

CALL TO ORDER

Mayor Rob Schroder called the meeting to order at 5:30 p.m. with all members present.

PUBLIC COMMENT (Closed Session Only)

There were no comments made.

Adjourned to City Manager's Office.

CLOSED SESSION

- A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Section 54957 of the California Government Code. Title: City Manager
- B. CONFERENCE WITH LEGAL COUNSEL--Existing Litigation section 54956.9(a) of the California Government Code.

Name of Case: Ostrosky v. City of Martinez

- C. 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

RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

The meeting reconvened at 7:10 p.m. Mayor Schroder reported that a closed session was held including:

Public Employee Performance Evaluation of the City Manager; nothing to report.

Conference with Legal Counsel--Ostrosky v. City of Martinez; direction was given to legal counsel.

Conference with Labor Negotiators--Martinez Police Officers Association; direction was given to labor negotiators.

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

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)/PROCLAMATION(S)

A. Five-Year Capital Improvement Program Presentation.

Assistant City Manager Community & Economic Development Karen Majors gave an introduction and presented City Engineer Tim Tucker.

Mr. Tucker thanked Sr. Civil Engineer Joe Enke and Finance Manager Cathy Heater for all their work on the project.

Staff reviewed the CIP Process, past accomplishments, pipeline projects, new projects, building improvements, street/sidewalk, and completion of the Quiet Zone Study. He also reviewed Enterprise Funds which include the water system, parking, the Intermodal Station, Court Street Overcrossing, landscape and streetscapes.

Mr. Tucker further discussed General Fund transfers and gave an overview of the Fund Summary Chart, State Budget Impacts, and Economic Stimulus money and proposed projects.

In response to a question from Councilmember DeLaney, Mr. Tucker discussed how the Measure H park funding allocations were decided. Vice Mayor Menesini asked about park bathroom projects and whether a small community center could be included for some. Park & Recreation Director Joann Tool explained why the particular parks were targeted for bathroom improvements and some of the details on the improvements.

Councilmember DeLaney expressed concern about the postponement of the Corp Yard relocation. Vice Mayor Menesini agreed. Staff and the Council discussed the importance of being prepared to move forward with the relocation as soon as it seems prudent to do so.

Councilmember DeLaney commented on the Parking Lot 4 improvements and the impact on the parking fund, which might be better spent on a parking structure. Staff briefly discussed the plans for the lot.

Councilmember DeLaney commended staff for the presentation.

Councilmember Kennedy expressed appreciation for the park improvements, due to the approval of Measure H; as well as the crosswalk safety project and the quiet zone study.

Councilmember Ross also thanked staff for the crosswalk project. He commented on the capabilities of City staff to find necessary grant funding, and he was especially appreciative for the City being able to move forward and make improvements even in difficult times.

Vice Mayor Menesini agreed with the other comments and thanked staff for their work.

PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)

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

Joseph Valencia addressed his desire for a homeless shelter in Martinez. He stated that the old County jail would be ideal for a shelter, including offices and showers. He urged the City to rent the building from the County and bring services to the building. Mayor Schroder stated that he spoke to the woman who runs the homeless program for the County, Cynthia Malone. He asked Mr. Valencia if he would be willing to meet with her, and Mr. Valencia agreed.

Gary Freitas commented on the good work of the Council and the Police Department. He felt that it was a waste of time, however, to have Police Officers try to stop every person riding a motorcycle; he indicated that they are being discriminated against.

Paul Wilson expressed concern that the Zocchi property is unsecured and, as such, is a public safety risk to the citizens and the City. Mayor Schroder noted that the capital improvement budget includes some demolition and clean-up on the property.

Mike Alford commented on the County's homeless count, and he agreed with Mr. Valencia's idea about using the old County jail as a homeless shelter. He also agreed with Mr. Wilson's comments regarding the Zocchi property.

Charles Scudda said he was also concerned about the homeless; he believed that the County jail would be an excellent shelter. Mayor Schroder asked Councilmember Kennedy if she would be willing to meet with Ms. Malone to discuss the possibilities, since she was a member of the County Homeless Task Force. Councilmember Kennedy said she would, although she noted that the problem is not just where to have a shelter, but how to fund and staff it.

An unidentified speaker agreed that there is a need for a homeless shelter; however, he felt it needs to be located in a more centralized location within the County, rather than in downtown Martinez.

Amy (last name inaudible) noted there seems to be some confusion as to whether this is a homeless issue or a crime problem. She stressed the importance of providing housing for those that need and want it.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Motion approving City Council Minutes of January 21, 2009. [M.Cabral]
2. Motion approving Check Reconciliation Registers dated 01/15/09, 01/22/09, and 01/29/09. [C.Heater/02.01.01]

3. Motion approving Arts and Library Grant Awards: \$1000 to Martinez Opera; \$500 Vicente Martinez/Briones High School; and \$500 to be carried over to the new Park, Recreation, Marina & Cultural Commission. [J.TOOL/16.05.00/16.10.00]
4. Motion approving the Yacht Club Lease Agreement for use of the Lawn Area adjacent to the building and authorizing the City Manager to sign agreement.[J.TOOL/14.02.01]
5. Resolution No. 003-09 authorizing the application for local grant funds from the East Bay Regional Park District under the Measure WW Park Bond Extension in the amount of \$1,651,961, and authorize the City Manager or his designee to execute all documents. [J.Tool&P.Lorrick/03.04.01/11.01.00]
6. Resolution No. 004-09 adopting the Five Year Capital Improvement Program for fiscal years 2009-2010 to 2014-2015. [T.Tucker/6.7.15/9.2.8]
7. Resolution No. 005-09 accepting bids for the Alhambra Avenue Pedestrian Safety Project and awarding the construction contract to Hudson Excavation, Inc. in the amount of \$59,100.[T.Tucker/12.02.00]
8. Resolution No. 006-09 accepting the Alhambra Creek Bank Stabilization Project per contract documents and instruct the City Clerk to File a Notice of Completion. [D.Salts/10.07.00]
9. Resolution No. 007-09 accepting the Martinez Marina 2008 Dredging Project per contract documents and instruct the City Clerk to File a Notice of Completion. [D.Salts/14.05.05]

Items 1 and 8 were pulled since Councilmember Kennedy needed to recuse herself from Item 1, and Mayor Schroder from Item 8.

Mayor Schroder opened public comment on Items 2-7 and 9 of the Consent Calendar.

Regarding Item #6, Paul Wilson commented on the money to be spent for the Quiet Zone study, expressing concern that it will be wasted since federal law requires the train to sound its horn upon entering and leaving the railroad platform even if there is not a grade crossing. He was also concerned about the expense involved in moving the Corp Yard and about the costs for renovating the parks since necessary maintenance has been deferred too long. Regarding Item #9, he commented on the original bid price for the dredging as compared to the actual costs in the end. Staff explained why there was such a discrepancy between the original contract bid and the final costs since a more extensive dredge was completed than originally proposed.

Mike Alford commented on the continued threat of redevelopment, noting that Martinez is one of only a few cities that is still operating in the black, and there is less crime here as well. He also cautioned against bringing the Alhambra Valley area into the City, as well as creating any more low-income housing units.

Seeing no further speakers, Mayor Schroder closed public comment on items #2-7 and 9.

On motion by Lara DeLaney, Councilmember, seconded by Michael Menesini, Councilmember, to approve Items #2 through #7, and #9 of the Consent Calendar. Motion unanimously passed.

Mayor Schroder opened and closed public comment on Item #1 of the Consent Calendar, with no speakers coming forward.

On motion by Lara DeLaney, Councilmember, seconded by Michael Menesini, Councilmember, to approve Item #1 of the Consent Calendar, City Council Minutes of January 21, 2009. Motion unanimously passed 4 - 0. Yes: Lara DeLaney, Councilmember, Michael Menesini, Councilmember, Mark Ross, Vice Mayor, and Rob Schroder, Mayor, Abstain: Janet Kennedy, Councilmember.

Mayor Schroder recused himself from Item #8. Vice Mayor Menesini opened and closed public comment on Item #8 with no speakers coming forward.

On motion by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Councilmember, to approve Resolution No. 006-09 accepting the Alhambra Creek Bank Stabilization Project per contract documents and instruct the City Clerk to File a Notice of Completion. Motion passed 4 - 0. Yes: Lara DeLaney, Councilmember, Janet Kennedy, Councilmember, Michael Menesini, Councilmember, and Mark Ross, Vice Mayor, Recuse: Rob Schroder, Mayor.

PUBLIC HEARING(S)

CITY MANAGER

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

City Manager Phil Vince reported that the State Budget is still uncertain and the County is struggling with property taxes going into the negative.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

11. City Council Comments.

Councilmember Mark Ross mentioned that long-time City Manager/Council Secretary Edna McKinley underwent surgery and expressed to all to keep her in their prayers.

Vice Mayor Menesini echoed Councilmember Ross' comments and wished Edna a speedy recovery.

Councilmember Lara DeLaney requested discussions on water rationing and water conservation measures. She announced a Climate Control Workshop on Wednesday, February 25, at 5:30 p.m. in the Council Chambers and encouraged the public to attend.

Vice Mayor Michael Menesini urged citizens to make themselves aware of all the facts regarding the Peripheral Canal and to not be fooled with this issue; it is a shot for stealing more water from a system that is incredibly stressed. He indicated that there won't be enough water left after Southern California interests and agricultural interests steal as much as they can from the Delta-- which is drinking water for the City's population.

Councilmember Janet Kennedy concurred with Vice Mayor Menesini's comments. Councilmember Kennedy congratulated the Mayor for his Silver Beaver Award from the Boy Scouts. She announced Valentine's Day activities downtown on Saturday, February 14th with a Wine Tasting Stroll and Fundraiser event at the new Martinez Center. She indicated that she and Councilmember Ross attended the ABAG Regional Planning Committee meeting and indicated that there was a lot of discussion on projections, one item that will be discussed at the next meeting is a disaster recovery program; she wanted to make sure that this is an item for discussion for the new Public Safety Committee. Councilmember Kennedy also stated that she missed the last meeting because she attended the Inauguration at Washington D.C., which was phenomenal.

Mayor Rob Schroder recognized the past Commodore of the Yacht Club, and stated that he attended their crab feed which was one of the best he has attended. He announced there will be another one on February 28th.

Councilmember Ross announced that he would not be attending the meeting of April 1st.

Mayor Schroder requested the meeting adjourn in memory of Jean May, longtime Veterans Commissioner.

ADJOURNMENT

Adjourned at 8:40 p.m. in memory of Jean V. May, then to a Regular Meeting on February 18, 2009 at 7:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, CA.

Approved by the City Council,

Rob Schroder, Mayor

Mercy G. Cabral, Deputy City Clerk – 4/1/09