

CALL TO ORDER

Mayor Schroder called the City Council meeting and the Special meeting of the Board of Directors of the Joint Facilities Agency to order at 6:00 p.m. in the Council Chambers with all members present except Councilmember Menesini.

PUBLIC COMMENT (Closed Session Items Only)

Julian Frazier asked for clarification of the JFA. Mayor Schroder stated that it had to do with an employment agency under which certain employees are covered. Mr. Frazier reminded the Council that the supporters for the Alhambra Highlands are trying to support the Council, and they want to work together with the Council. He also discussed past community efforts that demonstrate the public's continued desire to preserve the Hills.

Martha Pat said she felt honored to be living in Martinez. Since 2003 she has lived in front of an open space area, and she supports the continuance of open space in the City.

Jackie Johnston urged the Council to save the hills. She was very emotional and indicated she knows that it will cost a lot of money but she hopes the people will want to preserve the Hills. She stated that anything is possible if everyone works together towards a common goal.

There being no further speakers, the City Council and the Board of Directors adjourned to the City Manager's Office for Closed Session.

CLOSED SESSION: City Council and the Board of Directors of the Joint Facilities Agency

- A. City Council -- CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to California Government Code Section 54956.8.

Property: Multiple parcels within the Alhambra Hills Specific Plan area (APNs: 164-010-019, 164-010-025, 164-010-026, 164-150-016, 164-150-022, 164-150-030, 366-010-007, and 366-060-007); Alhambra Highlands Project, Martinez.

Agency Negotiators: Anna Gwyn Simpson, Interim City Manager; Alan Shear, Asst. City Manager, Jeff Walter/Veronica Nebb, City Attorney.

Negotiating Parties: Richfield Investment Corporation.

Under Negotiation: Purchase Price, and terms of payment.

- B. City Council and Board of JFA -- CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION -- Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Cal. Gov't Code section 54956.9: One potential case.

- C. City Council -- CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION -- Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Cal. Gov't Code section 54956.9: One potential case.

- D. City Council and Board of JFA -- CONFERENCE WITH LEGAL COUNSEL -- ANTICIPATED LITIGATION -- Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Cal. Gov't Code section 54956.9: One potential case.

**Vice Mayor Menesini arrived at 6:25 p.m.*

RECONVENE - PLEDGE OF ALLEGIANCE - CALL TO ORDER

Mayor Schroder reconvened the City Council meeting at 7:14 p.m. in the Council Chambers.

Mayor Schroder reported out on the Closed Session as indicated on the agenda; for Conference with Real Property Negotiators, regarding Richfield Investment there was nothing to report out. For the three other Closed Session items, Conference with Legal Counsel with the City Council and the Board of the Joint Facilities Agency, he indicated that direction was given to legal counsel.

PRESENT: AnaMarie Avila Farias, Councilmember, Lara DeLaney, Councilmember, Mark Ross, Councilmember, Michael Menesini, Vice Mayor, and Rob Schroder, Mayor.
EXCUSED: None.
ABSENT: None.

PRESENTATION(S)

- A. Proclamation celebrating the 30th Anniversary of the West Contra Costa Youth Service Bureau.

Mayor Schroder, on behalf of the City Council, presented the proclamation to Rischa Slade. Ms. Slade discussed the history of the Bureau and the work that it does. She expressed appreciation for the recognition, noting Martinez was one of only a few cities in the county to pass a proclamation in support of the Bureau.

- B. Presentation by Loaves and Fishes.

David Gerson, Executive Director, provided a brief history of Loaves and Fishes. He also indicated that their organization provides 150 meals a day (30,000-35,000 a year), including hot meals, and through their food pantry, they distribute over 15 tons of groceries a year to Martinez residents. Mr. Gerson reviewed partnering agencies, among them the Food Bank of Contra Costa and Solano, Shelter Inc., Veteran's Administration, and Diablo Valley College. He also commented on the increased need in Martinez and elsewhere during the recession.

Mr. Gerson indicated that they are looking for a permanent location to provide services and locate the administrative offices. He noted that they currently rent space at the First Baptist Church, but if a permanent location is selected, they can offer expanded services for those in need. Mr. Gerson indicated that they are interested in the Odd Fellows Building, and the purchase is in escrow. He expressed his appreciation to Chief Peterson for his assistance. He discussed at length the types of services that the program can offer to individuals and groups who want to partner with them, and also reviewed demographics of the people who receive services currently. Mr. Gerson also introduced boardmembers Marlene Haus and Maria Bennett, employees and volunteers that were present.

Councilmember Avila Farias expressed appreciation for the work that is being done and the services that will be offered; she welcomed Loaves and Fishes to Martinez.

C. Presentation by Shell Martinez Refinery to the Martinez CERT Organization.

Steve Leshner, Shell Martinez Refinery, presented Brian Lindblom, Martinez CERT Director, a check for \$7500 to purchase a safety trailer. Mr. Leshner took the opportunity to present some of the employees that make Shell a great and safe place to work: Health and Safety Manager Marcelo Orngnan, Refinery Fire Chief Jim Florez, Health and Safety Manager Tom McKnight, Union Process Rep (United Steel Workers) Tony Lingo, and from Mr. Leshner's team Erin Hallisey, Cathy Ivers and Video Specialist Don Homewood.

Mr. Lindblom provided a brief history of the CERT (Community Emergency Response Team) program and indicated that they have just partnered with Alhambra High School to begin a teen CERT program. He expressed appreciation for Shell's generous donation to CERT.

Mayor Schroder noted that his stepdaughter took part in the training program at the high school.

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

Alison Selle, Benjamin Moore Momentum World Wide, announced that as part of "Paint What Matters", revitalization efforts are focused on buildings from Ferry to Castro Streets. She added that painting contractors have been retained and will be working to assist building owners and landlords in the area, with Benjamin Moore providing all necessary paint and supplies. She also noted that Martinez is one of only 20 cities in North America participating in the program.

Rob Zavatero, Beaver Creek Smokehouse, stated that he met with the Chamber of Commerce Board and was still denied vending privileges this year in the King of the County barbecue event. He indicated, however, that the Chamber did state that they will change their policy for next year, and he asked that the Council make sure they follow through.

Tom Borman stated that Loaves and Fishes is a wonderful organization, but needs to be in a different location and not across from the Senior Center. Mr. Borman read statements from Martinez Patch from people discussing problems with the vagrants.

Lawrence Risner, Board of Directors of the Senior Citizens Club, expressed concerns with current property, safety and parking issues that will be worse with Loaves and Fishes located as proposed. He also stated that no one was aware that they were moving. He was concerned that residents from Berrellesa Palms (which ended up a Section 8 complex, not a senior complex as promised) will probably get meals from Loaves & Fishes and travel through downtown Martinez.

Claudine Thomas expressed concerns for the seniors that use the Senior Center on a regular basis, because the majority of them are vulnerable. She noted that many seniors get a hot meal and take part in inexpensive activities. She was worried that if these seniors perceive the Loaves and Fishes program as threatening, they will stop coming to the Senior Center and sacrifice their own mental health and socialization. Ms. Thomas was disappointed that the Senior Center was not involved in the decision to move the Loaves & Fishes program to the location near the Senior Center.

Ernie Parrish expressed concerns with parking tickets and said he would like to know where he can park as a biker. He added that he has received tickets even when parking in open areas.

Greg Stauffelbach invited everyone to the Lions and Kiwanis Easter Egg Hunt on Saturday at 10 a.m. sharp at Waterfront Park. He noted that there is only one drinking fountain in the new Hidden Valley Park, which is not enough. Mayor Schroder noted that he did receive an email from Mr. Stauffelbach, but he did not have a chance yet to pass it on to the rest of the Council or staff.

Jaime Fox, Alhambra Hills Open Space Committee, commented on the amount of support for preserving the open space at Alhambra Hills, which the Council had discussed in Closed Session tonight. He noted there is an online petition supporting preservation of open space that has amassed 2500 signatures in two weeks, 800 from Martinez residents. Mayor Schroder indicated that he would have comments about the Council's position regarding the Alhambra Hills open space at the end of the meeting under Council Comments.

Bill Nichols stated that he was humbled by the support that Alhambra Hills has received. He commented on the wildlife habitat and John Muir's positive impact on the environment. He encouraged everyone to keep up the efforts to preserve the hills.

Bruce Chamberlin spoke on a bee problem caused by his neighbor's efforts to have her property zoned for bees and beehives. He asked that the Council deny such zoning. Vice Mayor Menesini asked, and Mr. Chamberlin confirmed, that his 20-year old daughter is allergic to bees.

Mike Alford spoke about Section 8 Housing and the policies affecting Berrellesa Palms residents. He also said he was shocked when he heard Vice Mayor Menesini's comment that it was "mind boggling" that PG&E wanted to remove 6 or 7 trees for their project. He pointed out that the Martinez City Council has itself approved removal of 630 trees in the Alhambra Hills.

Seeing no further speakers, Mayor Schroder closed public comment.

CONSENT CALENDAR

- A. Motion waiving reading of text of all Resolutions and Ordinances.
 - 1. Motion approving the City Council Minutes of March 19, 2014. [M.Cabral]
 - 2. Motion approving Check Reconciliation Registers dated 04/03/2014. [C.Spinela/2.1.1]
 - 3. Motion accepting the City's March 31, 2014, quarterly Cash and Investment Report. [C.Robinson/2.1.0]
 - 4. Motion approving a budget transfer of \$25,000 from the Zocchi Building Capital Improvement Project to the Boys and Girls Club Capital Improvement Project for necessary building repairs at the Boys and Girls Club. [M.Chandler/15.14.05]

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

On motion by Mark Ross, Councilmember, seconded by Michael Menesini, Vice Mayor, to approve Item #A and Items #1 through #4 of the Consent Calendar. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor.

PUBLIC HEARING(S)

5. Public hearing to introduce an Ordinance amending Chapter 22.41 (Medical Marijuana Dispensaries) to amend the title and add Sections 22.41.025 and 22.41.065 and Chapter 8.36 (Property Nuisance) relating to prohibiting the cultivation of outdoor Medical Marijuana, and finding that the adoption thereof is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15304 and 15061(B)(3). [C.Simon/E.Ghisletta/V.Nebb/9.4.4.30]

Senior City Attorney Veronica Nebb presented the staff report, reviewing the history of the ordinance, including information about the public hearings and recommendations from the Council Public Safety Subcommittee and the Planning Commission. She also discussed most recent information received by the Council and their ultimate decision to enact a complete ban on the outdoor growing of marijuana. She reviewed specific elements of the revised ordinance to fulfill the Council's direction to staff.

Mayor Schroder asked, and staff confirmed that any violation of this ordinance will be handled administratively through Code Enforcement, not as a criminal issue. Ms. Nebb clarified, however, that it could be handled through the applicable law enforcement process if desired.

Mayor Schroder asked about growing the plants in a greenhouse, and Ms. Nebb said as long as it is not in public view (i.e. visible through the walls/windows) it would not be considered outdoor cultivation.

Councilmember Ross asked about ancillary structures. Ms. Nebb clarified that the ordinance as proposed is not permitting anything but is only prohibiting precise and specific growing outdoors or in public view. Councilmember DeLaney said she would consider a greenhouse or other ancillary structure to be part of "outdoors" and therefore growing marijuana there would be prohibited also. Ms. Nebb indicated that in its present format, it would not be prohibited there unless it was visible to the public.

Mayor Schroder opened the public hearing. He urged the public on either side of the issue to be respectful to all speakers, even those they disagree with.

Sam Rankins expressed concern about increased crime from people trying to steal another's product from a greenhouse or other structure if it is known that marijuana is being grown there.

Rhonda Beatty-Gallo expressed support for the proposed ordinance prohibiting the outdoor growing of marijuana in the City. She urged the Council to keep the City safe and family-friendly.

Georgia Giblin said she thought the ordinance should be revised to prohibit outdoor growing even in a greenhouse. She noted that almost all dispensaries provide home delivery, so prohibiting the growing within City limits will not deprive anyone of needed medicinal product.

Ellen Komp, California NORMAL (National Organization for Reform of Marijuana Laws) discussed jurisdictions within California that have successfully allowed outdoor cultivation with varied regulations/limitations. She also noted there are still several lawsuits pending against cities that have prohibited the growth. She asked the Council to table this item tonight, in order that the citizens of Martinez can work together with the City to find reasonable compromise that both sides can live with.

Frank Lucido, MD, urged the City to allow personal growing of marijuana so that those who need it medically can get it in the most economical way possible. He also noted that other businesses have products that thieves might illegally obtain, but it is unlikely the City could or would ban antique stores, jewelry stores, or banks just because of the threat of criminal activity.

Randy Barrett commented on the high cost of medical marijuana when purchased from dispensaries. He indicated that the safest and most economical way to obtain medical marijuana is growing it for individual use. He was concerned about the financial hardship that could impact some who need the marijuana for medical use. Mayor Schroder said he had visited two dispensaries when the City was considering whether to allow marijuana dispensaries within City limits.

Rich Verrilli pointed out that those opposed to the outdoor growing of marijuana within the City are not unsympathetic to those needing access to marijuana for medicinal purposes. He commented on the different components of medical vs. recreational marijuana, which he thought should be left to those who are more knowledgeable. He also discussed statistics demonstrating that although alcohol use by teenagers has decreased, marijuana use has increased over the same period.

Douglas Van Raam urged the Council to reconsider its position on the proposed ban, and he questioned the rationale for the ordinance, noting that the issue was only being considered because a few individuals were growing what was obviously a commercial crop. He thought that the first step in the process should be to differentiate between growing for personal use and growing to make a profit. He cautioned the Council that an unjust law is worse than no law.

Boaz Benzakry commented on the many health benefits of marijuana, especially the oil from the plant. He reminded the Council of comments he made at an earlier hearing about his own health challenges that had been improved through the use of medical marijuana. He also expressed concern about the loss of individual freedoms when a person's rights and control over his own yard are taken away without valid cause. He agreed that growing a commercial crop in a residential backyard was unreasonable, but six plants for personal use should be allowed. He compared costs for dispensary product with the costs for private growth.

Paul Villa noted that this proposed ordinance is as ineffective at addressing the issue adequately as the previous proposal was - if a person wants to grow at home, they still can by constructing a greenhouse. He urged the Council to take the time to thoroughly research the issues and the facts and develop a reasonable ordinance that will resolve the problems (environmental, odor, fire safety, crime, health, etc.) more adequately.

Mark Schrader said he was opposed to the ordinance because it takes away individual freedoms and rights. While commercial growing obviously shouldn't be allowed, he thought that allowing 6-12 plants per household for personal was reasonable. He was also skeptical that anyone would hop a fence for such a small number of plants.

Sarah Orrick expressed concern about the lack of compassion and/or discrimination towards others who are different. She thought that a total ban on outdoor grows was unreasonable and could present a financial hardship for those most in need.

Steve Scheye said he was opposed to the growing of marijuana anywhere in the City, given its high street value. He also observed that most people he knows who are given medical marijuana cards end up using it recreationally, and it affects their ability to be productive citizens.

Felix Sanchez commented on the complexities of the issues and noted that each jurisdiction has unique qualities and perspectives, so finding one ordinance that will work for all communities is not realistic. He cautioned the Council on the unintended consequences of an outright ban. He also pointed out that legalizing the growing will remove many of the incentives for criminals to be involved.

James Smithwick indicated he was opposed to marijuana in the City for any reason - medical or recreational use, dispensary or personal product, and there were more comments about "wanting" marijuana than needing it medicinally. If the marijuana is prescribed as a "controlled substance", he questioned whether individuals can safely and accurately cultivate and grow it for personal use.

Eddie Edwards questioned what harm he brings to his neighbor from growing a few plants in his backyard for his personal use - he added that he had asked his neighbors and they all thought it was fine if it can help him function better.

Mayor Schroder stated that he had four cards from Cody Clark, Sativa Grace, Nadine Peyricain and Kelly Thack that just want their comments to be read by the Council, which he will share with them to be read at their leisure.

Mike Alford commented on the many citizens that had come out and expressed to the Council their opposition to marijuana growing in the City. He pointed out that there are other jurisdictions in easy driving distance to Martinez where it can be purchased and/or grown, so why does Martinez need to allow it. He asked how many times the public has to say no before the Council will listen and accept it.

Robin Houdashell expressed appreciation for the Mayor's desire that everyone be respectful, and she acknowledged it is difficult because it is an issue with strong feelings on both sides of the subject. However, she thought the issue needs federal monitoring because of the many complexities and variables, and especially since marijuana use/possession/growth is still illegal at the federal level. She encouraged the Council to think carefully and vote in support of the total ban on outdoor growing.

Gay Gerlack also encouraged the Council to vote for a total ban, and she discussed difficulties with enforcement and monitoring if anything but a total ban is enacted.

Bill Nichols commented on issues that came up at the annual beer fest this past weekend. He pointed out that a pot fest would result in much less chaos than the beer fest did.

Ron Christie asked why Martinez is in such a hurry to take away the rights that Californians demanded ten years with the passing of Proposition 215. He observed that Martinez is a city where individual differences are respected, and he expressed concern that bigots might circumvent the will of the people by not allowing affordable access to medical marijuana in the form of individual personal marijuana grows. He also expressed concern about the costs to the City from enacting and enforcing this ordinance, not to mention the cost to defend against future legal challenges to the ordinance.

Larry Lippow asked the Council to consider the safety and wellbeing of the citizenry when making the decision about this ordinance. He asked for input from the police representative as to what he thinks about the ordinance. Mayor Schroder said he wasn't sure whether Lieutenant Aaron Roth, who was present tonight, was willing to speak for the Chief on this issue. Vice Mayor Menesini noted that Chief Peterson had told the Public Safety Subcommittee that he thought allowing up to six plants per household was reasonable.

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

Vice Mayor Menesini expressed support for the ordinance currently before the Council, which he believes represents a reasonable compromise between the rights of the individual and the rights of the community. He acknowledged that the ordinance is not perfect and may need to be changed at some point in the future, but he thought it was the best option for the time being.

Councilmember Ross asked Ms. Komp about the possibility of a statewide ballot measure allowing recreational marijuana use; Ms. Komp said maybe in 2016, but she also commented on the need to regulate commercial growing operations and she discussed legal challenges to restrictions that have been enacted since Proposition 215 was passed. She also indicated that greenhouse growing is a very viable option.

Councilmember Ross acknowledged that an individual's rights for actions on his/her private property need to be considered, but when an individual's actions impact (smell, noise, visual) his neighbors across the property line, that's where individual rights have to be tempered for the good of the community. In the ordinance itself, Councilmember Ross pointed out that there are two Section 7's, and in addition to correcting the numbering throughout, he suggested that Section 7(a) (the first Section 7) be amended to add "or ancillary structures", so that those with innocent uses not be suspected. Other than those changes, he indicated support for the ordinance as proposed, and he expressed willingness to make a motion to that effect.

On motion by Mark Ross, Councilmember, seconded by Lara DeLaney, Councilmember, to approve introduction of an ordinance amending Chapter 22.41 (Medical Marijuana Dispensaries) to amend the title and add Sections 22.41 and 22.41.065 and Chapter 8.36 (Property Nuisance) relating to prohibiting the cultivation of outdoor Medical Marijuana, and finding that the adoption thereof is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15304 and 15061(B)(3), with corrected numbering and addition of "or ancillary structures" to Section 7(a).

Councilmember Avila Farias expressed her support for the ordinance also, pointing out that this was the first time since Proposition 215 was passed that the City has made any effort to regulate the growth of medical marijuana and that the reason for the consideration was because of a neighbor's complaints about an illegal grow. She discussed the work of the Public Safety

Subcommittee in attempting to deal with the issues in a fair and equitable way and the decision to reverse its earlier recommendation in view of court rulings related to local regulation of marijuana. She indicated she thought it best to postpone the addition of any more regulations, especially given the likelihood of an additional ballot measure in 2016.

Councilmember DeLaney acknowledged the difficulties involved in making a decision in this matter and admitted that Council rarely succeeds in pleasing everyone. She expressed sympathy for those who have a legitimate medical need, but indicated her greatest concern at this point was public safety. Therefore, until the legal landscape changes, both statewide and nationally, she would support the ban on outdoor growing of marijuana.

Mayor Schroder noted that initially he supported a limited ban, but now partly due to input from the public, he would also be supporting the ordinance banning the outdoor cultivation of marijuana within City limits.

Vice Mayor Menesini clarified that he could not support the changes added by Councilmember Ross, as he thought the ordinance drafted by staff was more than equitable.

Senior City Attorney Nebb added that the amendment proposed by Councilmember Ross would have to go back to the Planning Commission for review before the Council could vote on it.

Councilmember Ross asked if the corrected numbering needed Planning Commission approval, and Ms. Nebb said no, as it was a typing error. Councilmember Ross rescinded the amended motion. He added for the record that the Council completely supports the use of medicinal marijuana and could attest to its benefits. He also noted that Martinez was the first City in California to develop an ordinance to regulate medical marijuana dispensaries.

On motion by Mark Ross, Councilmember, seconded by Michael Menesini, Vice Mayor, introduce an Ordinance amending Chapter 22.41 (Medical Marijuana Dispensaries) to amend the title and add Sections 22.41.025 and 22.41.065 and Chapter 8.36 (Property Nuisance) relating to prohibiting the cultivation of outdoor Medical Marijuana, and finding that the adoption thereof is exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Sections 15304 And 15061(B)(3). Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor.

Ms. Nebb clarified that the motion that was moved and seconded was to introduce the ordinance.

Mayor Schroder stated that the ordinance will be back on the Consent Calendar at the next meeting for adoption.

**Council recessed at 9:24 p.m. and reconvened at 9:33 p.m. with all members present.*

CITY MANAGER

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

Interim City Manager Anna Gwyn Simpson indicated that a few weeks ago, staff provided information that Union Pacific wanted to do some road work on the Ferry Street crossing. She informed the Council that Union Pacific will begin working at night beginning Saturday, May 11th from 9:00 p.m. to 6:00 a.m. through Thursday, May 15th, and the City is applying for an encroachment permit to use the pedestrian bridge as another crossing during that time period. She stated that paving will also be done on May 16th during the day. She also indicated that notification letters will be sent to all the businesses, Union Pacific will be doing a press release, and signs will be posted 10 days prior to the closure.

CHIEF OF POLICE

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

Lieutenant Aaron Roth announced the hiring of former reserve officer Matt Castillo who has been appointed to Police Officer. The Council will be meeting him at a future swearing in ceremony.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

8. Council Subcommittee Reports.

9. Motion to approve a draft letter authorizing the Council to sign a letter requesting that the California Senate Natural Resources and Water Committee vote YES on SB 1424 (Wolk) to transfer State tidelands to the City of Martinez. [AG.Simpson/41.01.01]

Mayor Schroder reported that this morning he and Interim City Manager Simpson, Assistant City Manager Alan Shear, and City Attorney Jeff Walter met with representatives of the State Lands Commission, Senator Wolk's Office and the Natural Resources & Water Committee and discussed proposed amendments to SB 1424, which is being carried by Senator Wolk and co-authored by Assemblywoman Bonilla and Senator DeSaulnier.

Councilmember DeLaney corrected her title on the letterhead from Vice Mayor to Councilmember and the L in her name needs to be capitalized. She also asked whether the possibility of including the renegotiation of the City's loans had been discussed with the Senator. Mayor Schroder said it was discussed, with strong advice from Senator Wolk that it not be included for fear it would kill the bill. He briefly reviewed other changes that were made that were in the City's favor.

Vice Mayor Menesini noted there has been recognition of the fact that the debt belongs to the Marina Enterprise Fund, not the City. He congratulated Mayor Schroder on being able to accomplish that change.

Ms. Simpson noted that Supervisor Federal Glover had signed a letter of support for SB 1424.

Mayor Schroder opened public comment on the item.

Rich Verrilli expressed support for the draft letter and the proposed bill.

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

On motion by Michael Menesini, Vice Mayor, seconded by Mark Ross, Councilmember, to approve a draft letter authorizing the Council to sign a letter requesting that the California Senate Natural Resources and Water Committee vote YES on SB 1424 (Wolk) to transfer State tidelands to the City of Martinez *as corrected*. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor.

10. City Council Comments.

As a LAFCO Commissioner, Mayor Schroder reported on the Municipal Services Review, which is done every 5 years. He explained that the first report was water and wastewater systems, and the only recommendation from the consultant for the City of Martinez was a recommendation that the City consider joining the Contra Costa Water District. He observed that this comes up every time the assessment is done, but there are many reasons not to join. He indicated that he wanted to make the Council aware of the recommendation. Mayor Schroder noted that he spoke with Thomas Griffith and Amy who represent the Martinez Environmental Group and wanted to discuss the Alhambra Highlands issue. He agreed that the City would facilitate a meeting of key individuals that may be of help with strategies and on how to move forward to acquire the property for permanent open space. Mayor Schroder also noted that he attended the Beer Fest, which was a great event, although there were some problems after the event, which the police quickly resolved.

Councilmember Avila Farias noticed it had stated in the Gazette that it was the first time the Council had approved the appraisal for Alhambra Highlands; however, this was actually the second time.

Vice Mayor Menesini agreed with bringing potential partners together who may or may not have the funds to make an offer on the property, and getting the Flood Control partners involved is very important to the effort.

ADJOURNMENT

Adjourned at 9:47 p.m. to a Regular City Council Meeting on May 7, 2014 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 – 5/21/14