

## **CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL**

Mayor Schroder called the meeting to order at 7:13 p.m. in the Council Chambers.

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

**EXCUSED:** Mark Ross Councilmember.

**ABSENT:** None.

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

A. Proclamation proclaiming "April 2009 as Fair Housing Month."

B. Proclamation proclaiming "April is California's 50th Anniversary in Civil Rights Laws."

Mayor Schroder presented both proclamations to Wanda Remmers, Executive Director for Housing Rights, Inc. Ms. Remmer thanked the Council for supporting the work of Housing Rights.

## **PUBLIC COMMENT**

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

Phillip Ciaramitaro urged the Council to review and provide needed improvements for the Waterfront Marina Park, and he submitted a list of suggested projects. Vice Mayor Menesini expressed appreciation to Mr. Ciaramitaro for developing the list.

Mitchell Mezel, Boy Scout, requested some time on the next agenda to present his proposed Eagle Project, and Mayor Schroder directed the City Manager to add the item to the next agenda. Vice Mayor Menesini commended Mr. Mezel for his civic-mindedness.

Joe Valencia, discussed organizations willing to help create a day shelter to provide social services for the homeless, and he requested assistance from the City. Vice Mayor Menesini asked Councilmember Kennedy about the status of conversations with the County regarding possible homeless services in the City. Councilmember Kennedy noted that the County was seeking ways to provide permanent housing rather than temporary services. City Manager Philip Vince discussed other services available, and the Council discussed transportation issues. Vice Mayor Menesini asked if a presentation from Contra Costa Transportation Authority could be made at the next meeting. Staff agreed to look into the possibility.

Marta Van Loan commented on an article in the Record regarding budget assistance for the Martinez School District, and she urged the Council to give full consideration. Vice Mayor Menesini requested that the Council/School Liaison Subcommittee meet for further discussion, especially to find ways to reduce duplicative services.

Tom Lewis requested that a resolution be placed on the next agenda regarding the "Buy America" plan, spending taxpayer money to support goods and services from United States companies. He was concerned about an article in the Martinez Gazette regarding some local businesses wanting to raise the price of alcohol to discourage the sales to the homeless, which he believed was wrong. Mayor Schroder asked, and Chief Simonetti clarified that the purpose of the meeting was to discourage public drunkenness and there was no mention at the meeting of raising prices. Vice Mayor Menesini indicated that the issue was raised at the Public Safety meeting, which was an open meeting and properly noticed. He commented on the legal responsibility of those that sell alcohol to refuse to sell to anyone who is already intoxicated.

Laura Yates, Safeway Manager, raised concerns regarding youths congregating in the Safeway parking lot and intimidating customers. She requested assistance from the City, parents, and the schools. Mayor Schroder advised her to contact Chief Simonetti. Vice Mayor Menesini noted that installing cameras at that location could deter loitering.

David Piersall reminded the Council that there are two school districts serving Martinez, not just one. He noted that both districts need financial assistance and if the City plans to contribute to one it should contribute to both. He, however, would discourage financial contributions to either district by the City. Mr. Piersall also spoke about the large amount of alcohol sales and public drunkenness in the downtown area, and he urged the Council to provide needed leadership in resolving the problem.

Mayor Schroder acknowledged Mr. Piersall was correct about the two school districts, but he noted that thus far only the Martinez School District has asked for financial assistance from the City. Vice Mayor Menesini commented that the Council has supported students in the Mount Diablo District through their science programs, senior grad night and other events/activities.

An unidentified speaker questioned who gave authority for raising the price of beer. He noted that when homeless people purchase alcohol and are picked up by the police for drunkenness or fighting, all levels of the public safety segment benefit from the fines, etc. that are levied. He suggested that a portion of the profits from alcohol sales should be set aside to help with the costs for a shelter.

Rose Martin thanked the Council for the last repairs on D Dock at the Marina. She indicated that there were several leaking faucets on the docks and asked that they be repaired. She expressed concerns with the higher rents and high vacancy rate.

Amy Engsley questioned how the County can provide assistance to the homeless if there is no communication or meetings with the homeless or concerned citizens. She questioned whether alcohol sales to the homeless is actually responsible for the problems downtown.

Another unidentified speaker discussed his experience as a recently-homeless person and how he and others can best be helped.

Mike Alford spoke about the homeless issues in Martinez and urged the Council to take care of the Martinez homeless instead of deferring to the County. He also commented on the meeting with the merchants and the Police Department, noting that Officer Stretch had erroneously stated that it would be open to the public. He urged the City to take responsibility for the problems in Martinez and arrest those responsible for vandalism, drunkenness, or whatever.

Richard Verrilli questioned if the hiring of a \$300,000 consultant was on the agenda, and he was told it was not. Mr. Verrilli questioned the legality of price-fixing for alcohol sales. He also stated he appreciated the City doing whatever they could to assist the Martinez School District, especially for teacher salaries.

(Councilmember Lara DeLaney arrived at 7:40 p.m. and was seated at the dais.)

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 February 4, and 18, March 4, and 18, 2009. [M.Cabral]
2. Motion rejecting claim(s) against the City by Ryan McCalvey, Claim #09-02.[M.Cabral]
3. Motion approving Check Reconciliation Registers dated 02/27/09, 03/05/09, 03/12/09, and 03/16/09. [C.Heater/02.01.01]
4. Resolution No. 017-09 authorizing destruction of records pertaining to the City Clerk's Office, Community Development Department, and Finance and Personnel Divisions. [M.Cabral/40.10.01]
5. Resolution No. 018-09 accepting the Hidden Valley Play Structure Renovations Project per contract documents and instructing the City Clerk to File a Notice of Completion. [D.Salts/11.03.05]
6. Resolutions directing the City Engineer to prepare the Engineer Reports and Assessment Diagrams for the following Landscaping and Lighting Assessment Districts: [T.Tucker]
  - a. Reso No. 019-09 directing 1979-3 (LL-2) (Village Oaks Terrace) for Fiscal Year 2009-10. [10.02.34]
  - b. Reso No. 020-09 directing 1981-3 (Muir Station Park) for Fiscal Year 2009-10. [10.02.15]
  - c. Reso No. 021-09 directing 1983-3 (Vista Oaks) for Fiscal Year 2009-10. [10.02.22]
  - d. Reso No. 022-09 directing 1988-1 (Center Martinez) for Fiscal Year 2009-10. [10.02.31]
  - e. Reso No. 023-09 directing 1994-1 (Creekside) for Fiscal Year 2009-10. [10.02.36]

- f. Reso No. 024-09 directing 1997-1 (Brittany Hills) for Fiscal Year 2009-10. [10.02.37]
- g. Reso No. 025-09 directing 2000-2 (Terra Vista) for Fiscal Year 2009-10 [10.02.40]
- h. Reso No. 026-09 directing 2001-1 (Alhambra Estates) for Fiscal Year 2009-10. [10.02.41]

Mayor Schroder opened public comment on Consent Calendar Items 1-6.

Regarding Item #4, Mike Alford asked what "destruction" of records meant and why it was being done. Mayor Schroder confirmed that the Historical Society is contacted to make sure no historic documents are destroyed. Mr. Alford also asked about the City Engineer's projection that this year will be a drought year with mandatory rationing. Members of the Council noted that the Contra Cost Water District has not decided yet whether rationing will be necessary.

Seeing no further speakers, Mayor Schroder closed public comment on Consent Calendar Items 1-6.

Motion to approve Items #1 through #6 of the Consent Calendar. Moved by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Councilmember. The Council voted to approve unanimously.

**JOINT CITY COUNCIL/BOARD OF DIRECTORS PLEASANT HILL  
MARTINEZ JOINT FACILITIES AGENCY - ITEM 7 ONLY**

- 7. Motion to make public that the Board of Directors of the Pleasant Hill Joint Facilities Agency (Martinez City Council) intends to act on a resolution at its meeting on April 15, to grant an additional designated period for Two Years Additional Service Credit, PERS Section 20903. The designated 90-day period will be April 16, 2009 through July 14, 2009. [P.Vince&L.Marshall/4.5.13]

Mayor Schroder opened public comment on the item.

David Piersall asked the purpose of the agenda item. Mayor Schroder read from the staff report regarding the possibility of a retirement incentive program.

Mr. Alford asked if Item #7 has anything to do with the situation at Rankin Park, and he was told it did not.

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

Motion to make public that the Board of Directors of the Pleasant Hill Joint Facilities Agency (Martinez City Council) intends to act on a resolution at its meeting on April 15, to grant an additional designated period for Two Years Additional Service Credit, PERS Section 20903. The designated 90 day period will be April 16, 2009 through July 14, 2009. Moved by Michael Menesini, Vice Mayor, seconded by Janet Kennedy, Councilmember. The Council voted to approve unanimously.

## **PUBLIC HEARING(S)**

### **CITY MANAGER**

8. Consider a Resolution authorizing the City Council to approve the issuance and sale of its General Obligation Bonds to implement voter approved Measure H (portion) in an amount not to exceed \$15 million dollars; and authorizing and directing the execution of a Paying Agent Agreement and certain other related documents; and authorizing actions related thereto.[L.Marshall/K.Majors/C.Heater/J.Tool/]

Assistant City Manager Lianne Marshall presented the staff report and presented the bond counsel, Peter Miller of Public Financial Management, Inc.

Councilmember Janet Kennedy announced that she was just informed by the City Attorney that since she lived near one of the parks that is receiving a large amount of funds for major improvements, she needed to recuse herself. Councilmember Kennedy left the dais.

Mr. Miller presented a PowerPoint presentation regarding the General Obligation Bonds, Election of 2008, Series A, reviewing the finance plan, bond terms, projected effect on tax levy, current market, etc., and reviewed the next steps in the process. He also responded to questions and comments from the Council.

Mayor Schroder opened and closed public comment on the item with no speakers coming forward.

Motion to approve Resolution No. 027-09 authorizing the City Council to approve the issuance and sale of its General Obligation Bonds to implement voter approved Measure H (portion) in an amount not to exceed \$15 million dollars; and authorizing and directing the execution of a Paying Agent Agreement and certain other related documents; and authorizing actions related thereto. Moved by Michael Menesini, Vice Mayor, seconded by Lara DeLaney, Councilmember. The Council voted to approve: Ayes: Councilmember DeLaney, Vice Mayor Menesini, Mayor Schroder; Recuse: Councilmember Kennedy; Absent: Councilmember Ross.

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

Mayor Schroder commented that Councilmember Kennedy needed to continue to recuse herself from this item as well due to a conflict of interest regarding major improvements to a park near her home.

Mayor Schroder opened public comment on the item.

Phil Ciaramentaro asked what would happen if there was another councilmember who had to recuse themselves. The City Attorney answered that they would have to draw straws.

Mike Alford asked about the bond costs for the previous item, and Vice Mayor Menesini summarized the information presented by Mr. Miller.

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

Motion to Resolution No. 028-09 adopting the 2007-2012 Parks System Master Plan as recommended by the Park and Recreation Commission. Moved by Michael Menesini, Vice Mayor, seconded by Lara DeLaney, Councilmember. The Council voted to approve: Ayes: Councilmember DeLaney, Vice Mayor Menesini, Mayor Schroder; Recuse: Councilmember Kennedy; Absent: Councilmember Ross.

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

City Manager Philip Vince updated the Council on the State's budget status.

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

11. Resolution approving Appointments to the Park, Recreation, Marina, and Cultural Commission, Cemetery Commission, and Design Review.  
[M.Cabral/16.10.01/16.01.01/16.11.01]

Mayor Schroder summarized the recommended changes to the Commissions.

Councilmember Kennedy returned to the dais.

Mayor Schroder opened and closed public comment on the item with no speakers coming forward.

Motion to approve Resolution No. 029-09 making appointments to the Park, Recreation, Marina, and Cultural Commission, Cemetery Commission, and Design Review as amended. Moved by Rob Schroder, Mayor, and no second required. The Council voted to approve unanimously.

### **CITY COUNCIL**

12. City Council Comments.

Councilmember Janet Kennedy congratulated the Citizens of the Year recipients, noting that the dinner will be at the Masonic Temple on Saturday, April 4th at 6:00 p.m. Councilmember Kennedy also reported that she will be in Monterey on Friday attending the California Redevelopment Association discussing the issues of foreclosure and community impact.

Councilmember Lara DeLaney also congratulated the Citizens of the Year recipients.

Vice Mayor Michael Menesini requested that staff contact the Contra Costa Water District and Central Contra Costa Sanitary District regarding recycled water for industrial purposes.

Mayor Rob Schroder also expressed congratulations to the Citizens of the Year. He announced Nancy Boyd Park Ribbon Cutting Ceremony on Friday, April 3 at 6:00 P.M. He also stated that he will not be present at the next Council meeting.

Councilmember Kennedy wished Mayor Schroder a Happy Birthday.

**ADJOURNMENT**

Adjourned at 8:54 p.m. to the next regular meeting of April 15, 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 – 5/6/09