the amount of the loan, since the resolution and agreement were not consistent. Mr. Vince indicated that the resolution had the correct amount. Deputy City Attorney Veronica Nebb further explained that the agreement covered both the loan and the grant.

Councilmember Ross expressed support for the theatre, commenting on the heritage of the City toward outdoor recreational activities as well as arts and cultural opportunities. He thought there was little risk to the City in partnering with the Willows Theatre.

Councilmember Kennedy noted that the Willows Theatre obviously would rather not be here asking the City for a loan, but given the current economic times it was unavoidable. She also was supportive of the loan and the City's partnership with the Willows.

Councilmember DeLaney suggested an additional "whereas" stating that it is the City's intention that this be the last loan to the Willows, at least for operating purposes.

Mayor Schroder opened public comment on the item.

David Piersall expressed doubt that this could or would be the last financial assistance the City will provide to the Willows, and he asked that the Council acknowledge that fact. He was also doubtful that the Willows Theatre program would be as successful and beneficial to the City as the program in Ashland, Oregon, although that is what some on the Council have hoped.

Michael Alford thanked Councilmember DeLaney for her desire that this be the last funding the City provides to the Willows. He suggested other ways the facility can be used (standup comedy, opera) to generate more income; and he commented on publicity ideas as well.

Chuck Lewis, President of the Board of the Willows Theatre, expressed appreciation for the Council's consideration of their request. He discussed ways that the Willows program has been an economic development tool for the City. He also noted that some of their financial difficulties are due to the money that they spent building the production facility that has been donated to the City, although he acknowledged they should have realized that the retrofit and rehabilitation of the Bisio building would be costly.

Katherine Hearn said the City could not thank the Willows Theatre enough for coming to Martinez and providing the potential for a greater focus on the arts. She was optimistic that the investment in the Willows, together with the passing of Measure H, could be the start of a renewed Martinez. She discouraged the idea of putting a cap on future investments in the Theatre.

Richard Elliott, Willows Theatre, responded to questions about attendance, programming, and youth activities.

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

Mayor Schroder commented on the recent dedication of the Gemini, the Water Emergency Transit Authority's new ferry, in San Francisco. He noted that there were representatives of many different cities and agencies in attendance, and he heard many good comments about the Willows Theatre. He agreed that the Theatre has been a great economic boost for the City. He did not think it was necessary to add the language suggested by Councilmember DeLaney because he was confident that the Theatre would not ask for more money if at all possible, and because they are also aware of the economic difficulties experienced by the state and the City.

Councilmember Ross agreed with Mayor Schroder, and he discussed the economic benefit to businesses in the City from patrons of the Willows who come for programs at the Theatre but also may be customers at other stores or restaurants as a result.

Councilmember DeLaney acknowledged the benefits seen by the City and its businesses from the Willows, and she acknowledged the good programming, etc., that it has brought. She noted, however, that it is a tough competitive market for the arts in this area, from programs in Walnut Creek and San Francisco. She expressed caution about spending more of the City's reserves at a time when the financial outlook is poor, and she strongly stated that she would not support any more funding from the City after this until the economic situation is better.

Councilmember Ross agreed the Council should review future requests closely, and he encouraged close scrutiny of the Willows activities and benefits.

Motion to adopt Resolution No. 106-08 granting the Willows Theatre Company one time funding of \$100,000 in the form of a grant of \$60,000 and loan of \$40,000 under the specific requirements of the Loan Agreement.

Moved by Mark Ross, Councilmember, seconded by Janet Kennedy, Councilmember.
The Council voted to approve unanimously.

Motion to authorize the City Manager to sign the Loan Agreement for \$100,000 with the Willows Theatre Company.

Moved by Mark Ross, Councilmember, seconded by Janet Kennedy, Councilmember.
The Council voted to approve unanimously.

Motion to authorize the City Manager to sign the amendments to the Lease and Sublease documents.

Moved by Mark Ross, Councilmember, seconded by Janet Kennedy, Councilmember.
The Council voted to approve unanimously.

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

City Manager Philip Vince stated that he also attended the Gemini ground- breaking WETA celebration; noting it was very enjoyable and well-attended by the Board and elected officials.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

9. City Council Comments.

Councilmember Mark Ross gave the Willows Theatre phone number, 798-1300, and he urged the public to support the Willows by attending their events. He also urged the public to come downtown for First Night Martinez on December 31st.

Councilmember Lara DeLaney wished all happy holidays.

Councilmember Janet Kennedy thanked all those who worked so hard on the holiday events. She too urged the public to attend First Night Martinez and wished everyone a Merry Christmas.

Mayor Rob Schroder stated that the Snow Park was wonderful and congratulated Main Street for a great event. Mayor Schroder expressed his condolences to Councilmember Lara DeLaney for the loss of her mother Patricia DeLaney, who passed on December 12th from cancer. He indicated he would adjourn the meeting in her memory.

ADJOURNMENT

Adjourned at 9:23 p.m. in memory of Patricia DeLaney, mother of Councilmember Lara DeLaney, then adjourned to a Regular Meeting on January 21, 2008, at 7:00 p.m. in the Council Chambers.

Approved by the City Council

Rob Schroder, Mayor

Mercy G. Cabral, Deputy City Clerk – 1/21/09