

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

Mayor Schroder called the meeting to order at 7:10 p.m. in the Council Chambers.

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

EXCUSED: Janet Kennedy, Councilmember.

ABSENT: None.

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

A. Presentation of new Fire Chief Daryl Louder.

Mayor Schroder introduced Fire Chief Daryl Louder of the County Consolidated Fire District. Chief Louder stated that he was appointed June 1st and wanted to introduce himself to the Council and the public. He reviewed the services offered by the Fire District.

Vice Mayor DeLaney asked about concerns in the community about the possibility that one of the stations might be closing. Chief Louder acknowledged these are challenging financial times, and the next budget will be presented at the September 14th County Supervisors meeting. He indicated there may be service reductions, but he didn't think any of them were in the Martinez area.

Councilmember Menesini congratulated Chief Louder on his appointment, and he noted that Martinez has unique challenges for fire prevention. Chief Louder said he looked forward to a collaborative relationship with the City, agreeing that public safety was a joint concern.

Mayor Schroder reported that the City received a Certificate of Appreciation as a 2010 Census Proud Partner from the Census Bureau's Seattle office, in recognition of the City's valuable service and support.

Mayor Schroder announced that Item #4 will be pulled from the agenda. He explained that a notice had been posted on the City's website and the Facebook page, stating that the City Clerk's Office inadvertently placed an ordinance regarding Unusable Open Space on the agenda, which was never introduced at a public hearing as governed by State law. The item that should have gone before the Council was Ordinance 1356 C.S. amending the Martinez Municipal Code by repealing it in its entirety, and replacing Chapter 22.42 Planned Unit Developments, which was properly introduced at the Council meeting of July 21, 2010. Ordinance 1356 C.S., Planned Unit Developments, has been scheduled for the City Council meeting of September 15, 2010.

## **PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)**

Chris Kapsalis requested additional enforcement of speed limits and reckless drivers, and he asked for more Officers to walk beats, especially in the downtown, which will improve public safety and increase income to the City.

Mike Alford spoke regarding unions and Council elections, especially since the City has been hiring non-union contractors. He urged union members to pay attention to what is going on and hold their representatives responsible. He noted that Redevelopment will also be detrimental to union workers and will not require payment of prevailing wages.

Marie Knutson, Martinez Chamber of Commerce, thanked the Council for their support and invited the Council and public to the next event, which is a co-mixer with the Chamber and the Hispanic Chamber at the UPS store at 5:30 p.m. on September 9th.

Russ Holt also commented that the Police should be more aggressive and ticket bicycle riders who violate traffic laws as well.

Seeing no further speakers, Mayor Schroder closed public comment.

## **CONSENT CALENDAR**

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

2. Motion rejecting Claim against City by Dana Hunt, Claim #10-07. [M.Cabral]
3. Motion accepting Check Reconciliation Registers dated 08/17/10, 08/18/10, 08/19/10, and 08/26/10. [C.Spinella/2.01.01]
4. Motion adopting Ordinance 1356 C.S. amending Chapter 22.04 (Definitions) and Section 22.12.250 (Usable Open Space) of the Martinez Municipal Code relating to open space requirements for residential developments. ITEM PULLED FROM AGENDA.
6. Resolution No. 089-10 allocating \$537,849.38 of Proposition 1B Funds and any accrued Interest Earnings for the Fiscal Year 2010-11 Annual Pavement Management Project. [T.Tucker/12.01.01]
7. Resolution No. 090-10 extending the current lease agreement for use of the Morello Childcare facility by Lasting Impressions until end of the 2010/11 school year. [M.Austin/06.10.05]

Mayor Schroder noted that there were five sets of minutes to be approved, and they will need to be considered in several motions, based on who was in attendance at each meeting.

Vice Mayor DeLaney requested that Item #5 be removed from the Consent Calendar for further discussion.

Mayor Schroder opened public comment on Consent Items #2-3 and #6-7.

Mike Alford asked whether Main Street would be paved, since it has been 28 years since it was paved. Mayor Schroder said it is on a list to be done, but he was not sure whether it would be under this allocation. He noted that the City Engineer, Tim Tucker, would have that information.

Seeing no further speakers, Mayor Schroder closed public comment on Consent Items #2-3 and #5-6.

On motion by Lara DeLaney, Vice Mayor, seconded by Michael Menesini, Councilmember, to approve Items #2, #3, #6, and #7 of the Consent Calendar. Motion unanimously passed 4 - 0.

1. Motion approving City Council Minutes of July 7, July 14, July 19, July 21, 2010, and August 18, 2010. [M.Cabral]

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

(Approval of the City Council Minutes of July 19th were continued to a later meeting.)

On motion by Lara DeLaney, Vice Mayor, seconded by Michael Menesini, Councilmember, to approve City Council Minutes of July 7, and July 14, 2010 of the Consent Calendar. Motion unanimously passed 4 - 0.

On motion by Lara DeLaney, Vice Mayor, seconded by Mark Ross, Councilmember, to approve City Council Minutes of July 21, 2010, as amended (to show Councilmember Ross as present). Motion unanimously passed 3 - 0. Yes: Mark Ross, Councilmember Lara DeLaney, Vice Mayor, Rob Schroder, Mayor, Abstain: Michael Menesini, Councilmember.

On motion by Lara DeLaney, Vice Mayor, seconded by Mark Ross, Councilmember, to approve City Council Minutes of August 18, 2010. Motion unanimously passed 3 - 0. Yes: Mark Ross, Councilmember Lara DeLaney, Vice Mayor, Rob Schroder, Mayor, Abstain: Michael Menesini, Councilmember.

5. Proposition 84 Grant: [M.Austin/11.01.00]
  - a. Motion to approve re-submitting original Proposition 84 grant if not funded in the first round of grant considerations;
  - b. Motion to approve submitting a new grant for Proposition 84 funds to address needs at Ferry Point Park and Fishing Pier; and
  - c. Motion to approve foregoing selection of a Measure WW project until fall of 2011 for submission in spring of 2012.

Vice Mayor DeLaney reviewed the Council actions being requested under Item #5. She asked for some discussion of the Ferry Point Park and Fishing Pier project, and the possibility of purchasing the Pine Meadows Golf Course as mentioned in the staff report, since there is no limit on the number of projects applied for. She expressed concern that all the projects submitted are related to the Waterfront area.

Mayor Schroder asked staff to explain the process, which Recreation Manager Mitch Austin reviewed.

Mayor Schroder expressed agreement with Vice Mayor DeLaney's idea, as long as a grant application for Pine Meadows will not interfere with the other grant application for Waterfront improvements. He questioned whether the owners of Pine Meadows were even interested in selling the golf course at this time, and he wanted to be sure that the current owners don't think the City is pressuring them to sell if they don't want to.

City Manager Phil Vince commented on the challenges involved in managing a golf course, and he recommended against the City adding it. He indicated willingness to apply for the additional grant money for that project as well, if the Council so desires.

Mr. Austin said he thought more information should be gathered and presented to the Council at a later date. Vice Mayor DeLaney said she was surprised that it was included in the staff report as another project to consider, noting that her interest was sparked by the fact that it was not a Waterfront project.

Councilmember Menesini said it was his understanding the golf course may in fact be coming up for sale, and it is a very important open space area that should be preserved. On the other hand, he thought the fishing pier had the potential to be a regional recreational area. He encouraged staff to look at additional opportunities, and to take a proactive approach when appropriate.

Vice Mayor DeLaney agreed the fishing pier project was an important one, but she reiterated her concern that projects in other geographic areas of the City be considered.

Mayor Schroder opened public comment on Item #5.

Marta Van Loan noted that the Subcommittee had discussed the possibility of acquiring Pine Meadows but there were too many unknowns to recommend going forward at this time. She asked the Council to consider the order in which the projects should be submitted, and also consider the work involved in the application process.

Mike Alford commented on past history with the Dean property, and he expressed concern about the grant application process. He questioned whether the eventual goal is more development of the area, especially since some sections of the City's zoning ordinance have been revised recently. He also questioned the advisability of the City acquiring the golf course, given that there will be little return on the investment unless an elaborate development results.

Chris Kapsalis asked what the neighbors would think of the City acquiring the golf course and developing it further. He thought it should be preserved at all costs. Mayor Schroder noted there is no proposal at this time to develop the property, but rather to preserve it as a golf course or other parkland. He noted that the Deans considered developing it in the past.

Seeing no further speakers, Mayor Schroder closed public comment on Item #5.

Councilmember Ross commented on the purposes of the Proposition 84 funding, to promote safe waterways and water quality. He did not think the golf course acquisition fit the parameters. Vice Mayor DeLaney noted there are other purposes for the funding, and Mr. Austin confirmed that acquisition of the golf course met two of the criterion for qualifying for the grant.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Vice Mayor, to approve re-submitting original Proposition 84 grant if not funded in the first round of grant considerations; and approve submitting a new grant for Proposition 84 funds to address needs at Ferry Point Park and Fishing Pier; and approve foregoing selection of a Measure WW project until fall of 2011 for submission in spring of 2012; and *directed staff to return to Council with additional information for submitting Pine Meadows Golf Course as an additional opportunity for Proposition 84 grant application.* Motion unanimously passed 4 - 0.

## **PUBLIC HEARING(S)**

### **CITY MANAGER**

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

No comments made.

### **CHIEF OF POLICE**

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

Chief of Police Tom Simonetti presented a PowerPoint presentation comparing current crime statistics in Martinez with past years, derived from Uniform Crime Reports related to property crimes and violent crimes from 2005 through the end of July 2010. He noted that overall, the crime rate has significantly dropped from 2005 to the present.

Chief Simonetti introduced Doug Stewart, a partner with the Police Department in dealing with homeless issues in the City. Mr. Stewart reviewed the homeless statistics in the City and indicated that the City is better off than 8 months ago. He also commented on the great working relationship with the Martinez Police Department, and the quality work and concern shown by the police.

Vice Mayor DeLaney asked how long Mr. Stewart would be able to continue helping the homeless as a volunteer. Mr. Stewart said it is what he wants to do with his life, and he will continue as long as he is able. He did think, however, that eventually the City will need to hire a part- or full-time person to address the issues.

Councilmember Menesini commented on the Council's continued concern over issues related to homelessness, and he commended the Police Department for this assistance. He also thanked Mr. Stewart for his invaluable help.

Chief Simonetti stated that the Department has also partnered with Wal-Mart for a grant in reuniting homeless people with their families. He also indicated that he spoke to Scott Daily of the Sheriff's Department, who stated that prisoners are not released after 10:00 p.m.

Mayor Schroder noted that Mr. Stewart has approached the City requesting \$2,500, and he is committed to raising the money to continue Mr. Stewart's efforts with the homeless. Mr. Vince added that Mr. Stewart has been recognized by the President for his work, and a future Council agenda will include a proclamation honoring him.

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

### **CITY COUNCIL**

10. Consider supporting in concept a Bill by Senator Feinstein to establish the Delta as a National Heritage area and authorize the Mayor to sign a letter in support as recommended by Vice Mayor DeLaney.[41.01.01]

Vice Mayor Lara DeLaney presented the staff report, explaining the importance of Delta issues and Senator Feinstein's proposal, as well as potential funding.

Mayor Schroder noted that a large part of the City seems to be within the proposed area for designation as a national heritage area. Vice Mayor DeLaney expressed that all the final details in terms of the boundaries etc. have not been decided yet.

Councilmember Menesini said he supports recognition of areas of national heritage, but he was concerned that the proposal might not be what it seems. Specifically, he was concerned about the diverting of more water from the Delta to other areas. He cautioned everyone to remember that the ecological health of the Delta and the Bay are important to the health and wellbeing of the entire north coast. He indicated he could not support any plan that proposes moving more water out of the Delta. Vice Mayor DeLaney said that was the point of the measure - to keep local agency control over what happens to the Delta. She pointed out sections of the County staff report that support local control.

Councilmember Menesini asked that the language referencing State agencies' plans to divert the water be taken out of the report. Vice Mayor DeLaney noted that Contra Costa County is fighting stronger than any other County, on behalf of Delta conservation.

Councilmember Ross commended fellow Councilmembers and the Mayor for their concerns about and efforts on behalf of the Delta. He noted he has also advocated for the same.

Mayor Schroder opened public comment on the item.

Mike Alford asked about the quality of City water at this point. Councilmember Ross said it is some of the best in the Bay Area. Councilmember Menesini noted that the City has taken good care of its facilities, and was a leader in the ozone filtering process. Mr. Alford said he was very impressed with Councilmember Menesini's concerns. He questioned why the Council drinks bottled water instead of City water.

Mr. Alford asked if this proposal has anything to do with the Delta Research project and its impacts on the parking lot. He also noted concerns of local fishermen regarding the loss of salmon in the area.

Chris Kapsalis commented on the drought in the late 1970s while the Los Angeles area benefitted from diverted Bay Area water. He agreed there should be no more water taken from the Delta contrary to local interests.

Marshall Cochrane noted there are "no fishing signs" throughout the Delta now. He asked if removal of those signs could be included as part of this proposal. Councilmember Menesini agreed.

Kathy McLaughlin requested a copy of the Chief's PowerPoint presentation on crime. She confirmed also that no psychiatric emergency patients are supposed to be released after 10:00 p.m.

Ms. McLaughlin also expressed understanding with Councilmember Menesini's issues with the proposed action, noting that an additional comma could have clarified the issue.

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

On motion by Michael Menesini, Councilmember, seconded by Mark Ross, Councilmember, to approve support in concept a Bill by Senator Feinstein to establish the Delta as a National Heritage area and authorize the Mayor to sign a letter in support. Motion unanimously passed 4 - 0.

#### 11. City Council Comments.

Vice Mayor Lara DeLaney invited the public to attend a memorial event in honor of Sgt. Paul Starzyk on Monday, September 6th starting at 7:00 a.m. at City Hall. She announced the Officer of the Year event recognizing Detective Michael Estanol on Tuesday, September 7th at 6:00 p.m. at the Shell Club House, and the ground-breaking for the Rankin Aquatic Center on September 11th at 9:30 a.m. at 100 Buckley Street, as well as a 9/11 Ceremony.

Chief Simonetti stated that a 9/11 Ceremony will be held at 8:15 a.m. at the Intermodal Station.

Vice Mayor DeLaney stated that she and Councilmember Janet Kennedy will not be present at the September 15th meeting since they will both be at the League of California Cities Annual Conference.

Mayor Rob Schroder announced that while vacationing in Europe he married Susan Hatch on August 5th, and the Mayor of Stresa (Italy) had performed the ceremony. He also noted that prior to the wedding, he and the Mayor had discussed Martinez becoming a Sister City with Stresa, Italy, which he would like to move forward. He showed a flag presented to him by the Mayor, and he explained what the various characters on the flag represented.

Mayor Schroder requested that the meeting be adjourned in memory of the former Chief of Police Robert "Bud" Markwith and John Moretz, Sr. Instrument Technician.

Councilmember Menesini also requested that the meeting be adjourned in Memory of Tom Borman's mother.

### **ADJOURNMENT**

Adjourned at 8:40 p.m. *in memory of Bud Markwith, John Moretz, and Sandra Borman*, then to a Regular Meeting on September 15, 2010, 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 - 10/6/10