

CALL TO ORDER

Mayor Schroder called the meeting to order at 6:30 p.m. with all members present except Councilmember Avila Farias, who was excused, and Vice Mayor Menesini, who arrived shortly after roll call.

PUBLIC COMMENT (Closed Session Items Only)

There being no comments made, the Council adjourned to Closed Session in the City Manager's Office.

CLOSED SESSION

A. Closed Session pursuant to California Government Code Section 54957.6:

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representative: Jim Jakel, Interim City Manager
Unrepresented employee: Interim Chief of Police Eric Ghisletta

RECONVENE - PLEDGE OF ALLEGIANCE - CALL TO ORDER

The meeting reconvened at 7:07 p.m. in the Council Chambers. Mayor Schroder reported that the Council held a Closed Session with respect to Conference with Labor Negotiators. Agency Representative is Interim City Manager Jim Jakel, who he presented to the public. The Unrepresentative Employee is Interim Chief of Police Eric Ghisletta. There was nothing else to report.

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

EXCUSED: AnaMarie Avila Farias, Councilmember.

ABSENT: None.

PRESENTATION(S)

A. Certificate of Recognition to Scott Alstad, former Veterans Commissioner.

Mayor Schroder, on behalf of the City Council, presented a Certificate of Recognition to former Veterans Commissioner Scott Alstad, who served from December 2010 through June 2014. Mr. Alstad thanked the City for allowing him to serve in such a unique role.

B. Mayors' Healthy Cook Off Certificate of Recognition to Heribeto Perez, Uriel Vidal, and Vanessa Padilla.

Mayor Schroder presented proclamations, on behalf of the Council, to Heribeto Perez, Vanessa Padilla, Uriel Vidal for assisting and helping him prepare for the Mayors' Healthy Cook Off event. He also thanked the restaurant owner of Creek Monkey Tap House for allowing the staff to participate with him, and he wished them success in their business.

C. Proclamation proclaiming Fall Prevention Awareness Week from September 21-27, 2014.

Mayor Schroder presented the proclamation, on behalf of the City Council, to Alayne Balke, Fall Prevention Program Manager. Ms. Balke thanked the City for the proclamation and discussed efforts that can be made to reduce the frequency and severity of falls, particularly free in-home assessments offered to senior citizens. She also announced an upcoming pancake breakfast fundraiser at the Pleasant Hill Senior Center.

In response to inferences about his senior citizen status, Vice Mayor Mike Menesini challenged the Mayor to a race around City Hall.

D. Presentation by the Martinez Historic Society.

John Curtis, Director of the Martinez Historic Society, and Andrea Blachman, Director of the Martinez Museum, acknowledged Boardmembers who were in the audience. Mr. Curtis indicated that they were here to draw attention to the historical bench that now sits in the Council Chambers, which was once in the old train station. He explained that the bench was purchased by Southern Pacific Railroad employee Clem Street and ended up with Mr. Street's daughter who had moved to Beaver Creek, Ohio. Andrea Blachman stated that Pat Birdie Street contacted the Museum to see if they were interested in the depot bench, which they were, and arrangements were made to have the bench delivered. She explained further that the bench is temporarily placed in the Council Chamber until it can be placed in its proper home at the old train depot. She thanked the Street family for the donation.

Mr. Curtis noted that an informational flier was available to anyone interested.

Vice Mayor Menesini commended the Historical Society for such a great addition to the City. He also noted that he and the Mayor had tested the bench out.

E. Presentation by Main Street Martinez.

Terry Edwards, Main Street Martinez, thanked City staff and City Council for all their support. He acknowledged Boardmembers and Executive Director Leanne Peterson who were in the audience. Mr. Edwards spoke about the Bay Area Blues Festival, which will be held in September, and he introduced Steven Restivo, Event Services.

Mr. Restivo briefly discussed the history of the event and provided an update on the line up for the festival. He indicated that the festival will play on Main Street between Court and Alhambra Avenue and will be a free two-day event, September 27-28. He added that it will also integrate the Italian Street Painting Festival. For further information, he referred to the event website, bayareabluesfestival.com.

Councilmember DeLaney asked if the event would continue in Martinez in the future. Mr. Restivo said yes, depending on attendance. Mr. Curtis thanked the Council for all their support.

PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)

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

Ann Scott asked about the Loaves and Fishes item and the status. Interim City Manager Jakel updated the Council and stated that the proposed Memorandum of Understanding (MOU) is currently being circulated to the Loaves and Fishes Board. Mayor Schroder stated that it may be on the next agenda on September 17th. Ms. Scott stated that she has been a volunteer in the kitchen for many years and never has had problems. She observed that most of the individuals served are elderly and/or children. She invited others to volunteer. Mayor Schroder invited the Council to visit the Loaves and Fishes serving site and observe for themselves.

Karen Seemson spoke about pickleball, a combination of tennis, table tennis and badminton. She indicated that in March 2014 Dan Middleton and Ms. Seemson provided a presentation to the PRMC Commission and have not heard anything from the Commission or staff. Ms. Seemson requested the opportunity to provide a presentation to the Council. Mayor Schroder asked that she contact Mercy Cabral, Deputy City Clerk, to set it up for a future agenda.

Mike Alford stated that Talbort Howard will be providing a presentation in a few weeks to showcase current technology. He also noted that there is a new boiler system being installed in a downtown County administration building. He wondered why local unions have not been active in getting this work.

Douglas Van Raam stated that he opposes any laws that prohibit people from using their own soil to grow food and/or medicine for their own use or consumption.

CONSENT CALENDAR

- A. Motion waiving reading of text of all Resolutions and Ordinances.
 - 1. Motion approving City Council Minutes of Special Meeting of March 24, 2014, Regular Meetings of July 2, and July 16, 2014, and Special Meetings of August 21, and August 27, 2014. [M.Cabral]
 - 2. Motion rejecting Claims against the City by Susan Faunce, #14-11; Christopher Terry, #14-06. [M.Cabral]
 - 3. Motion approving Check Reconciliation Registers dated 07/31/2014, 08/14/2014 and 08/28/2014. [C.Spinella/2.1.1]
 - 4. Motion approving an Agreement for Eric Ghisletta to provide Interim Chief of Police services and authorizing the Mayor to execute said Agreement. [J.Jakel/17.03.02]
 - 5. Resolution No. 095-14 amending the Schedule of Fees for City Services for Greywater Plumbing Permits. [M.Chandler/02.02.01&09.16.00]

6. Resolution No. 096-14 approving the Third Amendment to Stormwater Utility Area Agreement between the Contra Costa County Flood Control and Water Conservation District and the City of Martinez. [T.Tucker/10.06.06]

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

On motion by Lara DeLaney, Councilmember, seconded by Michael Menesini, Vice Mayor, to approve Item #A and Items #1 through #6 of the Consent Calendar. Motion unanimously passed 4 - 0. Yes: Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor. Absent: AnaMarie Avila Farias, Councilmember.

PUBLIC HEARING(S)

CITY MANAGER

7. Authorizing the Interim City Manager to execute a Lease Agreement with Patricia Bayless, d.b.a. Lasting Impressions Child Care Center, for use of City real property located at 244 Morello Park Drive as amended. [M.Chandler/6.10.05]

Senior Management Analyst Michael Chandler presented the staff report, discussing the background of the facility, Ms. Bayless' qualifications and the terms of the lease agreement.

Mayor Schroder asked if there were any other City facilities that are leased out to third parties. Mr. Chandler said yes. Mayor Schroder asked about the City's responsibility for utilities and maintenance, and Mr. Chandler discussed why the lease is structured as it is.

Councilmember Lara DeLaney asked why the lease term was only for one year, with a possible one-year extension. She noted that past contracts had been for multi-year terms. Mr. Chandler explained that Ms. Bayless was in the process of transitioning to turn the business over to her head teacher, who is seeking his separate certification.

Councilmember Mark Ross asked about the ADA inspection requirements, which Mr. Chandler confirmed were at the City's discretion. Councilmember Ross expressed that if there were any improvements that could be made, they should be done.

Assistant City Attorney John Abaci reviewed current and past requirements, recent changes to the law, the language in the lease, as opposed to City liability. At the request of Councilmember Ross, Public Works Director Dave Scola reviewed what would trigger the additional inspection requirements.

There was additional general discussion about insurance and the City's liability, especially related to background checks of employees.

Vice Mayor Menesini commented on requirements at the time the facility was first used for daycare, and he expressed confidence in the lease. He was appreciative of the one-year term as a way to ensure that the care being provided meets all necessary requirements.

On a separate note, Mayor Schroder asked about the City's recreation programs and protection from abuse accusations, and staff confirmed that the City was covered through insurance.

Councilmember DeLaney asked whether the school district was a joint owner of the property or of the business. Mr. Chandler confirmed the school district owns the parcel, but the City owns some of the buildings. Councilmembers DeLaney and Ross said it would be good to clarify that in the lease. Vice Mayor Menesini acknowledged it is a complex arrangement, but the partnership worked well in its time to establish a very successful, quality preschool facility.

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

On motion by Michael Menesini, Vice Mayor, seconded by Lara DeLaney, Councilmember, authorize the Interim City Manager to execute a Lease Agreement with Patricia Bayless, d.b.a. Lasting Impressions Child Care Center, for use of City real property located at 244 Morello Park Drive. Motion unanimously passed 4 - 0. Yes: Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor. Absent: AnaMarie Avila Farias, Councilmember.

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

Interim City Manager Jim Jakel stated that he was delighted to be working for the City for the third time. He further stated that he was impressed with staff's commitment and the hard work they do. He indicated it is a pleasure to work with an experienced and seasoned City Council and the community looks wonderful. He thanked the Council for inviting him back. Interim City Manager Jakel indicated that the Public Works Director would be providing a brief recap on the recent 6.0 earthquake in the Napa area.

Public Works Director Dave Scola provided an earthquake assessment on damages in the City from the August 24, 2014, earthquake, which was centered in Napa. Mr. Scola stated that a request was received from the California Building Officials asking for help from any certified damage assessment inspectors, and Deputy Public Work Director Don Salts will be going to help in Napa on Thursday and Friday. Mr. Scola stated that the City has a program in place for making improvements to unreinforced masonry buildings. He added that all the property owners, who are in violation of the Ordinance, were contacted, and all but one has contacted him and said they have started or are in the process of reinforcing their buildings in keeping with the August 2015 deadline for retrofit compliance.

Councilmember DeLaney asked for clarification about the August 2015 deadline, and Mr. Scola confirmed the deadline was for all work to be completed, not just for plans to be in place.

Councilmember Ross was appreciative of the progress that has been made. He commented on the experience of family members in the Napa area and damage from the quake and the importance of being quake-ready. He requested that staff consider a chimney retrofit program.

Mr. Jakel expressed appreciation for Mr. Salts' abilities and willingness to assist, noting that Martinez may someday be in need of mutual aid itself. He also commented on an upcoming preparedness drill that was scheduled before the earthquake, and he encouraged the Council to attend, if interested.

CHIEF OF POLICE

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

Interim Chief of Police Eric Ghisletta expressed his appreciation to the Council for the opportunity given him as the Interim Chief. He announced that on Saturday, September 6th it will be six years since Sgt. Starzky was killed in the line of duty, and there will be a flag raising ceremony at 7:00 a.m. in front of City Hall to commemorate his actions. He also reported that there will also be a September 11th flag raising ceremony at 8:00 a.m. at the 9/11 Memorial in front of the AMTRAK Station.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

10. Consider appointment of David Joslin to Contra Costa County Council on Aging for a two year term. [M.Cabral/5.7.1]

Mayor Schroder gave a brief staff report, noting that although the proposed candidate does not live within Martinez city limits, his residence is within the City's sphere of influence.

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

On motion by Rob Schroder, Mayor, no second required to approve appointment of David Joslin to Contra Costa County Council on Aging for a two year term. Motion unanimously passed 4 - 0. Yes: Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor. Absent: AnaMarie Avila Farias, Councilmember.

11. Consider reappointment of Mayor Rob Schroder as Director and Councilmember Mark Ross as Alternate to the Central Contra Costa Transit Authority's Board of Directors for a two-year term. [M.Cabral/6.7.1]

Councilmember Lara DeLaney requested that there be consideration of rotating the service on the Board. Mayor Schroder opened the discussion to Council, but there were no further comments.

On motion by Rob Schroder, Mayor, no second required to approve reappointment of Mayor Rob Schroder as Director and Councilmember Mark Ross as Alternate to the Central Contra Costa Transit Authority's Board of Directors for a two-year term. Motion passed 3 - 1. Yes: Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor. No: Lara DeLaney, Councilmember. Absent: AnaMarie Avila Farias, Councilmember.

CITY COUNCIL

12. Approve Waterfront Park Renovation Project schedule.

City Engineer Tim Tucker presented the staff report discussing public input on the potential design for the park, engineer's estimate, construction drawings, prioritization of project features, input from the Parks, Recreation, Marina and Cultural Commission (PRMCC), anticipated timeline, and funding considerations.

Mayor Schroder expressed agreement with the more cautious timeline and the use of park in-lieu fees where available. He also asked for an updated report of what has been accomplished thus far, what still remains to be done and how much is left from the original bond fund. He expressed full confidence in the work of the bond oversight committee and the accounting thus far, but indicated he wanted to see an overview of the process thus far.

Councilmember Ross agreed with Mayor Schroder's request for a summary financial report. He asked whether it would be possible to add some power source to the event meadow area (to assist with actual events). Mr. Tucker responded that there has been some consideration of a stage area although he cautioned about the need for mitigation measures if the plans impinge too much on the natural environment.

Councilmember DeLaney said it would be helpful with future events to have the list of priorities included with the written report. She was concerned as well about the cost increases that could result from the prolonged planning stage. Mr. Tucker noted, however, that the preliminary design stage was anticipated to be long in order to accommodate the public outreach process, and those costs should be already included in the estimates.

Councilmember DeLaney indicated she did not think Measure WW funds should be used, since the parks projects were included in and approved as part of Measure H. She expressed support for inclusion of a championship field and providing some power to the event meadow.

Vice Mayor Menesini asked about the status of repair of the fire damage to the pier, which Mr. Scola discussed. In response to a follow-up question, Mr. Chandler reviewed the anticipated timeline for the repairs including input from the PRMCC.

Vice Mayor Menesini said he looked forward to moving ahead with the improvements at the park, even using Measure WW funds if necessary. Councilmember Ross asked about the deadline for use of Measure WW funds, which staff confirmed needed to be allocated by 2017 and projects completed by 2018.

Vice Mayor Menesini also indicated he could support supplying power to an event stage, provided that the natural setting is preserved as much as possible.

Mayor Schroder opened public comment on the item.

Douglas Van Raam commented on a sand pit that was included with a wooden play structure in the park years ago. He asked whether he could take some of the remaining sand to another play area elsewhere in the park. Mayor Schroder cautioned against him doing the work himself, and

referred the matter to the Public Works Director. Mr. Van Raam also expressed concern about the City paying for improvements on land that is owned by the Parks District or the State. Mayor Schroder responded that he was confident that the lease will continue and the relationship of the City with the property owners was good.

Mike Alford said he thought the City should move ahead with the improvements as soon as possible, and use whatever funds or partnering agencies are available. He urged the Council to make it happen. He questioned why the repairs to the pier haven't happened yet. Mr. Scola said there is a meeting scheduled with the insurance company in the very near future.

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 revised schedule and gather additional public input, and return with a matrix of Measure H accomplishments, outstanding items, and remaining funding/priorities; and a summary of priorities and cost estimates for Waterfront Park. Motion unanimously passed 4 - 0. Yes: Lara DeLaney, Councilmember; Mark Ross, Councilmember; Michael Menesini, Vice Mayor; Rob Schroder, Mayor. Absent: AnaMarie Avila Farias, Councilmember.

13. City Council Comments.

Councilmember Mark Ross stated that the Muir Heritage Land Trust has entered into contract to purchase an extension of the John Muir site, 66 acres of the Swett Ranch. He said he would like to see the City of Martinez participate and meet with them and possibly use Measure WW funds to assist in this project.

Councilmember Lara DeLaney stated that they have received the appraisal for the Alhambra Highlands project. She proposed reconvening the Ad Hoc Committee of herself and Councilmember Ross to discuss how to proceed in acquiring the Alhambra Highlands. She indicated that a Closed Session would need to be scheduled first. Mayor Schroder reported that the Closed Session has been scheduled for September 17. Councilmember DeLaney noted that the County Board of Supervisors is recognizing a renowned local artist Sylvia Fain, and she requested that the Council recognize her as well, and Mayor Schroder agreed.

Mayor Schroder noted that his home has been selected for the Home Tour on October 11th.

ADJOURNMENT

Adjourned at 9:03 p.m. to a Regular City Council Meeting on September 17, 2014, 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 – 10/01/14