

CALL TO ORDER

Mayor Schroder called the meeting to order at 6:40 p.m. with all members present.

CLOSED SESSION

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

Agency

Designated Representatives: Philip Vince, City Manager; Jeff Walter, City Attorney; Fran Buchanan, IEDA.

Employee Organization: Laborers International Union of No. American, Local #324.

PUBLIC COMMENT (Limited to Closed Session Items)

There being no comments made, the Council adjourned to the City Manager's office.

RECONVENE- PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder reconvened the meeting at 7:05 p.m. He reported that a closed session was held, for a Conference with Labor Negotiators pursuant to Government Code Section 54957.6 regarding Laborers International Union of North America, Local #324, noting there was nothing to report.

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

EXCUSED: Michael Menesini, Councilmember.

ABSENT: None.

PRESENTATION(S)/PROCLAMATION(S)

- A. Joltin Joe Presentation.

Mr. Ray Raineri, Sons of Italy, thanked City Manager Philip Vince, Public Works Director Dave Scola, Public Works Superintendent Bob Cellini, and Mike Smith for all their efforts. He noted that the Joltin' Joe had an opening ceremony on March 24th and stated that it can be viewed on Saturday mornings at the Kenney Building. Mr. Raineri also noted that the Diablo Valley Lodge 2167 is the lead agency for the fundraising, and he announced that the next fundraiser will be at the Giants Park on Saturday, August 28th, Giants vs. the Arizona Diamond Backs. The night has also been proclaimed "Italian Heritage Night," and the Grand Lodge of the Sons of Italy will have an informational booth set up.

Mr. Raineri showed a PowerPoint presentation on the progress of the Joltin Joe restoration. He indicated that they are very fortunate in having a great group of volunteers from the Local Carpenters Union, Local #152, headed by Rich Aldridge and mentored by Don Curtis, boat builder and designer out of Benicia.

Mr. Raineri expressed his appreciation to all those who have donated money and those who have given of their time and service.

Mayor Schroder asked for an update on the fundraising, and Mr. Raineri provided an estimate. He noted that donations can also be made to the "Joltin' Joe Trust Fund" at City Hall.

Vice Mayor DeLaney asked if the Yankees have been contacted to see if they have any interest in participating in the restoration. Mr. Raineri said yes, and efforts will continue.

The Council expressed their appreciation for all his efforts.

Councilmember Ross indicated that he will be spending some vacation time in Pensacola, Florida, to assist in the cleanup of the oil spill and to let residents in that region know they are not forgotten. He stated he will be presenting the City of Pensacola with a Proclamation acknowledging the tragedy and the impacts on the local economy. He read the Proclamation in support of a swift restoration of the Pensacola biome and economy and declaring July 22nd in the City of Martinez as "Pensacola, Florida and Gulf Coast Support Day."

PUBLIC COMMENT

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

Heidi Perryman, Worth A Dam, requested Council's support for a memorial for the mother beaver. She indicated that Paul Craig created the steel carvings of the mother beaver and kits. She requested that the carvings be mounted on the sheet pile wall and asked the Council for direction and support for the mounting of the carvings. Ms. Perryman announced the Beaver Fest on Saturday, August 7th.

Vice Mayor DeLaney expressed appreciation for the additional public art this project will bring to the downtown.

After brief discussion, the Council decided that the best place for the steel carvings would be on the sheet pile wall and directed Ms. Perryman to follow up with Public Works Director Dave Scola regarding the installation.

Councilmember Kennedy expressed confidence that staff will know the best location and the most cost-effective way to mount the memorial.

Mark Carrillo, who just opened up a new bike shop in the downtown, urged the Council to build a BMX bike park. Mayor Schroder explained some of the insurance issues with BMX bikers using the existing skate park. Vice Mayor DeLaney commented on the work of the BMX

Subcommittee and the Parks Master Plan noting numerous projects that were proposed under that Plan. She thanked Mr. Carrillo for bringing a bike shop to the downtown.

Mayor Schroder suggested Mr. Carrillo speak before the Parks Subcommittee as well.

After further discussion, the Council suggested that the insurance situation be revisited. City Manager Phil Vince stated that he would contact Benicia to see how their insurance allows co-existence of skaters and BMXers at the same park, and the City's Insurance Authority.

Mike Alford stated that he attended the Marina Subcommittee meeting and questioned the dredging, improvements, and the Marina contract. Mayor Schroder stated the Marina is on the agenda to be discussed later. Mr. Alford also recommended that the Council not purchase or install wayside horns, which he thinks would be a waste of money, stating there is no logic to it. He indicated that if these horns are placed at the Berrellesa crossing, they will be directed towards the future senior housing complex.

Phillip Ciaramitaro stated that he has a new organization called Community Initiatives of Martinez and announced the Fall Festival and fundraising events; the next event is "Those Oldies but Goodies" dance party on July 31st at the Veterans Building.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Motion approving City Council Minutes of June 23, 2010. [M.Cabral]
2. Motion rejecting Claim against City by Rachel Cochran, #09-33. [M.Cabral]
3. Motion accepting Check Reconciliation Register dated 07/02/10, 07/07/10, 07/08/10, and 07/14/10. [C.Spinella/2.01.01]
4. Motion accepting the Investment Summary Report ending June 30, 2010. [C.Spinella/2.01.01]
5. Motion adopting Ordinance No. 1355 C.S. Title 2, Administration and Personnel, by amending Chapter 2.38 Park, Recreation, Marina and Cultural Commission to include Bylaws and amending Sections 2.38.10, 2.38.20, and 2.38.30 of the Martinez Municipal Code. [M.Austin/16.10.00]
6. Motion accepting City Engineer's recommendation to adopt changes of the City of Martinez Standard Details Landscape and Irrigation sections. [T.Tucker/10.01.00]
7. Resolution No.082-10 approving the General Obligation Bond Tax Rate for the 2010/11 tax roll and directing submittal to Contra Costa County. [C.Spinella/02.03.00]
8. Pavement Management Projects: [D.Salts]

- A. Resolution No. 083-10 accepting the 2009 Asphalt Rubber Chip and Slurry Seal Project C1039, per contract documents and instruct the City Clerk to file a Notice of Completion; and [12.01.00]
- B. Resolution No. 084-10 accepting the Arterial Pavement Management Project C1041 per contract documents and instructing the City Clerk to file a Notice of Completion. [12.05.00]

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

On motion by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Vice Mayor, to approve Items #1 through #8 of the Consent Calendar. Motion unanimously passed 4 - 0.

PUBLIC HEARING(S)

- 9. Public hearing to introduce an ordinance amending the Martinez Municipal Code replacing the current Chapter 22.42; Planned Unit Developments. Proposed changes include: [C.Simon/09.04.04.29]
 - A. Replacement of the current process allowing a Planned Unit Development (PUD) as a conditional use, subject to Use Permit approval by the Planning Commission, with a new process defining a PUD as a specific Overlay Zoning District, subject to approval of a Zoning Map Amendment by the City Council; and
 - B. Reduction in the minimum size for a PUD from one acre (43,560 square feet) to 7,000 square feet for projects within either the Downtown Specific Plan or Downtown Overlay District areas.

Corey Simon, Senior Planner, presented the staff report.

Mayor Schroder confirmed with Mr. Simon that the Planning Commission had unanimously recommended that the City Council adopt the ordinance.

Vice Mayor DeLaney asked for clarification on the definition of a planned unit development and why staff recommends changing the ordinance now. Mr. Simon said a planned unit development is a flexible residential zoning district that allows for alternate development standards on a case-by-case basis. He also noted that there have been more requests for planned unit developments in the City as available land is limited and more of the lots left have special challenges. Thus, it seemed like a good time to review and update the applicable ordinance.

Mayor Schroder opened the public hearing.

Phillip Ciaramitaro commented on his active role in the community, expressing hope that the Council will respect him even when he disagrees with some of their actions. He urged them to consider some safeguards for the existing neighborhoods and consider allowing residents more of a choice in what happens within their neighborhoods.

Mike Alford expressed concern that staff was not clear about the intent and purpose of the ordinance. He agreed with Mr. Ciaramitaro that existing neighborhoods should be given more of a voice in making decisions that impact them. He also questioned why the City Attorney is not more locally connected. He was very concerned that the Council is not listening to the people, and he questioned why there is such a push for housing, when there seems to be more than enough already.

Seeing no further speakers, Mayor Schroder closed the public hearing.

Councilmember Ross confirmed with Mr. Simon that most other jurisdictions are using planned unit developments in the same way that staff is proposing with this ordinance. He said he thought this ordinance will give residents more of a voice than the current ordinance does.

Vice Mayor DeLaney asked about the Planning Commission minutes that indicated one member at least thought a sunset clause was a good idea, yet the proposed ordinance did not include that. Mr. Simon explained why the City Attorney had argued against such a clause, noting however, that the ordinance does have a provision for revocation should the City decide it is necessary.

Vice Mayor DeLaney asked Mr. Simon whether he thought the new ordinance will give the City better planning tools than the existing ordinance. Mr. Simon said yes, better projects should result from the updated ordinance. Vice Mayor DeLaney corrected some miss-spellings in the ordinance. She asked whether approval of a planned unit development will result in creation of a special overlay district. Mr. Simon said yes, that is the intent.

Councilmember Kennedy expressed appreciation for the ordinance, noting that now is a good time to make the changes, since the City is considering a full update of the General Plan. She was also appreciative of the purposes delineated in the ordinance.

On motion by Mark Ross, Councilmember, seconded by Janet Kennedy, Councilmember, introduce an ordinance amending the Martinez Municipal Code replacing the current Chapter 22.42; Planned Unit Developments. Motion unanimously passed 4 - 0.

CITY MANAGER

10. Discuss alternatives for an Economic Stimulus Package to Encourage New Development and Rehabilitation Projects and provide direction to staff. [P.Vince/09.01.00]

City Manager Philip Vince presented the staff report. He indicated staff preference for Alternative 1 as the best option.

Mayor Schroder agreed that Alternative 1 would be the best option for the City, indicating he has already had contact with someone interested in the possibilities.

Vice Mayor DeLaney asked for clarification on additional incentives for non-URM projects in the downtown, particularly asking whether the city-wide incentive for a 35% reduction in fees would also apply. She also thanked Councilmember Kennedy, who served with her on the Economic Revitalization Subcommittee, for her ideas and support.

Mayor Schroder opened public comment on the item.

Mike Alford relayed a question from Nader as to how the stimulus funding might help him with his proposal for a mall and parking on Ferry Street. He also noted that the owner of a Chinese restaurant was curious about additional requirements the City was putting on his application, and whether downtown business owners would benefit from the incentives. Mr. Vince indicated that the program can reduce the fees for commercial tenant improvements and rehabilitation projects, as well as earthquake retrofitting.

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

Councilmember Ross indicated his support for Alternative 1 also, and he said it was reassuring to hear that other cities are offering similar incentives for development projects.

Vice Mayor DeLaney commented on the importance of promoting the program, so people know what's available.

On motion by Lara DeLaney, Vice Mayor, seconded by Mark Ross, Councilmember, approve Economic Stimulus Package Alternative 1(A) to Encourage New Development and Rehabilitation Projects. Motion unanimously passed 4 - 0.

11. Update on Interim Library Services during construction of Measure H Library improvements and approving resolution authorizing use of Contra Costa County Library savings to provide interim Library Services. [M.Austin/5.18.02&10.05.03]

Recreation Manager Mitch Austin presented the staff report. Mayor Schroder expressed appreciation for staff's efforts to resolve the situation and the final recommendation. He indicated his support, as did Councilmember Ross.

Vice Mayor DeLaney agreed, and she asked whether the bookmobile program would be used to supplement the other services offered.

Ann Caine, County Librarian, noted that there has not been a bookmobile since the early 1990s, although visitors to the Martinez library will be able to request books from any of the County libraries.

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

On motion by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Vice Mayor, to approve Resolution No. 085-10 use of Contra Costa County Library savings to provide interim Library Services at the old train station. Motion unanimously passed 4 - 0.

12. Marina Reconstruction Update and Next Steps. [M.Austin/14.01.00]

Recreation Manager Mitch Austin presented a PowerPoint presentation and updated the Council, discussing repairs, funding, dredges, DBAW status, changes to the project timeline, next steps in the process, and other Marina activities.

Mayor Schroder expressed optimism due to the report, especially the interest DBAW is showing in moving the Martinez Marina up in priority. He asked whether the State budget problems could affect DBAW funding. Mr. Austin said not for the current allocations, but possibly for future ones.

Vice Mayor DeLaney commented on the many regulatory agencies affecting progress with the Marina improvements, but she was appreciative of Mr. Austin's abilities to guide the City through the process. She asked for more information on the federal grant possibilities, which Mr. Austin discussed.

Councilmember Kennedy asked Mr. Austin whether DBAW would be more responsive than they have in the past, considering their new staff. Mr. Austin said yes, they already have.

Councilmember Ross expressed appreciation for the progress also.

Mayor Schroder opened public comment on the item.

Mike Alford expressed confusion as to how the City can expect to get enough money to finish what has been started, given the extreme loss in funding that DBAW has experienced. He questioned whether the project permits are up-to-date to allow things to go forward.

Mayor Schroder noted that the report just given has answers to all of Mr. Alford's questions, noting that if all goes well construction should begin in about a year. Vice Mayor DeLaney acknowledged the City does not have all the funding yet, but that is why redevelopment would help.

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

13. City Manager Comment(s)/Update(s)/Report(s).

City Manager Philip Vince stated that he is pleased with all the good news on the marina. He noted that the environmental consultant has begun the Ferry EIR and will be spending \$250,000 in WETA State funds for the design of the ferry slip.

CHIEF OF POLICE

14. Resolution approving the purchase of the proposed Odin Systems Public Safety Camera System; and approve the draft Public Safety Camera System policy. [T.Simonetti/04.08.13]

Chief of Police Tom Simonetti gave a brief history on the project, and Police Commander Eric Ghisletta presented the staff report, discussing the number and locations of the cameras, the emergency process in case of an incident, and the experience of other cities with similar cameras.

Vice Mayor DeLaney recommended that the information in the draft policy that says the cameras will be placed at the discretion of the Chief of Police be moved from the "Prohibited Activities" section to the General Policy area instead. She also thanked police staff for working to find a vendor that will be a good fit with the City, as well as for the combination of funding.

Councilmember Ross acknowledged he was originally reluctant to move forward with police cameras, but with the prevalence of security cameras elsewhere in society, he thought this was a reasonable accommodation.

Mayor Schroder opened public comment on the item.

Don McCormick expressed appreciation for the time spent considering the cameras, but he was concerned about the shift in emphasis from a focus on vandalism and traffic violators to consideration of fixed locations and "possibilities." He was concerned about misuse of the cameras and the lack of community outreach.

Mike Alford said he has always been supportive of the cameras, to assist the police in addressing public safety concerns. He thought even more cameras would be better.

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

Vice Mayor DeLaney said she thinks the proposed policy has been well reviewed and considered. She expressed support for the recommendation and the benefit to public safety.

Councilmember Ross thought if the residents in a neighborhood are concerned removal of a location could be considered.

On motion by Lara DeLaney, Vice Mayor, seconded by Janet Kennedy, Councilmember, adopt Resolution No. 086-10 approving the purchase of the proposed Odin Systems Public Safety Camera System. Motion unanimously passed 4 - 0.

15. Chief of Police Comment(s)/Update(s)/Report(s).

Chief of Police Tom Simonetti announced that there will be a Bone Marrow Drive in honor of a Martinez Police Sergeant battling cancer, in conjunction with the Contra Costa Regional Medical Center, on Thursday, July 29 from 8:00 a.m. to 6:00 p.m. in the Council Chambers.

Vice Mayor DeLaney noted there is also ongoing fundraising for his family.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

16. Climate Action Plan and Sustainability Programs Update. [M.Chandler/30.08.00]

**Councilmember Ross left the meeting at 9:05 p.m.*

Vice Mayor Lara DeLaney provided the update on the accomplishments of the past year, including designating the City Hall and Police Department as green businesses, installation of electric vehicle charging stations, additional electric vehicles purchased by the City, successful City composting workshops, assistance for household ecological projects, and emphasis on climate and recycling on the City's website. She commended the City for its progress.

Councilmember Kennedy suggested that pitchers and glasses be placed on the dais instead of water bottles.

Mayor Schroder opened public comment on the item.

Phillip Ciaramitaro also commended the City for its progress and encouraged them to do more. He announced the formation of "Sustainable Martinez" at the last Earth Day celebration, and he discussed some of its activities.

Mike Alford agreed that the Council should be drinking its own, as he had suggested some time ago.

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

17. Designation of Voting Delegate and Alternate to the League of California Cities Annual Conference. [M.Cabral/7.03.04]

Mayor Schroder introduced the item.

On motion by Rob Schroder, Mayor, no second required to approve the designation of Vice Mayor DeLaney as the Voting Delegate and Councilmember Kennedy as the Alternate to the League of California Cities Annual Conference. Motion unanimously passed 3 - 0.

18. City Council Comments.

Councilmember Janet Kennedy commented that she attended the Willows production of "Avenue Q" which was well done, and they invited her to welcome the attendees. She announced the Relay for Life on August 7, at Las Juntas Elementary, and encouraged everyone to attend and directed the public to the American Cancer Society's Website for further information.

Vice Mayor DeLaney announced that they will be re-dedicating the Martinez Veterans Hall on August 7th and the "Quilts of Honor" will be on display, as well as the Beaver Fest on the same day.

Rob Schroder said he will not be at the Special Council meeting on August 12, as he will be on vacation in Europe.

ADJOURNMENT

Adjourned at 9:20 p.m. to a Special Council Meeting on August 12, 2010 at 5:00 p.m.; then to a Regular Council meeting on September 1, 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 – 9/1/10