

## **CALL TO ORDER**

Mayor Rob Schroder called the meeting at 6:00 p.m. with all members present except Vice Mayor Menesini.

## **PUBLIC COMMENT (Closed Session Only)**

No comments made.

## **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNCIL—ANTICIPATED LITIGATION Initiation of litigation pursuant to California Government Code subdivision (c) of Section 54956.9: One Case.
- B. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION pursuant to California Government Code subdivision (a) of Section 54956.9. Name of Case: Gonzales v. City of Martinez, Claim #: CV081754.Gonzales.

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

The meeting reconvened at 7:10 p.m. Mayor Schroder reported that a closed session was held with direction was given to the City's legal counsel.

PRESENT: Lara DeLaney, Councilmember, Janet Kennedy, Councilmember, Mark Ross, Councilmember, Michael Menesini, Vice Mayor, and Rob Schroder, Mayor.  
EXCUSED: None.  
ABSENT: None.

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

- A. Proclaiming March 10th and 11th as Arbor Day.

Proclamation presented to Bob Cellini, Public Works Superintendent. Mr. Cellini invited the public to Susanna Street Park on March 10th and 11th for the planting of a Redwood Tree and other events sponsored by the Park and Recreation Department.

- B. Proclaiming March 2009 as American Red Cross Month.

Proclamation presented to Mark Bryggman. Mr. Bryggman encouraged the public to volunteer or provide financial assistance with donations. He also provided the website: [www.redcrossbayarea.com](http://www.redcrossbayarea.com) for further information.

C. Presentation Joltin Joe Fundraising Efforts.

Ray Raineri, Sons of Italy, reported that the Sons of Italy had a major fundraising event last Friday night at the Colombo Club in Oakland, which was attended by 250 persons including City staff. He thanked Mayor Schroder for his personal \$500 donation, as well as \$500 from his firm. He reviewed attendance statistics, noting that the dinner netted \$4450, bringing the total raised to \$22,000. He also discussed upcoming events and availability of the organization to share information about the project.

Vice Mayor Menesini expressed his appreciation for the Mayor's contribution.

D. Presentation Drought Management Plan.

City Engineer Tim Tucker presented the staff report, including a PowerPoint presentation. He reviewed the Drought Management Program, as well as the rationing plan for residential commercial, and multi-family users; penalty charges, customer support services, and water conservation tips. He indicated that the effective date for the drought program, if approved, will be May 1st.

Councilmember DeLaney commented on the costs and implementation of the new software program and outreach to help the public understand the numbers. Mr. Tucker reviewed the projected timeline.

Councilmember Ross asked for more information on implementation plans, and Mr. Tucker said there would be inserts in the bills to explain usage goals further. Councilmember Ross asked about the impact on schools. Mr. Tucker discussed specialized mailings that are planned, as well as hardship exceptions and the appeal process.

Councilmember DeLaney asked if the Water District had already implemented their program. Mr. Tucker confirmed it had not, but he thought Martinez should act as though it had.

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

Brenda (last name inaudible) and Shayne Kaleo, Project Hope, described their program "Homeless Outreach Project to Encampments", which provides direct assistance to the homeless.

Joseph Valencia thanked Project Hope for their work. He again expressed the need for a place in Martinez for homeless people at night.

Clarence Murray commented on the type of people who are homeless. He agreed that the greater need is for permanent housing and jobs.

Rose Martin reported that the lights on D Dock have not been repaired yet and there is a water leak on D Dock as well. She questioned how the rents can be raised when no repairs are being made. Mayor Schroder directed staff to follow up.

Christina (last name not stated), homeless advocate, also supported a homeless shelter for those who don't have a place to sleep, stay dry, or have something to eat.

Amy Ainsley spoke about the varied situations of the homeless and the need for a shelter in Martinez, especially with limitations that landlords often impose on renters.

Michael Alford addressed the homeless issue and crime problems in the City. He requested that the Council appoint citizens to the Public Safety Subcommittee for greater success.

Leeann Peterson, Main Street Martinez, introduced Linda Mesa, the Committee Chair for the 4th of July activities. Ms. Mesa announced that Main Street Martinez will be hosting a 4th of July celebration, including a pancake breakfast, parade and an old-fashioned picnic filled with activities. In response to a question from Councilmember DeLaney, she also discussed outreach to the military inviting them to participate.

Seeing no further speakers, Mayor Schroder closed public comment. He encouraged those concerned about the homeless to attend the next Board of Supervisors meeting, since they are the ones who manage the County's programs for the homeless.

Councilmember Kennedy briefly reported on meetings with Cynthia Balone and members of the business community. She also noted there were homeless advocacy representatives in attendance that would be willing to meet with anyone needing help.

## **CONSENT CALENDAR**

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

Councilmember Janet Kennedy recused herself from Item 1 of the Consent Calendar.

Councilmember DeLaney asked that Item 4 be pulled.

1. Motion rejecting claim(s) against the City by Juliann M. Smyth, Claim #08-33.[M.Cabral]
2. Motion approving Check Reconciliation Registers dated 02/19/09, 02/20/09, and 02/23/09. [C.Heater/02.01.01]
3. Resolution No. 013-09 allocating \$90,000 from account C7018 to implement a Drought Management Program.[T.Tucker/15.02.01]

Mayor Schroder opened public comment on Items #2 and #3 of the Consent Calendar.

Mike Alford asked how the public can find out what the checks are being written for. Mayor Schroder referred him to the Finance Department. Mr. Alford asked about the \$90,000 expenditure for a drought management program when the recent rainfall could possibly avoid the need for rationing. Councilmember DeLaney noted there was a staff report explaining the expenses; she suggested Mr. Alford get a copy. Mayor Schroder also noted that there has been a lot of rainfall recently, but probably not enough to postpone conservation.

Seeing no further speakers, Mayor Schroder closed public comment on Items #2 and #3.

On motion by Michael Menesini, Vice Mayor, seconded by Lara DeLaney, Councilmember, to approve Items #2 and #3 of the Consent Calendar. Motion unanimously passed 5 - 0.

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

On motion by Michael Menesini, Vice Mayor, seconded by Lara DeLaney, Councilmember, to approve Item #1 of the Consent Calendar. Motion passed 4 - 0. Janet Kennedy, Councilmember, Recuse; Rest, Ayes.

4. Resolution No. 014-09 authorizing the City Manager to execute a Memorandum of Understanding between the City of Martinez and the Martinez Police Officers Association (MPOA), for the contract period January 1, 2009 through June 30, 2010.  
[L.Marshall/04.05.07]

Councilmember DeLaney expressed concern about the increases in salaries, resulting in cuts to other areas of the City budget. She indicated she would support the contract; and urged the Police Chief to fill any vacancies as soon as possible, to minimize impacts on public safety.

Councilmember Ross acknowledged that these economic times call for tough decisions at times, and if public safety is the City's first priority, cuts to other areas might be unavoidable. He expressed strong support for the contract and for the Police force.

Councilmember Kennedy noted that the final contract was a much better compromise than it was initially, and she thought the increase was justified.

Vice Mayor Menesini expressed appreciation for the work of the MPOA in helping to reach common ground. He was also supportive of the contract. He was sympathetic towards those facing hard times, but was hopeful that the new policies put in place by the federal government would result in an economic turnaround.

Mayor Schroder indicated his support as well, and he thanked the MPOA for the manner in which the negotiations were handled. He was hopeful that the openings would soon be filled.

Mayor Schroder opened public comment on the item.

Michael Alford suggested that the City save money by hiring fewer consultants, rather than limiting police salaries.

Seeing no further speakers, Mayor Schroder closed public comment on Item 4.

On motion by Michael Menesini, Vice Mayor, seconded by Mark Ross, Councilmember, Resolution No. 014-09 authorizing the City Manager to execute a Memorandum of Understanding between the City of Martinez and the Martinez Police Officers Association (MPOA), for the contract period January 1, 2009 through June 30, 2010. Motion unanimously passed 5 - 0.

## **PUBLIC HEARING(S)**

5. Public hearing to consider a resolution amending the City's Schedule of Fees for City Services and rescinding Resolution 019-08.[M.Chandler/02.02.01]

Mike Chandler presented the staff report, reviewing proposed adjustments and staff recommendations.

Councilmember DeLaney asked for clarification on the blended rates as compared to the CPI, especially for Police Department fees, which Mr. Chandler explained.

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

On motion by Michael Menesini, Vice Mayor, seconded by Mark Ross, Councilmember, to approve Resolution No. 015-09 amending the City's Schedule of Fees for City Services and rescinding Resolution 019-08. Motion passed 4 - 0. Lara DeLaney, Councilmember, No; Rest, Ayes.

## **CITY MANAGER**

6. Provide staff with comments regarding the initiation of the update to the City's Housing Element, discuss the reactivation of the City's Housing Element Task Force and City Council Housing Subcommittee; and authorize City staff to solicit the attached Request for Proposals (RFP) for consultant services to support staff efforts and the City Manager to execute a contract with the most qualified consultant.[T.Blount&K.Majors/09.02.05]

The Council recessed for five minutes and reconvened with all members present as indicated.

Assistant City Manager Karen Majors introduced the new Planning Manager Terry Blount. Mr. Blount presented the staff report, including a PowerPoint presentation, reviewing the Housing Element Update Project.

After welcoming Mr. Blount to the City, Mayor Schroder asked about low-income senior housing. Mr. Blount said it would meet the requirements for the Housing Element quotas.

Vice Mayor Menesini asked about ABAG allocations, and Mr. Blount referred to the chart in the report, noting it is proportional to the City's population. Ms. Majors provided additional information as to how the numbers are calculated. Councilmember Kennedy noted that job growth is also considered in determining each City's housing goals.

Vice Mayor Menesini said that the original ABAG goals were based on projected population growth. He asked whether the Housing Element will include any proposals for how the goals will be met, to which Mr. Blount stated that it only has to show that the City can accommodate the number of units in the various categories.

Vice Mayor Menesini expressed frustration with the policies in the General Plan that have no actual steps to implement the policies. Councilmember Kennedy said the Housing Element could address impediments to the goals and propose solutions.

Councilmember DeLaney noted there is also a requirement to discuss financial and administrative resources that may be utilized to meet the numbers. Vice Mayor Menesini expressed frustration with the process, but acknowledged it was a necessity because of State law.

Councilmember Kennedy commented that with the last update, some industrial properties were rezoned to higher density residential in order to achieve the goal. She also stated that there should be some consideration on properties that have been foreclosed.

Vice Mayor Menesini remarked that there are still families and individuals that need housing, as demonstrated by some of the speakers earlier this evening. Councilmember Kennedy agreed.

Mr. Blount commented on changes in the statutory requirements regarding rezoning properties, noting that Martinez has done more than required in that respect.

Councilmember Kennedy noted that the County has set a 10-year plan to end homelessness with permanent housing. Ms. Majors explained that another part of the update is to evaluate how well past policies, goals, and objectives were met.

Councilmember DeLaney asked about statistics cited in the staff report, and whether Martinez was included. She also asked about the requirement for quantification and projection of the needs of extremely low-income households. Mr. Blount indicated he would research and confirm.

Councilmember DeLaney asked why a consultant would be needed if this is just an update of the previous housing element; Ms. Majors explained what type of services would be expected. Councilmember DeLaney expressed concern that an amount not be specified in soliciting bids.

Councilmember Ross said there are some aspects of the process that are specialized enough to need assistance from a consultant. He was confident that the bids received would be competitive, and he explained why the RFP needs to state a specific amount, in order that the process is open with no secrecy. Mr. Blount agreed that Martinez could help develop a model for other cities to emulate.

Mayor Schroder opened public comment on the item.

Mike Alford agreed with Councilmember DeLaney that hiring consultants shouldn't be necessary, especially since the City just hired Mr. Blount as Planning Manager. He disagreed on whether the goals required by ABAG were mandated by the State. Mayor Schroder clarified that updating the Housing Element is required in order to receive some State funds. Mr. Alford commented on the number of vacant rentals and the proposed Dunivan development. He expressed concern that the economic crisis is going to get worse before it improves. He urged the Council to start conserving City resources and solve some problems on their own.

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

Vice Mayor Menesini commented that even though Mr. Blount is very capable, the Housing Element update will require some consultant assistance. He was confident that staff will be judicious when it comes to spending the City's money.

On motion by Michael Menesini, Vice Mayor, seconded by Janet Kennedy, Councilmember, to approve the reactivation of the City's Housing Element Task Force and City Council Housing Subcommittee; and authorize City staff to solicit the attached Request for Proposals (RFP) for consultant services to support staff efforts and the City Manager to execute a contract with the most qualified consultant. Motion unanimously passed 5 - 0.

7. Consider a resolution approving the 2007-2012 Parks System Master Plan as recommended by the Park and Recreation Commission. [J.Tool/11.02.00]

Joann Tool, Deputy Community Development Director, Recreation, Community Services and Marina, presented a brief staff report. Councilmember DeLaney asked why the latest revision took so long when the changes were relatively minor. Ms. Tool explained that the document was used during the bond campaign, and modifications were made to make the language consistent.

City Attorney Jeff Walter requested that the item be continued to the next meeting, to allow for review of Councilmembers who may have a conflict of interest due to properties owned that may be adjacent to some of the parks slated for improvements. The Council agreed.

8. Consider a resolution petitioning the Parking District to include the real property located on 908 Ferry Street within the Downtown Parking District. [T.Tucker&K.Majors/08.02.00]

Assistant City Manager Karen Majors presented the staff report.

In response to a question from Councilmember DeLaney, the Council and staff discussed the proposed fee and the actual cost correlation. Ms. Majors also discussed the City's Parking District fund.

Mayor Schroder opened public comment on the item.

Mike Alford commented on the economic benefits from the retrofit and rehabilitation of the building that the owner has done. He urged the Council not to charge any fees, since the plan will generate business and tax revenue for the City.

Councilmember Ross noted that the fee is for annexation into the Parking District, and Mr. Eghtesad is free to decline the annexation if he doesn't want to pay the fee.

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

On motion by Lara DeLaney, Councilmember, seconded by Michael Menesini, Vice Mayor, adopt Resolution No. 016-09 petitioning the Parking District to include the real property located on 908 Ferry Street within the Downtown Parking District. Motion unanimously passed 5 - 0.

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

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

## **CITY COUNCIL**

### 10. City Council Comments.

Mayor Rob Schroder announced the City Council Retreat on Saturday, March 21st, from noon to 3:00 p.m. at the Senior Center. He also indicated that applications for the Oversight Bond Committee have been submitted, as well as applications for other Commissions and Committees; and there may be a need to schedule interviews on a future Saturday.

Councilmember Janet Kennedy noted that in Monday's Contra Costa Times there was an editorial called "Struggling Seniors." She indicated that the editorial stated that almost half of California's seniors fail to meet the basic costs of housing, food, transportation, and medical care, based on these conditions. Councilmember Kennedy said she hoped that the City could provide affordable housing for seniors by allowing Resources for Community Development to develop senior housing.

Councilmember Lara DeLaney thanked staff for the excellent Climate Control Workshop held last Wednesday night; she urged citizens to take time to review information on the City's website at [www.greenmartinez.org](http://www.greenmartinez.org).

Councilmember Mark Ross echoed Councilmember DeLaney's remarks on the Workshop. He also announced that today was the last "Spare the Air Day." He thanked staff for their continued efforts on working with DBAW; he also stated that he will not be in attendance for the first meeting in April or the second meeting in June.

Vice Mayor Michael Menesini requested that staff look into possible ways to have the Boys and Girls Club open on the weekends so that it can be utilized by all. He also indicated that he would like to address the homeless issue with the Chief of Police at one of the Public Safety Subcommittee meetings, including consideration of the idea of authorizing the Police Department to open the Boys & Girls Club or the Council Chambers to the homeless on extremely cold nights.

Mayor Rob Schroder stated that he is on the Board of Trustees, Bay Area Council Economic Institute, and that the group has taken on the issue of climate change to develop a template for all local cities to use. Schroder stated that he will not be present on April 15th.

## **ADJOURNMENT**

Adjourned at 9:56 p.m. to a Regular City Council Meeting on March 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