

I. CALL TO ORDER

Mayor Schroder called the meeting to order at 5:00 p.m. in the Council Chambers, 525 Henrietta Street, with all members present except Councilmember Avila Farias and Vice Mayor Ross who arrived after roll call.

II. PUBLIC COMMENT (comments are limited only to items listed on the agenda)

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

- A. Pursuant to California Government Code Section 54957:
PUBLIC EMPLOYMENT-Title: Chief of Police
PUBLIC EMPLOYEE APPOINTMENT-Title: Chief of Police

IV. RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder reconvened the meeting at 6:05 p.m. He reported out from Closed Session regarding Chief of Police, stating direction was given to the City Manager.

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)

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

Mayor Schroder noted he received an email from Helen Muscolo, Sue Mayo and Carlton Flynn regarding the pool hours and lap schedule.

Richard Verrilli commented on an article in the Gazette about the new public comment policy. He felt the new decorum rules are too strict and members of the public should be allowed to express their opinions as long as it is not disruptive. Mayor Schroder stated the purpose of the policy is not to stifle public comment or the right of free speech, but to treat others with respect.

Gary Freitas stated members of the public can disagree while also being civil.

CONSENT CALENDAR

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

1. Motion approving City Council Minutes for May 20, and 26, 2015 [M.Cabral]

2. Motion approving Check Reconciliation Register dated 6/25/2015. [C.Spinella/2.1.1]
3. Resolution approving an agreement with the Martinez Chamber of Commerce; and authorizing the City Manager to execute same. [M.Chandler/7.02.01]
4. Resolution No. 081-15 approving an agreement with Main Street Martinez; and authorizing the City Manager to execute same. [M.Chandler/9.12.04]
5. Resolution No. 082-15 authorizing the City Engineer to install all-way stop signs at the intersection of Green Street and Las Juntas Street. [T.Tucker/12.17.00]
6. Water Treatment Plant Seismic and Structural Upgrade Project No. C7042: [T.Tucker/15.06.16]
 - A. Resolution No. 083-15 accepting bids for the Water Treatment Plant Seismic and Structural Upgrade Project No. C7042, and awarding the construction contract to Auburn Constructors, Inc. in the amount of \$3,625,300 and allocating \$300,000 of Water System funds to Account No. C7042; and
 - B. Resolution No. 084-15 authorizing the City Manager to amend the Carollo Engineers, Inc. agreement for consultant services for the design of the Water Treatment Plant Seismic and Structural Upgrade Project No. C7042, to include construction phase support services in an amount not to exceed \$280,000.

Councilmember Avila Farias requested to remove Item #3 and Council DeLaney requested to remove Item #5 from the Consent Calendar.

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Vice Mayor, to approve Item A and Items #1, #2, #4 and #6 A and B 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 Avila Farias spoke on Item #3, asking why the City is not delaying the agreement until the Chamber of Commerce has hired a new Executive Director. City Manager Rob Braulik stated the Chamber expects to hire an Executive Director in the next month or two and services have not been affected. Councilmember Avila Farias suggested the contract should wait until the Chamber has completed a financial report on the previous fiscal year, and weekend business hours be included. Senior Management Analyst Mike Chandler noted the contract includes a provision for amending within the first few months and added the City's lease with the Chamber is up this fall. He noted he and Mr. Braulik will be reviewing and updating the deliverables for both the Chamber and Main Street Martinez. Mr. Braulik stated both organizations will provide reports at the next Council meeting.

Vice Mayor Ross requested a budget report be included in the Chamber and Main Street reports to determine the impact and success of the City's contribution. Mr. Chandler stated he will provide the financial update once he receives it from both organizations.

Item #3, resolution approving an agreement with the Martinez Chamber of Commerce; and authorizing the City Manager to execute same was continued to the next Council meeting.

Councilmember Lara DeLaney spoke on Item #5 and requested the Traffic Safety Subcommittee consider stop signs on Castro Street. Vice Mayor Ross asked for consistency along Green and Ward Street to make the changes easy to adjust to.

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Vice Mayor, to approve Resolution No. 082-15 authorizing the City Engineer to install all-way stop signs at the intersection of Green Street and Las Juntas Street. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

CONVENE BOARD OF DIRECTORS OF CONTRA COSTA SANITARY DISTRICT NO. 6

CONSENT CALENDAR - Motion waiving reading of text of all Resolutions and Ordinances.

7. Final adoption of ordinance designating the Clerk and Engineer of the District and Ordinance defining meeting proceedings:
 - A. Motion adopting Ordinance No. 001 C.S. SD-6 defining the Board of Contra Costa County Sanitation District No. 6 and Meeting Proceedings; and
 - B. Motion adopting Ordinance No. 002 C.S. SD-6 repealing Ordinance No. 3 and amending Ordinance No. 1-SD6 to designate the Martinez City Manager as the Clerk of the Board of Directors and the Martinez City Engineer as the Engineer of Contra Costa County Sanitation District No. 6.
8. Resolution No. 03-15-SD-6 authorizing the City Manager to execute the Assignment, Assumption and Novation Agreement between the County of Contra Costa and Valley Operators LLC. [T.Tucker/30.05.05]
9. Resolution No. 04-15-SD-6 establishing a Sanitation District No. 6 Special Revenue Fund. [T.Tucker/30.05.05]

Boardmember Mark Ross asked for alternate systems to be investigated to manage the District. Chair Rob Schroder stated it is being looked into.

On motion by Lara DeLaney, Boardmember, seconded by Mark Ross, Boardmember, to approve Items #7A & B, #8 and #9 of the Contra Costa Sanitary District No. 6 Consent Calendar with the proviso some alternative systems be reviewed. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Chair; Mark Ross, Boardmember; AnaMarie Avila Farias, Boardmember; Lara DeLaney, Boardmember; Debbie M^cKillop, Boardmember.

PUBLIC HEARING

10. Public hearing to consider: [T.Tucker/30.05.05]
 - A. Ordinance No. 003 C.S. SD-6 approving the Final Annual Report and prescribing the Annual Unit Sewer Service Charges for fiscal year 2015-16 in Contra Costa County Sanitation District No. 6; and

B. Resolution overruling protests (if required, must be adopted by 4/5 vote).

District Engineer Tim Tucker presented the staff report. He explained the process for setting the sewer service charge and noted no protests had been received.

Boardmember Ross provided background on the District for the public.

Chair Rob Schroder opened and closed Items #10A and B for public comment with no speakers coming forward.

On motion by Mark Ross, Boardmember, seconded by AnaMarie Avila Farias, Boardmember, to approve Ordinance No. 003 C.S. SD-6 approving the Final Annual Report and prescribing the Annual Unit Sewer Service Charges for fiscal year 2015-16 in Contra Costa County Sanitation District No. 6. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Chair; Mark Ross, Boardmember; AnaMarie Avila Farias, Boardmember; Lara DeLaney, Boardmember; Debbie M^cKillop, Boardmember.

Resolution overruling protests not required.

RECONVENE AS CITY COUNCIL

PUBLIC HEARING(S)

11. Public hearing to amending Regulations Governing Water Service - Water Rates and adopt: [T.Tucker/15.01.01]

A. Resolution No. 085-15 finding there has been no majority protest to proposed water consumption pricing adjustment of up to \$0.50 per Unit of Treated Water used, establishing the Proposed Pricing Adjustment, and amending Section 14, Schedule of Fees and Rates, of the City of Martinez Regulations Governing Water Service; and

B. Resolution No. 086-15 establishing the City of Martinez 25% Drought Management Plan.

City Engineer Tim Tucker presented the staff report for Items #11 and #12. He stated the plan had been reviewed by the Council in May and this is the public hearing to approve the plan. He reviewed the plan's components and noted the written protests the City received. He announced a free workshop entitled "Water Conservation Essentials" to be held July 18, 10 a.m. - 12 p.m. and reviewed the content and speakers. Members of the public can register by emailing savewater@cityofmartinez.org or calling the City's Recycling Hotline at 372-3531.

Mayor Schroder opened the Item for public comment.

Pete Bauldachi asked for more information on the rate adjustment. Mr. Tucker stated the \$0.50/unit increase will be credited back to the customer if the customer does not use more than 200 gallons a day averaged over the billing cycle. The reduction requirements will be based on the customer's 2013 usage. The water bills will include the allocation and current usage.

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

Councilmember DeLaney asked when the credit would be applied, and Mr. Tucker stated it would be on the same bill as the increased charge.

Councilmember M^cKillop asked if the calculation was cumulative or over a single billing cycle, and Mr. Tucker stated it is over a single billing cycle.

Vice Mayor Ross clarified the effective charge will effectively be at the old rate unless the customer exceeds the allotment.

On motion by Mark Ross, Vice Mayor, seconded by AnaMarie Avila Farias, Councilmember, to approve Resolution No. 086-15 finding there has been no majority protest to proposed water consumption pricing adjustment of up to \$0.50 per Unit of Treated Water used, establishing the Proposed Pricing Adjustment, and amending Section 14, Schedule of Fees and Rates, of the City of Martinez Regulations Governing Water Service; and Resolution No. 087-15 establishing the City of Martinez 25% Drought Management Plan. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

12. Public hearing to introduce an Ordinance amending Section 7 of the City of Martinez Water System Regulations Governing Water Service to establish fines and penalties for wasteful use of treated water during temporary drought conditions. [T.Tucker/15.01.01]

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

Vice Mayor Ross asked if there is a process for proving repairs have been completed to reverse fines, and Mr. Tucker stated a process will be created.

On motion by Lara DeLaney, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve introduction of an Ordinance amending Section 7 of the City of Martinez Water System Regulations Governing Water Service to establish fines and penalties for wasteful use of treated water during temporary drought conditions. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

CITY MANAGER

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

City Manager Rob Braulik commended Public Works Director Dave Scola and Public Works staff for their work to abate the blight caused by the building on Castro Street, which has been sitting vacant for 25 years. Vice Mayor Ross asked what will happen to the lot. Mr. Scola stated the lot will be graveled and fenced off for the time being while staff investigates options.

Councilmember DeLaney asked if the City would be reimbursed for any costs incurred, and Mr. Scola stated staff had worked with the property owner to abate the lot but had not incurred costs.

CHIEF OF POLICE

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

Interim Chief of Police Eric Ghisletta recognized Seth Kozlowski and Lenore Delfino, who spearheaded the canine donation drive. They received generous donations by businesses, organizations and others and reached their goal of \$10,000. Interim Chief Ghisletta stated a formal recognition would occur at the September 3rd Council meeting.

Interim Chief Ghisletta reminded everyone to take precautions on the 4th of July.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

15. Approve the appointment of Councilmember Avila Farias as Voting Delegate and Councilmember M^cKillop as Alternate Voting Delegate to the League of California Cities Annual Conference.

On motion by Rob Schroder, Mayor, no second required to approve the appointment of Councilmember Avila Farias as Voting Delegate to the League of California Cities Annual Conference. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

On motion by Rob Schroder, Mayor, no second required to approve the appointment of Councilmember M^cKillop as Alternate Voting Delegate to the League of California Cities Annual Conference. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

CITY COUNCIL

16. Discussion of the Park, Recreation, Marina and Cultural Commission reverting it back to the Park and Recreation Commission.

Mayor Schroder presented the staff report and reviewed the history of the Parks, Recreation, Marina and Cultural Commission and the previous committees. He provided suggestions and requested discussion of the issue. Councilmember Avila Farias expressed support for the suggestion to reduce the size of the commission and requested the City take this opportunity to increase diversity on the commission and other groups.

Councilmember Lara DeLaney agreed the current commission is too large but recommended the Park and Recreation Commission have a Marina Subcommittee. She also commented on the project to create a Joe DiMaggio mural and requested the project be assigned to a different committee.

Vice Mayor Ross expressed support for the reduction in size but agreed the citizen input on the Marina is critical.

Councilmember M^cKillop supported the Mayor's suggestion.

Mayor Schroder opened the Item for public comment.

Gay Gerlack, current PRMCC member, felt the size reduction was acceptable but urged the Council to retain a focus on arts and culture in the City.

Tony Richelle requested the City create a committee for the Marina and work hard to get as much community involvement as possible, since the Marina is so important.

Mike Benson suggested the Council consider a committee made up of four members, one to manage each aspect of the PRMCC.

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

Council discussed and agreed to reduce size of the Commission to 7 Commissioners and review each aspect of the Commission on a step by step approach.

17. Council Subcommittee Reports.

Councilmember Avila Farias and Councilmember M^cKillop reported on their attendance at the Public Safety Subcommittee held June 30th. Councilmember Avila Farias reported on the Citizens' Police Academy and stated more information for interested residents will be forthcoming. She also commented on volunteer opportunities. Councilmember Avila Farias reported on action taken to improve traffic safety in residential neighborhoods and encouraged residents to contact the City with concerns.

Councilmember M^cKillop stated staff will work on better outreach and communication with the Police Department. She noted one suggestion is the contact information be included on residents' water bills for the area contact Police Officer. Councilmember M^cKillop added the Police Department will be working on emergency planning in the case of train derailment.

18. City Council Comments.

Councilmember AnaMarie Avila Farias reported the pool is in full swing with lots of activity. She stated Council's direction in implementing extra hours and programs is having a definite impact in increased use by families.

Vice Mayor Mark Ross wished all a happy 4th of July. He stated he would like to discuss an open government ordinance and address the difference between ad hoc committees and standing subcommittees as to meeting noticing and public participation.

Councilmember Lara DeLaney wished all a happy and safe 4th of July. Councilmember DeLaney requested to know the cost for the City's fireworks and whether the City or donations had funded the purchase.

Mayor Rob Schroder stated there is a parade on the 4th at 10:00 a.m. and will begin at Court Street.

ADJOURNMENT

Adjourned at 7:12 p.m. to a Regular City Council Meeting July 15, 2015 at 6:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez California.

RECONVENE

Vice Mayor Mark Ross, Councilmembers AnaMaria Avila Farias and Debbie M^cKillop reconvened the meeting at 7:30 p.m. with their apologies.

Vice Mayor Ross noted the public hearing notice for the water rate adjustment and conservation measures had given July 1st at 7:30 p.m. as the time of the meeting. Due to this unfortunate incident, the Council is reopening the meeting and will continue the item to July 15 at 6:00 p.m. However, anyone wishing to speak tonight may do so.

Senior City Attorney Nebb clarified anyone wishing to speak tonight may also speak or provide written protest at the next meeting as well. The item will be reheard and actions retaken, so residents who do not wish to speak tonight will be given the opportunity at the next meeting, July 15th.

Vice Mayor opened Items #11 and #12, amending Regulations Governing Water Service and Water Rates, for public comment.

Mary Shoster asked why the fountain is still running. City Manager Braulik stated the water is recycled and runs continuously. The Water District has not instructed jurisdictions to shut off recycled water fountains, but staff can turn it off if the Council so directs.

An unidentified male speaker requested information on the Council's discussion at the meeting. Vice Mayor Ross explained the Items were heard and the Council voted to approve. However, the votes will be retaken at the next meeting.

Michael Ayers questioned how the Water District adjusts the baseline rate if the number of residents in the home has changed. Vice Mayor Ross stated there will be an appeal process by which residents can adjust the number.

Councilmember M^cKillop apologized for the noticing and expressed appreciation for the resident who had informed the Council of the situation.

Ronnie, no last name provided, asked how the water was distributed and if everyone will receive the same amount. Vice Mayor Ross responded the water is metered and it will be dependent on one's baseline use from 2013, as instructed by the State. Vice Mayor Ross encouraged residents to contact the Water District to request to adjust the number. Ronnie also asked why the City's lawns are green. Vice Mayor Ross stated the City's landscaping uses recycled water.

An unidentified female speaker requested the City to turn off the fountain and stop watering the grass in order to set an example.

Marie Hoffman thanked the Council for staying and reopening the meeting. She asked for better communication between departments.

An unidentified male speaker suggested signs be placed indicating where recycled water is used.

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

Vice Mayor Ross explained the rate increase discussed by the City Council. The rate will increase by \$0.50/unit for those who exceed 200 gallons per day averaged over the billing cycle. If residents do not exceed the allotment, the rate remains the same.

Senior City Attorney Nebb requested the Council make a formal motion to continue the hearing to July 15th at 6:00 p.m.

Councilmember Avila Farias apologized for the confusion on the noticing and appreciated the public's understanding.

Noticing of Items #11 and #12 amending Regulations Governing Water Service and Water Rates.

On motion by AnaMarie Avila Farias, Councilmember, seconded by Debbie M^cKillop, Councilmember, continue Items #11 A&B and Item #12 amending Regulations Governing Water Service and Water Rates to July 15th at 6:00 p.m. Motion unanimously passed 3 - 0. Yes: Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Debbie M^cKillop, Councilmember.

The meeting adjourned at 8:00 p.m.

Approved by the City Council,

Rob Schroder, Mayor

Mercy G. Cabral, Deputy City Clerk – 8/19/15

I. CALL TO ORDER

Mayor Rob Schroder called the meeting to order at 5:00 p.m. with all members present.

II. PUBLIC COMMENT (comments are limited only to items listed on the agenda)

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

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

- A. Pursuant to California Government Code - CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Initiation of litigation paragraph (4) of subdivision (d) of Section 54956.9 (9 potential cases).
- B. 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.
- C. Pursuant to California Government Code Section 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Property: Bisio Building, 636 Ward Street.
Agency Negotiator: Rob Braulik, City Manager; Alan Shear, Assistant City Manager; Michael Chandler, Sr. Management Analyst; Jeff Walter, City Attorney; Veronica Nebb, Senior Assistant City Attorney.
Negotiating Parties: City of Martinez and JaBa, LLC.
Under Negotiations: Price and terms of payment.

IV. RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder reconvened the meeting at 6:00 p.m. He reported Closed Session was held regarding Conference with Legal Counsel Anticipated Litigation and Conference with Labor Negotiators; direction was given to legal counsel and City's negotiators. Mayor Schroder noted Conference with Real Property Negotiators, 636 Ward Street, was continued to after the meeting.

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

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

A. Semi-annual update from the Martinez Chamber of Commerce.

Adam Hoffer, Chairman of the Chamber of Commerce, presented the Chamber's annual review. Mr. Hoffer read the revised Mission & Vision statement and provided an update on Chamber activities: 80 new members recruited, new business ribbon cuttings, monthly business mixers, educational seminars, visitor's center, and partnerships with the Police Department on National Night Out, and with City staff on Bring Your Own Bag. He provided an update on past events such as King of the County Barbecue, new events such as Studio on the Streets, and upcoming events, such as Martinis on the Plaza. Mr. Hoffer noted the Chamber is hiring for an Executive Director. He acknowledged the Chamber's key partners, board, ambassadors, and Councilmember DeLaney for their support.

Mayor Schroder congratulated Mr. Hoffer on the success of the Chamber's events. He asked how the Executive Director recruitment was being handled, and Mr. Hoffer noted the different areas the opening has been posted.

Councilmember Avila Farias asked if the Chamber had data on how many new businesses had been brought to Martinez recently, and Mr. Hoffer stated he would research and send the Council an update.

B. Semi-annual update from Main Street Martinez.

Terry Edwards, President of Main Street Martinez, provided an annual update. He recognized the Boardmembers and Leanne Peterson, Executive Director. Mr. Edwards provided information from Main Street's survey results. He commented Main Street will continue to work with the City, volunteers, businesses, property owners and sponsors to bring new ways to attract new businesses and customers to Downtown Martinez. He announced "Rockin by the Bay Music Festival" on September 5, 2015, featuring Edgar Winter. He provided a YouTube video on revitalization of urban downtowns. Mr. Edwards thanked the City Council and staff for their support.

Councilmember Avila Farias thanked Mr. Edwards and encouraged Main Street to keep putting on great events. Councilmember M^cKillop commended him and stated the ice rink is especially exciting.

PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)

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

Mayor Schroder stated emails were received from Kimberly Tilton, Deb Urchel, and Joe Eno regarding lap swimming and extended pool hours.

Nancy Flynn expressed appreciation on Rankin Pool and commented on how much it is used by the community. She stated she has been swimming laps in the pool since it was reopened and it was a surprise to her to see hours cut for lap swimming. Ms. Flynn proposed the lap swim session begin at the end of August from 7:30 p.m. to 9:00 p.m. for the rest of the season.

Felix Sanchez noted the "Martinez Rants and Raves" cited many businesses leaving downtown Martinez and questioned if the Council cares. He suggested the City partner with Ingress or other augmented reality apps to engage residents in Martinez. Mayor Schroder clarified by stating he and the entire Council care about the downtown and the City's economic development and it will be a priority of the new City Manager.

Julian Frazer expressed concerns with changing the time of the Council meeting. He noted the lack of public discussions noting the pros and cons of the schedule change and believed it was done to make it more difficult for the public to be engaged with the Council's activities.

Richard Verrilli echoed Mr. Frazer's comments and stated more thought should have been given before changing the time of the meeting and suggested public comment be delayed to start after 7:00. He requested an update on the status of the Chief of Police appointment. Mr. Verrilli also expressed concerns with the lack of watering at the Veterans Memorial. Mayor Schroder stated he will refer the matter to Bob Cellini, Public Works Superintendent. As to the Chief of Police appointment, Mayor Schroder stated there will be an announcement made in a couple of weeks.

CONSENT CALENDAR

- A. Motion waiving reading of text of all Resolutions and Ordinances.
 - 1. Motion approving City Council Minutes for May 29, and June 3, 2015. [M.Cabral]
 - 2. Motion approving Check Reconciliation Register dated 07/09/2015. [C.Spinella/2.1.1]
 - 3. Motion accepting Cash and Investment Report for June 30, 2015. [C.Spinella/2.1.1]
 - 4. Motion authorizing the City Manager to execute a Second Amendment to Agreement with T-Mobile West, LLC ("T-Mobile") for Vacation of Reservoir Property During Construction. [M.Chandler/19.03.21]
 - 5. Resolution No. 087-15 approving the General Obligation Bond Tax Rate for the 2015/16 property tax roll and directing submittal to Contra Costa County. [C.Robinson/2.09.00]
 - 6. Resolution No. 088-15 approving an agreement with the Martinez Chamber of Commerce; and authorizing the City Manager to execute same. [M.Chandler/7.2.1]
 - 7. Resolution No. 089-15 accepting the Alhambra Valley Road Sidewalk Gap Closure Project and Shell Avenue Pedestrian/Bicycle Improvement Project per contract documents and instruct the City Clerk to file a Notice of Completion. [D.Salts/6.7.15/12.02.04]
 - 8. Resolution No. 090-15 allocating \$14,605 from the General Fund Unassigned Fund Balance to Main Street Martinez for a concert production at the Martinez Waterfront Amphitheater in Fiscal Year 2015/16. [A.Shear/9.12.04]

Councilmember Avila Farias requested Item #6, Martinez Chamber of Commerce, be pulled from the Consent Calendar.

Mayor Schroder opened public comment on Item A and Items #1-5 and #7-8.

Julian Frazer commented on the minutes from May 29 and June 3 and requested they be more detailed to include all the speakers' concerns. He wished to include in the minutes his comments from May 29 regarding the resignation of the previous City Manager and the City's poor track record with regard to retaining higher-level staff, and his comments from June 3 regarding public comments. He felt City Council meetings should be scheduled to allow everyone to speak and members of the public should have the same amount of time the Council has to ensure they are able to articulate their points. Mr. Frazer also commented on the tragic death on the Alhambra Valley Road Sidewalk project and stated the Council should require its main contractors to provide onsite supervision of all subcontractors for safety reasons, particularly in residential areas.

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

On motion by Lara DeLaney, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve Item A and Items #1-5 and #7 and #8 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 AnaMarie Avila Farias spoke on Item #6. She thanked staff for bringing the agreement back with performance indicators and outcomes. She requested the Council consider goals and objectives and consider realigning them to better meet the community's needs. She commented on the overlap of activities between the Chamber of Commerce and Main Street Martinez. She questioned how many Chambers in other cities receive funds from their City governments and suggested ways be found to make the Chamber self-sustaining. Vice Mayor Ross acknowledged he had questioned the need for two entities in the past but noted the two organizations have distinct missions and scopes, particularly in terms of the geographic areas served. Councilmember Avila Farias felt the efforts on Main Street seemed to be duplicated and suggested the objectives for the Chamber be adjusted to cover the entire City. Mayor Schroder agreed it may be appropriate to discuss the Chamber's goals and evaluate how the organization could be leveraged for the entire City, but suggested the process wait until the Chamber finishes its current reorganization process and hires a new Executive Director.

Councilmember Lara DeLaney asked if the City's funding is required to subsidize certain activities of the Chamber such as the Visitors' Center. City Attorney Jeff Walter clarified there are no legal restrictions, but the City can place restrictions on the funds.

Councilmember Avila Farias asked if the objectives in the current agreement could be revisited while waiting for the Chamber's reorganization to do a full analysis of the goals and scope of each organization.

Vice Mayor Ross agreed the transitions in the City make this a good time to consider revisiting the roles of the different organizations. He expressed optimism for the current economic climate and the possibilities for Martinez' future development.

Mayor Schroder discussed with City Attorney Jeff Walter and City Manager Rob Braulik the possibility of adding an amendment to the agreement stating the objectives should be revisited upon the hiring of the Chamber's new Executive Director. Councilmember Avila Farias suggested the amendment should include a time frame for this to occur.

Councilmember M^cKillop agreed this is a good time for the discussion to occur.

Mayor Schroder opened Item #6 for public comment.

Harriett Burt stated she enjoys seeing new restaurants in the City. As a volunteer for both the Chamber of Commerce and Main Street Martinez, she commented on areas the organizations can work together to support businesses in the City.

Julian Frazer suggested the roof of the Visitors' Center be used for events, since it has a great view of the City. He expressed doubt the Chamber will ever be self-sufficient and felt the City would continue to have to fund activities. He expressed concern about conflicts of interest in the City's funds may be used to support family of City officials or staff. He also asked more be done to ensure smaller businesses with less money are able to set up booths and participate in Chamber and Main Street events.

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

On motion by AnaMarie Avila Farias, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve Resolution No. 088-15 approving an agreement with the Martinez Chamber of Commerce; and authorizing the City Manager to execute same *subject to an amendment to be included which would allow the scope of services and deliverables to be changed upon the hiring of the Executive Director*. 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)

9. Consider and possibly take action on the following water items: [T.Tucker/15.01.01]
 - A. Adopt Resolution No. 091-15 rescinding Resolution Numbers 085-15 and 086-15, and an Ordinance amending section 7 of the City of Martinez Water System Regulations Governing Water Service to Establish Fines and Penalties for Wasteful Use of Treated Water during Temporary Drought Conditions;
 - B. Adopt Resolution No. 092-15 finding there has been no majority protest to proposed water consumption pricing adjustment of up to \$0.50 per Unit of Treated Water used, establishing the Proposed Pricing Adjustment, and amending Section 14, Schedule of Fees and Rates, of the City of Martinez Regulations Governing Water Service;
 - C. Adopt Resolution No. 093-15 establishing the City of Martinez 25% Drought Management Plan; and
 - D. Introduce Ordinance amending Section 7 of the City of Martinez Water System Regulations Governing Water Service to Establish Fines and Penalties for Wasteful Use of Treated Water during Temporary Drought Conditions.

Water Supervisor Chris Kania expressed his apologies to the residents for sending out a notice with incorrect information and any inconvenience caused.

City Engineer Tim Tucker presented the staff report. He explained the need to rescind action taken at the July 1st meeting due to incorrect noticing. He reviewed the provisions of the Drought Plan including prohibited practices, reduction requirements and incentives, temporary rate adjustments, assessments and management of violations. He stated the additional pricing adjustment will be credited back to customers who use less than 200 gallons per day, averaged over the billing cycle. He stated the City received three written protests to the plan. He announced a City Workshop on "Water Conservation Essentials: Every Drop Counts" on Saturday, July 18, 10:00 a.m.-12:00 p.m. in the Council Chambers. Residents can register by contacting savewater@cityofmartinez.org or calling the City hotline at 925-372-3531. He also reviewed the City's own water conservation practices.

Mr. Kania provided responses to frequently asked questions about the timeline and implementation of the proposed change.

Mayor Schroder clarified the State's requirements for water conservation set the allotments and reduction goals and the Council is not able to change them with the Ordinance. Mr. Tucker noted residents who reduce will see an overall decrease in their bills even if the rate increase is applied for exceeding the allotment.

Mr. Kania noted the fountain outside City Hall uses recycled water, which is allowed under the State Water Board's resolution. The lawn out front is only watered twice a week. He encouraged the public to use recycled water when possible.

Mayor Schroder asked about the potable contractor meter program, and Mr. Kania stated it will be recalled when the Drought Plan is implemented.

Vice Mayor Ross suggested installing signs noting the lawns and fountains use recycled water.

Councilmember M^cKillop asked a warning be added so children do not play in or drink the water.

Mayor Schroder opened Items #9A-D for public comment. Mayor Schroder read a comment from Carolyn Kilmer, who had concerns about whether the allotment will be enough for larger families.

Daniel Nall expressed opposition to the Drought Management plan and felt residents are being held responsible for the failure of government organizations to properly manage the drought, including adequate water storage and management of new constructions and increased population. He also questioned where the additional fees will be spent by the City. He expressed his commitment to doing his best to conserve water on his own.

An unidentified male speaker expressed concern about the public using the recycled water in the foundation. He stated residents' savings in the summer months should be allowed to offset winter usage, when reductions will not be as easy.

Julian Frazer stated the fountain is a symbol of shared water and the fountain should not use dangerous water. He expressed concern about the water wasted in the transportation of water through aqueducts. He also stated the City should put development on hold until the drought has been over for two years. Mr. Frazer asked for free drinking water to be made available at City Hall. He also expressed concern about the needs of wildlife and asked the City to address creek flow and ensure water sources for animals.

Beth Rainsford asked for clarification of how the rate increase would be applied. Mr. Tucker stated it will show on the bill only for those who used more than 200 gallons per day over the two-month billing cycle; other residents will not see an increase on the bill.

Nancy Flynn expressed concern about recently planted trees were not planted in good soil and are not receiving adequate watering, as well as those too young to survive the drought. She suggested the City not begin new landscaping projects until after the drought, and requested the City ensure contractors use drought-resistant plants and adequately care for young plants in the future.

An unidentified female speaker asked how people with medical needs for more water could meet the restrictions. Mr. Tucker stated the plan provides an extension for those in extraordinary circumstances, including medical purposes, and asked any residents with similar needs to contact the water superintendent.

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

Councilmember M^cKillop asked if the water in the fountain is recycled water or recirculating potable water. Mr. Tucker stated it has always been recirculating, but is now using recycled water. Councilmember M^cKillop recommended not using recycled water in the fountain due to public safety concerns.

On motion by Lara DeLaney, Councilmember, seconded by AnaMarie Avila Farias, Councilmember, to approve Resolution No. 091-15 rescinding Resolution Numbers 085-15 and 086-15, and an Ordinance amending section 7 of the City of Martinez Water System Regulations Governing Water Service to Establish Fines and Penalties for Wasteful Use of Treated Water during Temporary Drought Conditions. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

On motion by Mark Ross, Vice Mayor, seconded by AnaMarie Avila Farias, Councilmember, to approve Resolution No. 092-15 finding there has been no majority protest to proposed water consumption pricing adjustment of up to \$0.50 per Unit of Treated Water used, establishing the Proposed Pricing Adjustment, and amending Section 14, Schedule of Fees and Rates, of the City of Martinez Regulations Governing Water Service. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

On motion by Mark Ross, Vice Mayor, seconded by Debbie M^cKillop, Councilmember, to approve Resolution No. 093-15 establishing the City of Martinez 25% Drought Management Plan. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

On motion by Mark Ross, Vice Mayor, seconded by Lara DeLaney, Councilmember, introduce Ordinance amending Section 7 of the City of Martinez Water System Regulations Governing Water Service to Establish Fines and Penalties for Wasteful Use of Treated Water during Temporary Drought Conditions. 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. Introducing an Ordinance repealing and reenacting, Chapter 15.30, Floodplain Management, of the Municipal Code. [D.Salts&T.Tucker/09.10.00]

City Engineer Tim Tucker presented staff report. He provided a history of floodplain management in the City and region and discussed the requirements introduced by FEMA's recent coastal study, including flood insurance and other measures. He noted affected property owners had been invited to a community workshop and had been mailed information.

Mayor Schroder noted most of the affected properties are industrial. Councilmember M^cKillop asked how many residents were affected, and Mr. Tucker stated less than 25 properties are affected.

Mayor Schroder opened Item #10 for public comment.

Richard Verrilli asked how flood insurance rates are determined. Mr. Tucker stated the rates are determined by FEMA. If the residents within the new boundaries of the floodplain sign up for insurance before the deadline, there is a possibility they will be grandfathered in to the lower rates. Mr. Verrilli stated he did not understand the need for flood insurance when earthquakes are a great risk.

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

On motion by Mark Ross, Vice Mayor, seconded by Lara DeLaney, Councilmember, introduce an Ordinance repealing and reenacting, Chapter 15.30, Floodplain Management, of the Municipal Code. Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

CITY MANAGER

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

CHIEF OF POLICE

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

Interim Chief of Police Eric Ghisletta stated Tuesday, August 4th will be National Night Out between 6:00 p.m. and 9:00 p.m. He announced the main events at Rankin Park, Les Schwab, Creekside Church, Nancy Boyd Park and several other neighborhood locations.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

13. Authorize the Mayor to provide a letter of support to the grant application from the Martinez Historical Society, on behalf of the Joe DiMaggio Hometown Hero Project, for the National Endowment for the Arts' Our Town FY 16 "Arts Engagement, Cultural Planning, and Design Projects grant." [L.DeLaney/11.15.04]

Councilmember Lara DeLaney presented the staff report. She stated she had been working on the Joe DiMaggio Hometown Hero Project since it began last November at DiMaggio's hundredth birthday celebration. The group involved has been working toward forming a nonprofit organization for the purpose of honoring and promoting Joe DiMaggio's heritage in Martinez. She commented on some of the possible initiatives including art, tours, a museum, and a bronze sculpture, which is what this grant application is for. Councilmember DeLaney reviewed some of the goals and possibilities for the sculpture project and listed next steps.

Mayor Schroder reported on his meeting with the City Manager, some of Joe DiMaggio's descendants and the proposed artist, Mario Chiodo. He stated he was impressed and is in support of the application. He noted a decision has not yet been made about the use of the train station.

Councilmember Avila Farias asked where the matching funds would come from.

Councilmember DeLaney stated the project would pursue private funding at first. She noted the application does not require funds to be committed before it is considered, and added Mr. Chiodo has fundraising resources as well.

Councilmember M^cKillop noted this project has a significant educational component as well.

Mayor Schroder noted there had been some concern Joe DiMaggio had a negative relationship with Martinez, but stated the project is not solely about Joe DiMaggio, but will promote Italian heritage in Martinez and in California.

Councilmember Avila Farias and Vice Mayor Ross expressed support of the application.

Mayor Schroder opened Item #13 for public comment.

Richard Verrilli expressed support of the project and commented on the heritage of other immigrant communities in the City. He commended Councilmember DeLaney on her efforts.

Julian Frazer urged the Council not to share the story that Joe DiMaggio did not like Martinez. He shared stories about DiMaggio and the time he spent in Martinez and on the waterfront. He also commented on the Multiple Property Listing had been submitted to the National Registry and stated the Martinez Historical Society, Main Street Martinez and the City Council should have supported it and should do more to promote the City's historical heritage. He asked the City to include the Fisherman's Plaque and DiMaggio's birth site in the walking tour.

Daniel Nall expressed support for promoting history and Joe DiMaggio but felt a statue was not a good use of money. He commented on other possible projects such as the museum.

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

Councilmember DeLaney provided an update on the Joltin' Joe boat restoration project, noting it is near completion. The finished boat will be submitted into two competitions at Lake Tahoe and there will be an event to celebrate the completion of the boat and the hard work of the community. She also provided an update on the oral history project and a possible collaboration with the Building and Construction Trades Council at the Joe DiMaggio Fields. Mayor Schroder noted organizations have financially supported the Joltin' Joe restoration should also be recognized.

On motion by AnaMarie Avila Farias, Councilmember, seconded by Lara DeLaney, Councilmember, authorize the Mayor to sign a letter of support to the grant application from the Martinez Historical Society, on behalf of the Joe DiMaggio Hometown Hero Project, for the National Endowment for the Arts' Our Town FY 16 "Arts Engagement, Cultural Planning, and Design Projects grant." Motion unanimously passed 5 - 0. Yes: Rob Schroder, Mayor; Mark Ross, Vice Mayor; AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember.

14. Council Subcommittee Reports.

Mayor Schroder and Councilmember Ross reported on their attendance of the Council's Project Labor Agreement Ad Hoc Committee held on July 15th. The name of the agreement has been changed to the Project Stabilization Agreement. The Committee has been working with staff and attorneys to review the proposal from Building and Construction Trades Council and address other concerns. The Committee will meet one more time and plans to bring the agreement before the Council in September.

Councilmember Avila Farias noted there had been a question about the use of ad hoc committees. Mayor Schroder stated the committees operate within the rules of the Brown Act.

Councilmember Avila Farias reported on her attendance of the California League of Cities Latino Caucus Board of Directors retreat on July 9th and 10th. The Latino Caucus is celebrating its 25th anniversary, about which the Council will receive more information. She reported on the work of the caucus and the makeup of the board of directors and stated she looks forward to representing the community on the caucus.

15. City Council Comments.

Councilmember Lara DeLaney and Councilmember M^cKillop will be representing the City in Lake Tahoe when the Joltin' Joe enters the Concours d'Elegance boat show on August 7th and 8th.

Councilmember AnaMarie Avila Farias requested a follow up on the beavers found dead and City Manager Rob Braulik indicated he had no information as to their condition. Councilmember M^cKillop reported the autopsy is not yet complete. Councilmember Avila Farias commented the 4th of July was phenomenal and the pool reached its capacity. Councilmember Avila Farias requested the Council's meeting time be placed on a future agenda. She is having conflicts between her work schedule and the Closed Session meetings, and it seems it is disorienting the public.

Councilmember Debbie M^cKillop indicated she also had concerns with the meeting time and it presents a problem with her work schedule as well. She had been willing to try out the new schedule, but would like to reevaluate it.

Vice Mayor Mark Ross stated he is flexible and able to fulfill his duty to the public when necessary, but he understands how difficult it can be for the public to be here to speak on a Closed Session item at 5:00 p.m. He stated the schedule change was not done to deceive the public but to try out a different time.

Mayor Rob Schroder stated the earlier time seems to work for him and requested the Council try it for a few more meetings and change it back if it is not workable. Mayor Schroder requested to adjourn in memory of Irving Shear, father of Alan Shear, Assistant City Manager; Harold Simon, father of Corey Simon, Senior Planner; and Sandra Ellen Allds, sister of Susan Branch, Senior Account Tech.

Mayor Schroder stated the Council will adjourn to Closed Session with respect to Conference with Real Property Negotiators regarding 636 Ward Street. Upon reconvening, the Council will adjourn in memory of those individuals stated earlier. He announced the July 29th meeting was canceled to August 19, 2015 at 6:00 p.m. in the Council Chambers.

City Council adjourned at 8:40 p.m. to Closed Session in the City Manager's Office.

CLOSED SESSION CONTINUED

C. Pursuant to California Government Code Section 54956.8 - CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Property: Bisio Building, 636 Ward Street.

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

Negotiating Parties: City of Martinez and JaBa, LLC.

Under Negotiations: Price and terms of payment.

Mayor Schroder called the meeting back to order and reported direction was given to the property negotiators.

ADJOURNMENT

Adjourned at 9:07 p.m. *in memory of Irving Shear, Sandra Ellen Allds and Harold Simon*, then to an Adjourned Regular City Council Meeting to be held on August 19, 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 – 09/16/15

I. CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

Vice Mayor Ross called the meeting to order at 6:00 p.m. in the Council Chambers.

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

EXCUSED: None.

ABSENT: None.

Vice Mayor Ross stated Mayor Schroder was not present, but he is excused on City business. The agenda has been posted in the lobby of the Hyatt Regency in Sacramento, and Mayor Schroder will be participating in Closed Session by telephone.

II. PUBLIC COMMENT (Comments are limited only to items listed on the Agenda)

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

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

A. Pursuant 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 and Management Compensation Plan.

Councilmember Avila Farias arrived at 6:30 p.m.

CITY MANAGER/CITY COUNCIL

1. City Manager/City Council Comments.

Vice Mayor Ross stated a closed session was held and there was nothing to report.

ADJOURNMENT

Adjourned at 6:45 p.m. to a Regular Council Meeting on September 16, 2015 at 6:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, California.

Approved by the City Council,