

CALL TO ORDER

Mayor Schroder called the meeting to order at 5:00 p.m. with all members present except Councilmember Avila Farias, who arrived shortly after the meeting started.

PUBLIC COMMENT (Comments are limited only to items listed on the agenda)

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

CLOSED SESSION (Adjourn to City Manager's Office)

A. Pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS.

Agency Designated Representatives: Rob Braulik, City Manager; Alan Shear, Asst. City Manager; Fran Buchanan, IEDA.

Employee Organization: Laborers International Union of No. America, Local #324; Martinez Police Officers Association; Martinez Police Non-Sworn Employees Association.

RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Rob Schroder reconvened the Council meeting at 6:10 p.m. in the Council Chambers. He reported two Closed Sessions were held: Conference with Labor Negotiators with direction given to the City's negotiators; Existing Litigation, Ghilotti Brothers, with direction given to the City Attorney.

PRESENT: Rob Schroder, Mayor, Mark Ross, Vice Mayor, AnaMarie Avila Farias, Councilmember, Lara DeLaney, Councilmember, and Debbie M^cKillop, Councilmember.

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

A. Medal of Valor presentation to Officer Dustin Mayberry.

Interim Chief of Police Eric Ghisletta stated it is a very special night when the City can recognize outstanding performance of an employee. Interim Chief Ghisletta requested Office Dustin Mayberry to come forward to receive the Medal of Valor and invited the Council, Assistant Fire Chief Lone Goetsch, and Lt. Aaron Roth forward. He recognized residents of Harbor View area, several police Officers, retired officers, nonsworn employees and fire personnel.

Interim Chief Ghisletta indicated the Medal of Valor is the Department's highest award and is merited when the following elements exist: Outstanding bravery above and beyond what is expected in the line of duty, and where risk of life actually existed. Interim Chief Ghisletta read Officer Mayberry's certificate and described Officer Mayberry's actions, rescuing several residents on April 22 at an apartment fire at Mission Pines. Interim Chief Ghisletta presented Officer Mayberry the Medal of Valor and Assistant Fire Chief Lone Goetsch presented Officer Mayberry with a Letter of Commendation.

Officer Mayberry expressed his appreciation to Interim Chief Ghisletta. He thanked Harborview Neighborhood Watch, ConFire, Martinez Police Department (past and present) and his family for their support.

B. Recognizing 2015 -17 Budget Photo Contest Awardees.

Mayor Schroder reported the City received numerous submissions for the 2015-17 Budget Photo Contest. The Budget Subcommittee and staff selected the top 17 photos for inclusion in the 2015-17 Budget. A slideshow of the winning photos was shown.

The winners and sections of the Budget represented are: Patty Lorick - Cover and Public Works Department; Janet Stapleton - Introduction and Special Revenue Funds; Carey Dillard - Budget Guide, General Fund and Financial Policies; Warren Rose - Summary Schedules and Appendices; Erin Hallissy - General Government; Roberta Brooks - Administrative Services Department; Barbara Patchin - Community and Economic Development Department, Debt Service and Capital Improvement Program; Renee Jacobs - Police Department; Greg Hazard - Enterprise Funds; Rick Aldridge - Internal Service Funds.

Mayor Schroder congratulated all the participants.

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

John Stevens spoke on the disrepair of the streets in the Virginia Hills neighborhood. He provided pictures of the street conditions and requested the Council to keep in mind Virginia Hills neighborhood when setting street paving priorities. He also requested police assistance with speeding in the area.

Rose Hofer, resident of Waverly Road, commented on the lack of work done on Waverly Road since she started living there and stated it is deplorable the street has been overlooked.

Kevin Platt, resident on Waverly, stated the street conditions in the neighborhood need repairing and the speeding in his neighborhood needs dire attention. He requested Council's urgent attention on both matters.

Dennis Dick, resident on Donegal, stated the street conditions are deplorable and speeding is a terrible issue and frightening. He indicated most of the cars coming down Donegal do not stop at the stop sign on Appalachian.

Marie Armstrong, resident on Virginia Hills Drive, stated speeding is out of control and stop signs are overlooked. She requested some type of speed pads.

Laura Lawrence, resident on Donegal Way, echoed the previous speakers' comments. She stated her main concern is the blind curve at the bottom of Donegal and the possibility of accidents.

Dan Chrisplen, resident of Virginia Hills, expressed concern with traffic and speeding on Virginia Hills Drive, particularly with people using the neighborhood as a shortcut from Reliez Valley Road.

Mayor Schroder stated Council approved \$2,325,000 to be used on roads of which \$250,000 will be spent in the neighborhood, and an additional \$100,000 will be spent next year. The City has also set aside \$1 million for infrastructure and maintenance projects, which have not yet been identified. Mayor Schroder asked the Police Department to investigate the traffic violation issues.

Gary Freitas thanked the Mayor for trying to keep the Council meetings respectful. He stated public comments should always be handled the right way and kept civil.

Richard Verrilli respectfully disagreed with Mr. Freitas' comments. He agreed personal attacks are inappropriate but stated it is most important for everyone's voices to be heard and no one should be removed because someone disagrees. He expressed agreement with a letter in the Gazette from P. Krause regarding the hiring of the Police Chief. Mr. Verrilli stated he is still in disagreement with the Police Chief reporting to the City Manager and he believes the Council negatively impacts the Chief's ability to support the City.

Assistant Fire Chief of Operations Lon Goetsch, of Contra Costa Fire District, provided an update on the Fire District. Assistant Fire Chief Goetsch reported the District is rebuilding the Department and has hired more than 41 fire fighters in the last year and recently graduated ten fire fighter/paramedics to serve the community. During the recession the District closed five fire stations and seven fire companies. In the past year and a half, the District has been able to restore one fire station and two person squads throughout the County. In addition to rebuilding staff, the District is rebuilding the fleet and is in the process of buying new engines and trucks.

Assistant Fire Chief Goetsch stated the District is in the process of entering a public/private partnership with American Medical Response to provide ambulance transport throughout the County. If successful, the new partnership will begin January 2016.

Assistant Fire Chief Goetsch reported a vegetation fire above Howe Road was started on Tuesday due to a bird colliding with large tension wires. Unfortunately, it started three vegetation fires above Howe Road and onto Morello. Multiple fire fighters responded effectively in conjunction with the Police Department. He reminded the public all fireworks are illegal in Contra Costa County and asked everyone to be extra careful.

Mayor Schroder stated the partnership with AMR is a great idea and expressed hope it will lead to more efficiency and cost savings. He asked about the issues caused by stations closing. Assistant Fire Chief Goetsch commented on the agreements with other fire districts and stated more data on the effectiveness of those agreements would be forthcoming.

Councilmember DeLaney asked about the enforcement of the fireworks regulations. Assistant Fire Chief Goetsch stated there are too many fireworks for law enforcement to effectively address the issue. Councilmember DeLaney expressed concern and suggested the fines could be

increased to limit the number of violations. Vice Mayor Ross commented on the issue of fireworks being brought into the City from less strict communities. He also commented on the sale of fireworks to raise money for nonprofits. Assistant Fire Chief Geotsch suggested action could be taken through the California League of Cities and other associations at the State level.

CONSENT CALENDAR

A. Motion waiving reading of text of all Resolutions and Ordinances.

1. Motion approving City Council Minutes of May 6, 2015. [M.Cabral]
2. Motion approving Check Reconciliation Register dated 6/11/15. [C.Spinella/2.1.1]
3. Motion approving Ordinance 1386 C.S. amending the Municipal Code Title 15, Building and Construction, by adding Chapter 15.09, Expedited, Streamlined Permitting Process for Small Residential Rooftop Solar Systems, and finding the adoption thereof Exempt from the Provisions of the California Environmental Quality Act (CEQA) Pursuant to CEQA Guidelines Sections 15301, 15268 and 15061(B)(3). [D.Salts/9.16.01]
4. Motion approving the Growth Management Program Compliance Checklist (Calendar Years 2012 & 2013) and motion to authorize staff to submit approved Checklist to Contra Costa Transportation Authority (CCTA) for release of Return to Source Measure J Funds to the City (FY 2013-14; \$491,541.) [D.Tasini&C.Simon/9.2.8]
5. Resolution authorizing the City Manager to execute an agreement with New Leaf Collaborative and the Martinez Unified School District for recycling program education services in support of the FY 2014-15 Recycling Beverage Container Recycling Grant Award. [M.Chandler/6.10.01&30.14.04]
6. Resolution No. 079-15 adopting the Biennial Budget for July 1, 2015 through June 30, 2017. [R.Braulik/2.10.00]

Councilmember Lara DeLaney requested Items #4 and #6 be removed from the Consent Calendar.

Mayor Schroder opened and closed public comment on Items #1-#3 and #5 with no speakers coming forward.

On motion by Lara DeLaney, Councilmember, seconded by AnaMarie Avila Farias, Councilmember, to approve Item #A, Items #1 through #3 and Item #5 of the Consent Calendar. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

Councilmember DeLaney asked if Item #4, the Compliance Checklist, is a final version or a draft, and pointed out items which appeared to be highlighted for follow-up. Senior City Attorney Veronica Nebb stated the questions were answered but the highlighting was not removed.

On motion by Mark Ross, Vice Mayor, seconded by AnaMarie Avila Farias, Councilmember, to approve approving the Growth Management Program Compliance Checklist (Calendar Years 2012 & 2013) and motion to authorize staff to submit approved Checklist to Contra Costa Transportation Authority (CCTA) for release of Return to Source Measure J Funds to the City (FY 2013-14; \$491,541). Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

Councilmember DeLaney spoke on Item #6, the Biennial Budget. She asked for more information on the Code Compliance fee analysis. City Manager Rob Braulik stated it is a study to investigate the current fee structure and operational costs in order to determine the appropriate fee to enable the City to hire a full-time code compliance officer or another part-time employee. Vice Mayor Ross asked when the analysis would be complete. City Manager Braulik stated it is underway and should be complete within the next sixty days and the new fee schedule would be brought forward before the mid-year budget approval. He noted it would be less costly to hire a second half-time employee, and added it would be ideal to retain the current employee.

Councilmember DeLaney asked about the research of alternative infrastructure financing mechanisms. Mayor Schroder stated the Council had discussed the possibilities at the Goal-Setting Session. Councilmember DeLaney stated she is opposed to increasing business license taxes, parcel taxes, and sales taxes and was concerned about the use of funds to investigate them.

Councilmember DeLaney asked why Central County Homeless Outreach was not mentioned under homeless initiatives. City Manager Braulik stated only one example was listed but staff wanted to investigate alternative methods which may be successful. Interim Chief Eric Ghisletta stated in the future there will be a monthly contract with Central County Homeless Outreach.

Councilmember DeLaney asked for more information about the National Citizen Survey. City Manager Braulik explained the scientific methodology of the survey and the implementation process.

Councilmember DeLaney asked for more information about the partnership with Contra Costa Regional Medical Center and if the Council could see a copy of the agreement. Interim Chief Ghisletta provided information on the progress of the partnership and the data usage and stated he would provide more information.

Vice Mayor Ross asked if any employee positions were added other than the Executive Assistant, and City Manager Braulik stated there were no other employee changes. He added the Executive Assistant position had been funded but not filled.

Vice Mayor Ross suggested a policy regarding a percentage of surplus money go towards paying debt such as pension obligation.

Mayor Schroder opened Item #6 for public comment.

Richard Verrilli stated the City has a moral obligation to provide for its employees and not hire two part-time employees just because it is cheaper.

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

On motion by Debbie M^cKillop, Councilmember, seconded by AnaMarie Avila Farias, Councilmember, to approve Resolution No. 079-15 adopting the Biennial Budget for July 1, 2015 through June 30, 2017. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

PUBLIC HEARING(S)

CITY MANAGER

7. City Manager Comment(s)/Update(s).

City Manager Rob Braulik stated he serves on the League of California Cities' Revenue and Tax Policy Committee. At a recent meeting the committee heard a presentation from a group trying to place an item on the ballot regarding assessing commercial property each year. The Department of Finance reported they are finally looking at health care reform for their own health care and Other Post-Employment Benefit (OPEB) costs.

City Manager Braulik indicated the Revenue and Tax Committee passed a motion and asked their lobbyist, the chief lobbyist for the League of California Cities, to move forward with looking at broadening sales tax to include services. He further indicated the State budget in the mid-year may receive almost \$7 billion more in revenue than they projected and hopefully will not pursue more funds from cities.

CHIEF OF POLICE

8. Chief of Police Comment(s)/Update(s).

Interim Chief Eric Ghisletta stated he appreciated being able to recognize employees such as Officer Mayberry. He commended the department for its work in the City. He again congratulated Officer Mayberry and recognized Corporal Salamid, who will be recognized later for helping evacuate residents.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

9. Approve creation of a Project Labor Agreement Ad Hoc Committee and appointments thereto. [M.Cabral/41.06.01]

Mayor Schroder presented the staff report. He stated the City's unions were unhappy with the Project Labor Agreement and felt the ad-hoc committee should re-convene to address the issue.

On motion by Rob Schroder, Mayor, no second required to approve creating a Project Labor Agreement Ad Hoc Committee and appoint Vice Mayor Ross and himself to the Committee. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

10. Council Subcommittee Reports.

Councilmember Avila Farias stated the next Public Safety Subcommittee meeting will be scheduled soon.

Councilmembers Avila Farias and DeLaney provided an update on the Historic Train Depot Ad Hoc Committee held on July 16th. She stated the Committee has developed a concept, but the Martinez Historical Society has submitted an alternative business plan and the Committee is not in agreement which to pursue. Mayor Schroder directed staff to submit a report with both concepts, for discussion on a future agenda.

11. City Council Comments.

Councilmember Debbie McKillop recognized Police Officers for their hard work every day. She applauded Officer Mayberry and the fire personnel for putting their lives on the line.

Councilmember AnaMarie Avila Farias expressed her appreciation to Officer Mayberry for his lifesaving tactics. She noted she knows the family well and the family and Officer Mayberry have fostered a friendship since the incident.

Vice Mayor Mark Ross echoed his fellow Councilmembers' comments and commended Officer Mayberry. He also expressed his happiness with the Warriors win and the community's positive reaction.

Councilmember Lara DeLaney also congratulated Officer Mayberry for his valor. She commented, as part of the State Budget, the Governor has called a special session on fixing California roads, highways and infrastructure, and will propose to the legislature to enact a permanent and sustainable funding to maintain and repair the State's transportation and critical infrastructure and other efforts. Hopefully, the special session will result in some permanent funding to maintain local streets and roads. Councilmember DeLaney stated she represented the City at the League of California Cities Policy Committee and the Employees Relations Committee meetings last week. Discussions were held related to Public Employees' Retirement System (PERS) and future PERS increases.

Mayor Rob Schroder offered his congratulations to Officer Mayberry, Corporal Salamid and Officer Voyvidich. Mayor Schroder noted at future Council meeting he would like to discuss a possible change to the Parks, Recreation, Marina and Cultural Commission (PRMCC). He announced he will again judge the King of County Barbecue event this weekend and urged the public to attend.

Mayor Schroder stated the Council will be going into another Closed Session regarding Conference with Real Property Negotiators, Bisio Building. Mayor Schroder indicated it was his intention to adjourn after Closed Session in memory of Boyd Merrill Olney Jr., who passed away on June 11th. Mr. Olney was a garbage man and started his business in Pacheco with one truck and eight customers back in 1950. He was the successful founder of Pleasant Hill Bayshore Disposal and owned and operated ACME Fill.

Councilmember AnaMarie Avila Farias reported she attended the League of California Cities Housing and Economic Community Development forum. She indicated she will forward proposed bills to the Council.

Mayor Schroder opened Closed Session Item #B for public comment.

Richard Verrilli asked if the City was intending to purchase the property, since he did not recall discussing it in open session. Mayor Schroder stated the Council will be discussing the matter in Closed Session to come to a consensus. Once there is an agreement, it will be placed on a future agenda for discussion.

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

V. CLOSED SESSION CONTINUED (Adjourn to City Manager's Office)

B. Pursuant to Section 54956.8 of the California Government Code--CONFERENCE WITH REAL PROPERTY NEGOTIATORS.

Property: Bisio Building, 636 Ward Street.

Negotiator: Rob Braulik, City Manager, Alan Shear, Assistant City Manager; Jeff Walter, City Attorney; Michael Chandler, Sr. Management Analyst; Veronica Nebb, Senior Assistant City Attorney.

Negotiating Parties: City of Martinez and JaBa, LLC.

Under Negotiations: Price and terms of payment.

SUPPLEMENTAL COUNCIL AGENDA: (Held at the beginning of the meeting under Closed Session.)

**C. Pursuant to California Government Code Section 54956.9:
CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Paragraph (1) of
Subdivision (d). Name of Case: Ghilotti Brothers/R.M. Harris Co. JV v City of Martinez.**

The Council adjourned at 7:46 p.m. to Closed Session in the City Manager's Office.

Mayor Schroder reconvened the meeting to order and indicated they had just returned from Closed Session regarding 636 Ward Street and direction was given to the City's property negotiators.

ADJOURNMENT

Adjourned at 8:31 p.m. in memory of Boyd Olney, then to a Regular City Council meeting July 1, 2015 at 6:00 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 – 8/19/15