

I. CALL TO ORDER - SPECIAL CITY COUNCIL MEETING 6:45 PM (Board Room)

A. Commission/Committee Interview.

Meeting canceled.

II. RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder called the meeting in the Council Chambers at 7:00 p.m.

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

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

A. Proclamation "Recognizing the 75th Anniversary of Joe DiMaggio's 56-Game Hitting Streak."

Mayor Schroder, on behalf of the City Council, read and presented a proclamation to Paula DiMaggio, granddaughter of Joe DiMaggio.

Ms. DiMaggio reminisced about Joe DiMaggio and expressed her appreciation to the Council for the proclamation and the recognition of his abilities and his importance to the Italian-American community.

Councilmember Ross acknowledged Mr. DiMaggio's incredible athletic accomplishments and his example.

Mayor Schroder noted an upcoming boat show at Carnelian Bay in Lake Tahoe September 17-20, which will feature Joe DiMaggio's boat.

B. Contra Costa Water District Update on Water Supply.

Mayor Schroder stated this item would be heard later in the meeting since the District's representatives had not yet arrived.

C. California Youth Energy Services Program.

Wells Brown, Regional Manager with Rising Sun Energy Center, reviewed the Martinez program and types of energy, recycling, and water conservation services offered at no cost to residents. He provided a summary of the 2015 program, including the number of households served and the Martinez youth that were hired for the summer. He also reviewed the 2016 program, and urged the public to sign up for a Green House call to see what might be beneficial for them.

Councilmember DeLaney asked about outreach through social media, which Mr. Brown discussed. Councilmember DeLaney expressed appreciation for the program and the sponsoring partners that make it possible.

In response to a question from Councilmember M^cKillop, Mr. Brown discussed the PLEDGE program sponsored by Root Solutions that focuses on behavioral steps to take to effect change habits. Councilmember M^cKillop said she was pleased with the progression of the program over the years that Martinez has been involved.

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

Felix Sanchez spoke on the aftermath of the fourth of July regarding illegal fireworks in Oakland. He explained his idea to make their use legal for a fee, and with professional assistance, lighting the fireworks at a safe location to allow families to safely enjoy the fireworks on a larger scale than using illegal fireworks. He thought this could bring revenue to the City and get illegal fireworks off the street.

Mark Thomson spoke on behalf of Friends of Pine Meadow (Friends) regarding free speech during public comments at meetings of the Design Review Committee, Planning Commission, and the City Council. He noted that some Friends have been sued because of comments they made in opposition to the development proposal at the golf course site. He asked that the Council ensure and protect freedom of speech and issue a statement of confirmation either verbally or on City agendas for future public meetings so citizens aren't afraid to voice their opinions.

Harriett Burt addressed issues in the City such as the condition of sidewalks, especially in the downtown. She discussed her own recent fall, but noted there have been many more and some much worse than hers. She asked that the City find a way to make the sidewalks safer. She commented briefly on the state of City streets as well.

Mayor Schroder noted that later in the meeting, the Council will be discussing the possibility of a ballot measure to cover needed infrastructure improvements. He stated there is a program in place to assist homeowners who wish to replace the sidewalk in front of their property. Councilmember DeLaney asked that the Council be given an update on the program. Councilmember Ross suggested a sidewalk survey of the downtown area as well. Staff and the Council briefly discussed the areas in most need of work.

CONSENT CALENDAR

- A. Motion waiving reading of text of all Resolutions and Ordinances.
 - 1. Motion approving Council Minutes of May 16, and June 1, 2016. [M.Cabral]
 - 2. Motion approving Check Reconciliation Registers dated 06/23/16 and 06/30/16. [C.Mosser/2.1.1]
 - 3. Motion authorizing the City Manager to submit an entry form for the Joltin Joe to participate in the 2016 Antique and Classic Boat Society International Show, September 17 - 25, 2016, at Carnelian Bay, Lake Tahoe, California. [D.Scola/11.15.04]

4. Resolution No. 074-16 authorizing the City Manager to execute an agreement for consulting services with Psomas for Stormwater Geographic Information System (GIS) Development not to exceed \$170,000, and allocation of \$30,850 of NPDES funds. [T.Tucker/10.06.06& 17.06.20]

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

PUBLIC HEARING(S)

CHIEF OF POLICE

Chief of Police Mangit Sappal commented on the Fourth of July festivities. He indicated there was a great attendance with no public safety issues other than a few minor incidents. He was amazed at the plan the Department has for getting the public out of town. He also reported that the "National Night Out" will be held on the first Tuesday in August.

Councilmember Ross requested a status report on the Rankin Park fire. Chief Sappal said it was started by three juveniles, and the City received terrific response from Con Fire and the East Bay Regional Park District. Councilmember Ross revisited the emergency evacuation route near Panoramic and Thomas Drive and requested it be re-examined and residents made aware of their exit routes so emergency vehicles can come in quickly. Mayor Schroder noted an emergency gravel path down the back side of the hill after the last big fire.

Councilmember DeLaney requested the emergency evacuation route and public sidewalks be added to a future Infrastructure Subcommittee meeting, and Mayor Schroder agreed. She noted the next Franchise/Public Infrastructure Subcommittee meeting will be held this Friday at noon. Vice Mayor Avila Farias requested a dialogue with Contra Costa County regarding the possibility of Fire Station #12 being re-opened.

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

CITY MANAGER

6. Discuss and provide feedback on a future revenue ballot measure. [C.Mosser& M.Chandler /43.00.04]

City Manager Brad Kilger introduced the item, acknowledging the report could have a broader scope, but because of the short turnaround, there was limited data available. He commended staff, however, especially Mike Chandler and Cindy Mosser for their quick gathering, analysis and presentation of the information.

Assistant to the City Manager Chandler presented a PowerPoint on the ballot measures, discussing types of tax measures that can be considered, voter approval percentages needed for the measures to pass, deadlines for submitting measures for the ballot, timelines, public outreach, and potential needs or uses.

Finance Manager Cindy Mosser reviewed potential revenue that could be generated and costs to prepare and submit a ballot measure.

Mayor Schroder asked whether a ballot measure could be used to generate income for purchasing open space.

City Manager Brad Kilger acknowledged it would be structured differently than a sales tax measure, but he believed one could be done without stipulating a specific property.

Assistant City Attorney Veronica Nebb discussed the difference between a special use tax and a general tax. She agreed a measure could be submitted for the purpose of purchasing open space without specifying a property, and it can be grouped with other general uses. She noted such measures often have end dates for a tax levy with an extension clause that can be added with the approval of the voters.

Mr. Kilger discussed his experience with sales tax ballot measures, and reiterated the types of elections and percentage approval needed for each type and confirmed that November 2018 is the earliest date he would recommend.

Councilmember Mark Ross said he thought that a sales tax measure dedicated to a specific issue (such as roads) could still be done this year in time for the November ballot, with a sunset provision. He also pointed out that a secondary could be done for the 2018 November ballot, perhaps with broader targets.

Vice Mayor Avila Farias said she thought it was too ambitious to do for this year, given all that would be involved. She indicated she was also concerned that the school board may also be considering a ballot measure for this election. She urged caution and care, noting that rushing to the ballot could result in the measure failing.

In response to a question from Mayor Schroder, Mr. Kilger reviewed the estimated consultant costs and what the likely tasks would be. He also noted he wouldn't want to submit a ballot measure unless it has a good chance of passing, whether now or in 2018.

Councilmember Debbie McKillop commented on the importance of having a grassroots group in the community that will support the measure and promote it among the voters, in addition to the staff and the Council. She agreed with Mr. Kilger that it would be better to go thoughtfully through the process to better ensure that it will pass.

Councilmember DeLaney acknowledged she was torn - she did not see any reason to poll the community about the need because it is obvious there is need for infrastructure improvements. She was confident, as well, that the community will support an infrastructure improvement bond because the need is so great. If the full Council were in agreement, she would strongly support going forward with a ballot measure in the upcoming election this year. Further, she stated that she did not think it would damage future chances at a successful broad tax measure if the Council proposes one.

Mayor Schroder questioned whether June of 2017 would be a compromise between the November election of this year or waiting until November 2018. He thought it would give time to build a base of support before committing to it.

Vice Mayor Avila Farias said she would rather wait to be sure support is there, to be "in it to win it." She thought waiting would allow staff time to adjust to recent changes in City Hall personnel and to educate the public further about the need. She felt either 2017 or 2018 would work better than November of this year.

Mayor Schroder opened public comment on the item.

Harriett Burt said she thought it was too late to start a successful campaign this year. She thought 2018 was better because a special election in 2017 when voter turnout is usually lower, might bring out those in opposition and the measure could fail.

John Stevens expressed concern that if the ballot is too full, people will just vote no to a sales tax measure based on principle. He suggested that the Council consider a sidewalk/streets improvement measure to address the issues raised by Ms. Burt earlier. He questioned whether the amount currently budgeted for street repairs would enable the City to keep up with current repairs, while the use tax covers the backlog of postponed work. If not, he worried that at the end of the 9-year period on the measure, the backlog would still exist. Mayor Schroder explained that the gas tax increment from the State is already decreasing the amount given to local jurisdictions, which we will then need to work harder and be more creative to meet budget needs or find other fund sources.

Nancy Newman expressed agreement with Ms. Burt that something needs to be done now to ensure public safety, but also acknowledged concerns on rushing to get an item on the ballot too quickly without enough preparation would not ensure its success. As a homeowner, she added that too many bond measures could also be a deterrence for her.

Eli Dominguez expressed concern about too many bond measures and too many taxes. He questioned why the City did not set aside funds during the prosperous times to help cover expenses during leaner periods. He also asked what guarantees would be given that the funds generated would be used to fix the roads and not go towards some other purpose.

Felix Sanchez noted that the last tax measure that was voted on (Measure Q) failed, which is why the City lost Fire Station #12. He discussed the lack of information for the public regarding the measure, and pointed out that there are many more ways to reach the public through social media which could help the cause regardless of when it is put on the ballot.

Rich Verrilli agreed the issue of the streets is well known throughout the City. He thought a single-issue measure would have a greater chance of success and that November's election was the best time for it.

Harriett Burt asked for clarification as to whether the poor street conditions are localized (i.e., just in the downtown area) or throughout the City. Mayor Schroder confirmed conditions are also poor south of Highway 4. Mayor Schroder noted that Ms. Burt said Mr. Verrilli made a good point that a single issue measure is best, and this November's ballot might be possible.

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

Mayor Schroder indicated he was supportive of the concept but expressed concern about the campaign that would need to be waged, given the opposition that many voters have toward additional taxes. He was unsure it could be done successfully before November. However, he was supportive of at least considering this year's ballot.

Councilmember Ross said he did not think the people of Martinez need any education regarding the need for road repairs in the City. He offered any resources he has for publicity in support.

City Manager Brad Kilger clarified that the necessary polling is not to see whether the public is aware of the need, but to find out if they will support a sales tax increase and in what increment, especially given similar measures from other jurisdictions. If the Council wants to aim for November, he did not think the polling would be possible. He also commented on the necessity for a consultant to assist staff in the process, and reviewed some of those tasks.

Councilmember Ross responded that even if Martinez had submitted its measure six months ago, the other measures would still be on the ballot as well. Rather than rejecting all taxes, he thought some voters would narrow their focus and vote "yes" on those that directly impact them.

Mr. Kilger clarified that he did not disagree with Councilmember Ross, however, he was concerned about the amount of time needed for staff or a consultant to analyze and make recommendations on the different tax increments and other details.

Mayor Schroder said he thought the item should be continued to the next week allowing staff to continue the research. He noted that if the Council decides to move forward for November, it will need to act at the next meeting and be prepared for whatever costs may be associated with the short turnaround. Mr. Kilger clarified with Mayor Schroder the other details of the proposed repairs.

Vice Mayor Avila Farias said although she didn't think November of this year was doable, she was happy to continue the item and have staff bring it back to the Council with more information.

By consensus, the Item was continued to the next meeting with staff to return with more specific information about a potential sales tax measure.

Harriett Burt said the City should use the skills of Roy Jean to publicize the issue by having him paint the areas where streets are in need of repair with bright paint saying "Vote for Measure ____" right on the street.

B. Presentation by Contra Costa Water District.

Contra Costa Water District Vice President John Burgh expressed his appreciation to the City's customers for conserving water, and noted that out of 550,000 rate payers, only two were fined for failing to conserve. He indicated that the success in the conservation programs prevailed with the elimination of the temporary drought charge.

Mr. Burgh provided information on the statewide water supply as well as the District's water supply; and urged the public to continue their conservation efforts. He touched on the conservation services that are continuing, especially the lawn to garden program and other incentive programs. Vice President Burgh commented there is a possibility to expand Los Vaqueros reservoir to 275,000 acre feet by having other water agencies pay for it, providing benefit to all.

Vice President Burgh also indicated the District has made an agreement with the State of California (California WaterFix Agreement) that if the Twin Tunnels were to ever be built, the State will build and pay for any facilities needed to preserve the water quality and will not cause rate increases. He also confirmed that Contra Costa Water District decided not to take a position on the project, but as an individual he was strongly opposed to it. He thought it was ill-conceived, poorly managed and has no financing mechanism as of yet.

Mayor Schroder opened public comment on the item.

Richard Verrilli expressed concern that Mr. Burgh is giving away his own right to vote on this issue - he can say he doesn't support it, but if he is not actively opposing it, it means the same as support. He also said he would rather pay more money for water than see the tunnels go through.

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

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

City Manager Brad Kilger reported that he spoke with Congressman Thompson and Sheriff Livingston about the homeless issue in the downtown area. He also has been taking tours around the City and recently accompanied Police Commander Eric Ghisletta while on duty. He added that the services the police department has offered are commendable. He further mentioned that he has had meetings with County Administrator David Twa regarding the future of the downtown.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

8. Council Subcommittee Reports.

9. City Council Comments.

Vice Mayor Avila Farias requested the City Manager meet with someone over the old jail. She thanked City staff for the great Fourth of July celebration.

Councilmember Debbie M^cKillop thanked Main Street and staff for a wonderful Fourth of July event. She was glad it was a safe event.

Councilmember Lara DeLaney thanked Main Street and everyone involved in the success of the Fourth of July event as well.

Vice Mayor Avila Farias suggested that next year the City should look into areas that can be made more ADA compliant.

Councilmember Mark Ross thanked staff who helped with the Fourth of July event and expressed appreciation for the great job that Doug Stewart did in his tenure of helping the homeless.

Mayor Rob Schroder indicated the Council would be adjourning in memory of Alfred Lomeli, who passed away on June 26, 2016. Born and raised in Martinez, he enlisted in the Marines during WWII after graduation from Alhambra High School. He was elected as Contra Costa County Treasurer-Tax Collector from 1978 until 1998.

III. CLOSED SESSION (Board Room)

- A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of California Government Code section 54956.9: one case.

Mayor Schroder reported out from Closed Session stating that discussion was held on one case and direction was given to legal counsel.

ADJOURNMENT

Adjourned at 10:00 p.m. *in memory of Alfred Lomeli* to a Regular City Council Meeting July 20, 2016 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 9/7/16

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

Mayor Rob Schroder called the meeting to order at 7:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, California.

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

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

- A. Certificate of Recognition to Ingemar Olsson former Park, Recreation, Marina and Cultural Commissioner.

Mayor Schroder, on behalf of the City Council, read and presented a *Certificate of Recognition* to Ingemar Olsson for his public service as PRMCC Commissioner from 2009 through 2016 and Marina Commissioner 2001 through 2009. Mr. Ingemar commented it was a great pleasure serving.

- B. Martinez Chamber of Commerce Annual Update.

Assistant to City Manager Michael Chandler noted that the annual contracts for Martinez Chamber of Commerce and Main Street Martinez will be agendized in September.

Julie Sabbagh, Executive Director for Martinez Chamber of Commerce, recognized Directors Richard Munoz and Adam Hoffer, and the Chamber's new Membership and Events Manager Brian Strikland.

Ms. Sabbagh reviewed their mission statement, annual budget, Visitor's Center, membership breakdown, networking opportunities, business relationships, (which includes mixers, ribbon cuttings, and educational opportunities). Ms. Sabbagh noted they are enhancing their image by providing a new website, calendar, e-newsletter, promoting the community, and creating a strong local economy by providing events and programs such as Shop Local. The next event will be held on September 26th "Martinis in the Plaza." She indicated the Chamber is an advocate for business and local government and expressed appreciation to the Council and the City for their support.

Mayor Schroder thanked Ms. Sabbagh for her presentation and all the information included. He also expressed gratitude to her and Councilmember DeLaney for personally going out and visiting many of the sales tax generators in the community.

Councilmember DeLaney also commended Ms. Sabbagh for all she has accomplished since being hired for the job. She further was appreciative to all who have been involved with the Chamber, including City and County staff.

Councilmember Ross asked what type of questions the Chamber receives from phone calls or emails, which she briefly reviewed. Councilmember Ross expressed appreciation for a job well done, as always.

Vice Mayor Avila Farias thanked the Chamber's Board of Directors for their dedicated hours of service and volunteers. She was concerned about the event calendar concept because the City has one online as well; she thought it would be good to collaborate on one master event calendar with multiple administrators. She thanked Ms. Sabbagh for her work and said she looks forward to hearing more in September.

Councilmember M^cKillop echoed her fellow Councilmembers and commented on the energy and enthusiasm shown by Ms. Sabbagh. She also commended the Chamber for their website.

C. Main Street Martinez Annual Update.

Terry Edwards, President of Main Street Martinez, acknowledged past President John Curtiss, Justin Gomez who is on the Economic Vitality Committee and Chair Candice Gliatto. Mr. Edwards indicated they are a "Main Street America" accredited program and members of the California Main Street Alliance where the Executive Director Leanne Peterson is serving on her first term on the Board. He expressed his appreciation to the City for their continued support and to all the volunteers for their hard work. Mr. Edwards reviewed events and including the new Pokemon Go Contest. He introduced Candice Gliatto & Justin Gomez who reviewed the economic development program including the filming of Urban Century: America's Return to Main Street, Commercial Space Open House, new businesses and business recruitment/retention. They discussed work being done on a new website. Mr. Gomez thanked the City for all their support and those customers and advocates that support the downtown businesses.

Mr. Edwards also announced their annual meeting on the 4th Monday in August and invited all to attend.

Mayor Schroder thanked both organizations for their work in the downtown, which he called the heart of the City. He also commented on the many changes in the City over his tenure on the Council, including the improvements brought about by Measure H.

Councilmember Ross expressed appreciation to the Chamber and Main Street, specifically Mr. Edwards' leadership. He commented on the broad spectrum of businesses and demographics served. He was optimistic about the future of the downtown and the City overall.

Councilmember DeLaney commended Main Street for their successes and their appeal to all business types, as well as Main Street staff and volunteers.

Vice Mayor Avila Farias was appreciative of Mr. Edwards' work and all of Main Street, the recent successes, new businesses, and events. She also commented that Martinez is a great place to live and work, and especially a good place to raise a family. She was excited about possibilities for the future.

Councilmember M^cKillop thanked Main Street for the presentation and for their energy, agreeing that the future looks bright for the City. As a longtime resident, she expressed appreciation for the renewal of the City back to its former success. She also commended them for their successful activities and events, particularly the number of people who attended.

D. Happenings at the Library.

Ruth Boyer, Martinez Library Manager, reviewed programs at the downtown Library including the story times, which continues to be one of the most popular programs. She thanked Mayor Schroder and Chief of Police Sappal, who were guest readers. Ms. Boyer announced they are offering free meals for kids and teens through a partnership with the Martinez Unified School District; John Collins, Guinness World Record for Paper Airplane Flight, will be a guest speaker on August 29th. She also announced that the library will be recruiting a teen advisory group this fall to help with programs they would like to see in the local library. Ms. Boyer expressed her appreciation to the Police Department for their quick response times and making them feel safe, the City's Recreation staff, and great volunteers such as Friends of the Library, Kiwanis, and the Rotary.

Mayor Schroder thanked Ms. Boyer for her work, her enthusiasm, the many programs offered, and for allowing him to participate with the children.

Vice Mayor Avila Farias commended Ms. Boyer for all she has brought to the library and for the many community services offered through the library.

Councilmember Ross expressed his appreciation as well.

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

Marsha Hetzler stated in light of the recent shootings of police officers and demonstrations throughout the United States, Martinez citizens have a duty to know what the community is doing to safeguard the rights of all individuals. She stated that changes need to be made at the local level no matter how fair or good the local force is. Ms. Hetzler suggested total transparency in the City, expanded community review, and establishment of a citizens oversight committee. She challenged the City to respond by the next Council meeting.

Eli Dominguez stated this community is less tolerant than it used to be, and this Council lacks the will and fortitude to make necessary changes. He spoke of half truths, and said he did not think the Council really wants to help the homeless.

Emily Mathews, Contra Costa County Climate Leaders, congratulated the City's success for being a leader in sustainability for Contra Costa County. She provided the Clerk new score cards for electrical vehicle charging stations and green businesses and other information sheets, which she will be providing to the Council. She indicated the City of Martinez came in third per capita for electrical vehicle charging stations in the County and fourth in percentage of green businesses. Ms. Mathews reviewed the City's PACE programs and suggested that staff look into the Fig Tree PACE program as well.

Councilmember Ross requested information on the investment aspect and what we are lacking for the Fig Tree program. Councilmember DeLaney asked which jurisdictions are ahead of the City regarding the terms of electric vehicle charging stations per capita. Ms. Mathews stated it was Walnut Creek and Pleasant Hill, but she would review the numbers to confirm the information.

Shanon Kleinschmit, new resident in the City, noted there was a reduction in the swimming hours at the pool. He requested two or maybe three days with more hours for working individuals.

Tom Lewis expressed concern on the Bay Area Air Quality Management District Regulation 1231 about reducing air gasses, and stated the report will be delayed for another year. He also noted that Shell is selling their refinery and is not committed to the Martinez community long-term.

Linda Breniger complained about 23 feet of prime public curb parking that was painted red on Grandview. She was concerned because she did not receive a letter or phone call prior to the work being done. She suggested that staff place signs on the street including speed bumps and nothing happened. Mayor Rob Schroder advised that the whole City Council received emails about the issue and forwarded the information to the City Manager and the Police Chief. City Engineer Tim Tucker stated a letter went out on Tuesday, July 19th to the four nearest residents in the area. Councilmember Ross stated he is familiar with the street and the issues involved, which hopefully can be resolved.

CONSENT CALENDAR

Mayor Schroder noted Item 6, "Response to the Grand Jury" which was omitted from the packet was on dais for review. City Manager Kilger stated if it was something not specific to Martinez; he apologized for the oversight, but recommended the Council take action on it tonight.

Councilmember Ross said he had read it, and he thought it was a very well-written response and very thoughtful.

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

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

1. Motion approving City Council Minutes for the Regular Meeting of June 15, 2016. [M.Cabral]
2. Motion approving Check Reconciliation Registers dated 07/07/16 and 07/14/16. [C.Mosser/2.1.1]
3. Motion accepting Quarterly Investment Report ending June 30, 2016. [C.Mosser/2.1.1]
4. Motion authorizing the Mayor to execute a First Amendment to Grazing License Agreement with Patricia Hornung for 49.09 acres in the Roanoke Open Space. [M.Chandler/19.04.00]

5. Motion authorizing the City Manager to execute a Lease Agreement with John and Keeli McClearnen, d.b.a. Shining Stars Preschool and Child Care Center, for use of City real property located at 244 Morello Park Drive. [M.Chandler/6.10.05]
6. Motion authorizing the Mayor to sign the attached response letter to the Contra Costa County Grand Jury Report No. 1605 outlining specific findings and recommendations on "Caring for Victims: Commercial Sexual Exploitation of Children in Contra Costa County." [M.Sappal/6.01.09]
7. Resolution No. 075-16 approving the General Obligation Bond Tax Rate for the 2016/17 property tax roll and directing submittal to Contra Costa County. [C.Mosser/2.9.0]
8. Resolution No. 076-16 authorizing City Manager to execute First Amendment to the Communications Site Lease Agreement with T-Mobile West, LLC at 200 Wildcroft Drive and finding the project is categorically exempt under CEQA Section 15301 for minor modification to existing facility. [M.Chandler/19.03.21]
9. Resolution No. 077-16 authorizing destruction of City files pertaining Human Resource Division with respect to Labor Negotiations. [M.Cabral/40.10.01]

On motion by Mark Ross, Councilmember, seconded by Lara DeLaney, Councilmember, approve Item A and Items #1 through #9 of the Consent Calendar. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

PUBLIC HEARING(S)

10. Special Tax Measure: [C.Mosser&M.Chandler/40.20.00]
 - A. Conduct a public hearing to consider a first reading of an ordinance imposing a special tax for street/roadway maintenance and related infrastructure purposes,
 - B. Consider a resolution placing a measure approving such tax on the on the ballot at the November 8, 2016, election, and
 - C. Direct staff to schedule a second public hearing to approve the ordinance and adopt the resolution calling the election for November 8, 2016

City Manager Brad Kilger introduced the item with a review of information from the last meeting, as well as staff's reservations about proceeding with a measure at this time. He indicated, however, that whatever direction the Council gives will be followed. He commended those staff members who worked diligently on the report over the last two weeks.

City Engineer Tim Tucker reviewed the biannual assessment of the City's paving needs and potential financial justifications, past paving history, current fund sources, surface treatments, intensive repairs/improvements, and the budget for street maintenance and various tasks involved.

Assistant to City Manager Michael Chandler discussed cost considerations, including election costs, public outreach, and estimated State Board of Equalization costs. He also reviewed key decision points for the Council to consider.

Mr. Kilger pointed out the first four decision points should be considered. He noted without four Councilmembers in favor, any further discussion would be unnecessary.

Mayor Schroder asked for guidance from staff as to the proper order for the public hearing. Senior City Attorney Veronica Nebb said as long as the public hearing is held before the Council and covers the first reading of the ordinance.

Councilmember Ross was appreciative of staff's work to pull the report together so quickly. He asked Mr. Tucker where the City stands in terms of street maintenance. Mr. Tucker confirmed that in the county, only Orinda's were worse than Martinez'. Councilmember Ross asked, and Mr. Tucker confirmed that Orinda has recently decided to put a bond measure on the ballot in November.

In response to a further question from Councilmember Ross, Mr. Tucker discussed estimated costs for maintaining City streets at their current level.

Councilmember DeLaney asked for clarification on Measure J money applied to City streets in recent years, which Mr. Tucker reviewed. The Council discussed with staff anticipated costs compared to current-available funding.

Councilmember Ross asked if the decline in gas tax funding was taken into consideration, and Mr. Kilger said he would need to get more information from staff. He confirmed the State is encouraging cities to continue to cover more of their individual transportation cost needs.

Councilmember DeLaney asked if the gas tax funds were restricted by law to roadway maintenance expenses, and Mr. Kilger said yes, although most residents are not aware of that.

Mayor Schroder questioned the amount of General Fund money spent on paving projects, which Mr. Kilger discussed.

Councilmember M^cKillop summarized information presented by staff in order to clarify it for herself, including cost projections and total revenue from current sources.

Mayor Schroder opened the public hearing.

Richard Verrilli expressed support for a special tax measure but recommended being more specific in the language describing what the measure is for. He was also supportive of using a citizens' oversight committee, but questioned what their role would be. He asked how much the City would expect to raise through the measure, which Mayor Schroder discussed.

John Stevens strongly recommended any measure include a sunset clause with a specific date. He also questioned how the streets would be selected for repair.

Dean McLoud thanked staff for the report, but reviewed areas where the information is not clear to the average citizen, and he suggested ways it could be more clearly presented. He asked if a bond measure could be done instead of a tax measure. Mayor Schroder clarified that eventually a tax increase would be needed to repay the bond.

Felix Sanchez commented on the reactions on social media to an article written by Councilmember DeLaney regarding the possibility of a tax measure, noting that most were strongly opposed to the idea. He suggested now might be the time to use the City's reserves to address the very serious street repair issues and funding challenges. Mayor Schroder explained the City's reserve fund policy, explaining why it couldn't be used in this instance and even so, it would not be enough to meet the current needs.

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

Councilmember Ross noted it was his understanding that Martinez is one of the lowest tax rate cities in Contra Costa County. He expressed concern that it also could become the city with the worst road quality. He noted how the City has managed its money and he discussed improvements in road maintenance materials, etc. He indicated his support for putting a tax measure on the ballot this year, with a half percent increment.

Vice Mayor Avila Farias expressed appreciation to staff for their hard work on this item and she apologized for the extra work due to the short turnaround time asked by the Council. In response to comments from the public, she acknowledged the challenges facing the City, but was concerned with long-term financial impacts if an adequate funding source is not found. She also mentioned concerns whether or not a successful measure could be drafted with so little time before the election this year. She thought putting it on the ballot in 2017 or 2018 would have greater success, given the level of analysis that needs to be done, as well as other potentially competing measures already on the ballot for this year. She also acknowledged concern about the staffing impacts if the Council decides to push the measure for this year's election.

Based on his past experience, City Manager Kilger said he thought staff could work together to draft a ballot measure to have for the November election this year, but was concerned about staff efforts to do a quality job while continuing to cover their normal duties. He agreed that having it on a later ballot would be preferable and would have a greater likelihood for success. He acknowledged it was the Council's decision ultimately, not his, to make the decision. He admitted the City needs a long-term solution to cover the costs for road maintenance and improvements.

Councilmember DeLaney expressed her frustration with the fact that the City is only just now considering this when it could have been done sooner with plenty of time to draft the measure for maximum effectiveness and success, with complete analysis of the City's financial position and a review of past financial practices for anyone who questioned past management practices. She acknowledged the need and the unique financial challenges facing the City currently, and thought it was time for the Council to exercise leadership in this area and put the item on the ballot. She also expressed confidence in the Martinez voters to see the need and make the right decision regarding the increased sales tax percentage.

Councilmember M^cKillop expressed concern about the limited time before the election and the need to educate the public about the issue. She thought a higher increment would better meet the needs of the City.

Mayor Schroder said he had long been a proponent of the sales tax measure, and although two weeks ago the Council had included sidewalk maintenance as well, he has since been convinced to keep it all focused on road maintenance and repairs. He agreed it would have been better to have more time to educate the public, but given the dire need, he thought it best to proceed this year. He indicated his preference for a half cent increment and inclusion of a sunset provision.

There was brief discussion among the Council regarding how much the tax increment should be.

On motion by Lara DeLaney, Councilmember, seconded by AnaMarie Avila Farias, Vice Mayor, to approve a tax measure to be placed on the November 2016 ballot to increase the sales tax for street/roadway maintenance. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

On motion by Mark Ross, Councilmember, seconded by Lara DeLaney, Councilmember, to approve to impose a half cent (.50%) sales tax. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

On motion by Mark Ross, Councilmember, seconded by AnaMarie Avila Farias, Vice Mayor, to approve a sunset clause for the tax imposed of 15 years from the day of its effective date. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

In response to a question from Mayor Schroder, Senior Assistant City Attorney Nebb discussed potential end dates for the measure, based on the date imposed and subsequent election years. Mr. Kilger also commented on time needed for renewal of the measure passed its initial expiration date.

The Council and staff discussed potential sunset dates for the ordinance, as well as how the funds will be used.

Mayor Schroder summarized the options as outlined in the staff report.

Councilmember DeLaney asked whether the City was using the full depth reclamation technique, as queried to her by a resident. She noted it is used by other jurisdictions and reflects the latest money-saving technology. Mr. Tucker said it would be used in one of the OBAG-funded projects on Brown and Green Street. Councilmember DeLaney also expressed that it would be nice if the utilities could be undergrounded at the same time, but acknowledged it likely wasn't financially feasible.

Mr. Kilger reminded the Council to discuss the option of an Oversight Committee, its role and function.

Mayor Schroder reviewed some of the tasks taken on by the Oversight Committee for Measure H, and Mr. Kilger clarified the responsibilities of the Council. Mayor Schroder indicated the specific tasks did not need to be determined tonight; the staff recommendations in that regard could be discussed and decided at a subsequent meeting.

On motion by Debbie M^cKillop, Councilmember, seconded by AnaMarie Avila Farias, Vice Mayor, to approve establishment of an Oversight Committee should the measure pass. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

Mayor Schroder asked about development of informational materials for the public.

Councilmember DeLaney also noted that specific language is needed for the voter pamphlet and ballot.

Senior City Attorney Nebb outlined the options for developing the ballot materials, whether the Council itself or some portion thereof wants to draft the language for the argument in favor of the measure, according to election guidelines.

Mayor Schroder suggested an ad hoc committee be formed to write draft language and then bring it back to the Council for finalization.

In response to a question from Mr. Kilger, Ms. Nebb indicated she would find out when the language is due for the election materials and advise the Council accordingly. Mr. Chandler said the deadline is August 24th.

The Council discussed with staff the options for developing the language with support expressed for Mayor Schroder's recommendation. An Ad Hoc Committee was created to prepare the Argument in Favor and Mayor Schroder and Councilmember DeLaney were selected.

At the request of Mr. Kilger, Mr. Chandler summarized the decisions already made by the Council up to this point.

Ms. Nebb reviewed changes to the draft ordinance based on the Council's direction. She also reviewed what needs to come back at the August Council meetings.

Mr. Kilger added that the budget allocation will also be discussed at the next meeting.

On motion by Mark Ross, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve the first reading of the ordinance along with the Expenditure Plan--Option B. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

"CONVENE AS BOARD OF DIRECTORS OF THE CONTRA COSTA COUNTY SANITATION DISTRICT NO. 6"

PUBLIC HEARING

11. Public hearing for Contra Costa County Sanitation District No. 6 (District) for fiscal year 2016-2017 and approve the following: [T.Tucker/30.05.05]
 - A. Waive reading and adopt Ordinance approving the Final Annual Report and annual unit sewer service charge for the 2016-17 Fiscal Year; and
 - B. Resolution overruling protests (must be adopted by 4/5 vote).

City Engineer Tim Tucker presented the staff report, discussing the proposed rate increase to cover deferred maintenance, which was protested and therefore revised accordingly. He expressed appreciation to Scott Gordon for making staff aware of the protest and agreeing to meet with staff to develop needed educational materials for future changes.

Mayor Schroder opened the public hearing.

Scott Gordon reviewed the reasons for the protest and acknowledged the revised ordinance which withdraws the rate increase. He in turn expressed appreciation to Mr. Tucker for willing to meet and discuss the issues further. Mayor Schroder explained to the public what District 6 was and the Council's role as directors.

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

On motion by Lara DeLaney, Councilmember, seconded by Debbie M^cKillop, Councilmember, waive reading and adopt Ordinance No. SD-6 004 approving the Final Annual Report and annual unit sewer service charge for the 2016-17 Fiscal Year. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

"RECONVENE AS CITY COUNCIL"

CHIEF OF POLICE

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

Chief of Police Manjit Sappal mentioned National Night Out, a Police community relationship building day; he stated that further information can be found on the Martinez Police Department Facebook page. He also reported the Martinez Police Department was recently challenged by the Pittsburg Police Department for the National Running Man Challenge. The event will be held on Friday, July 22, 2016 at 6:00 pm on Main Street and Ferry Street. He encouraged the Council and the public to attend and join the skit. In light of the 11 police officers that have been shot and several who have died across the nation, he wanted to thank the community on behalf of the Police Department for their tremendous support.

Councilmember DeLaney stated that in spirit of police appreciation, she has been approached by members of the community to have an event held at City Hall to show support for its officers. She noted a meeting will be held in the City Hall Board Room on the 2nd Floor at 5:30 p.m. on Thursday, July 21st to discuss the kind of event the community would like to have and perhaps coordinating the event with the recognition day for Sgt. Paul Starzyk on September 6, 2016.

CITY MANAGER

13. Consider and possibly take action on a Negotiating Agreement by and between Richfield Real Estate Corporation and the City of Martinez relating to the property located at Alhambra Avenue to the north, Alhambra Valley Road and Reliez Road to the west, and Skyline Drive to the south, commonly referred to as the, "Alhambra Highlands." [V.Nebb/9.05.01.30]

Senior Assistant City Attorney Veronica Nebb presented the staff report, discussing background history and current options before the Council regarding purchase of the property, the tentative map approval and subsequent filing of the final map, as well as the terms of the negotiating agreement.

Mayor Schroder opened public comment on the item.

Jaime Fox welcomed Mr. Kilger to the City. He expressed appreciation of Ms. Nebb for talking with him regarding the agreement, and he indicated the Alhambra Hills group is supportive of the draft Agreement. He noted that a large portion of the City residents were concerned about saving the hills.

Bill Nichols commented on the importance of saving open space for future generations, an issue that is important to so many in Martinez. He encouraged the Council to seek out other agencies as partners to determine how the purchase can be accomplished.

Nancy Crawford echoed the others in asking the Council to do whatever it takes to preserve the property as open space. She also asked for the Council to consider preservation of the Pine Meadow golf course from development.

Eddie Bowerman thanked the Council for considering this step. She noted that the open space in Martinez is one thing that keeps her here.

Tom Griffith, Martinez Environmental Group, also thanked the Council for its leadership in this matter. In the spirit of John Muir, he thought preservation of this property was especially important.

Alicia Guerra, representing Richfield Real Estate, indicated they were willing to negotiate in good faith with the City, but clarified the property is not designated as permanent open space and is in fact private property. She discussed development approvals in place until April 2018, and she asked the public to respect the developers and owners while the negotiations take place.

Vice Mayor Avila Farias commented on the development entitlements, and asked how the developer sees the timeline at this point, which Ms. Guerra reviewed. She acknowledged that if the negotiations don't work out, her client will be moving forward with the final map and the development process.

Councilmember DeLaney asked if representatives from Richfield will be involved in the negotiations. Ms. Guerra confirmed that the project manager will be involved, as well as representatives from the Richfield office in Houston. She noted that Mr. Sabella, the former "face" of Richfield in this area, has since passed away.

Councilmember Ross thanked Richfield for being willing to meet with the City to consider options for the property. He expressed his condolences for the death of Mr. Sabella.

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

On motion by Debbie M^cKillop, Councilmember, seconded by AnaMarie Avila Farias, Vice Mayor, to approve a Negotiating Agreement by and between Richfield Real Estate Corporation and the City of Martinez relating to the property commonly referred to as "Alhambra Highlands." Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

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

City Manager Brad Kilger stated he continues to meet with stakeholders in the community including the new Superintendent of the Martinez Unified School District, with whom he had a good discussion regarding some joint use potential. He added he also met with County Administrator David Twa regarding the homeless issue and progress on the master plan. He reported they recently released an RFP to hire a consultant to assist with their master plan and seemed interested in working with the City. Since the Council raised the issue about the jail, the County had a meeting with the interest groups and has reached a tentative agreement regarding the annex vs. the old jail property. He reported the County will be looking at the potential repurposing of the old jail.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

15. Consider the appointment of Mayor Schroder as Voting Delegate and Vice Mayor Avila Farias as Alternate Voting Delegate to the League of California Cities Annual Conference scheduled for October 5 - 7 in Long Beach. [M.Cabral/7.3.4]

On motion by Rob Schroder, Mayor, no second required to approve the appointment of Mayor Schroder as Voting Delegate and Vice Mayor Avila Farias as Alternate Voting Delegate to the League of California Cities Annual Conference scheduled for October 5 - 7 in Long Beach. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

16. Council Subcommittee Reports.

Councilmember DeLaney reported out on the Franchise/Public Infrastructure Subcommittee that she and Councilmember Ross attended on July 8th. She mentioned the items they discussed were dealt with on the Consent Calendar (grazing license, lease with Shining Stars Preschool, and the site lease agreement with T-Mobile).

17. City Council Comments.

Councilmember Mark Ross expressed his appreciation to the officers who responded very quickly to a drowning at the Forest Hills pool, noting the child had a successful outcome.

Councilmember Debbie M^cKillop stated she, Mayor Schroder, and City Manager Kilger attended the Central Sanitary District 75th Anniversary last Saturday, which was a fabulous event.

Mayor Rob Schroder announced that he would be adjourning the meeting in memory of Georgia Pelot, retired city employee who was hired on December 28, 1964, and retired in March 1990. He noted that until last year, Georgia assisted in the Senior Citizen Center for the last few decades on a part time hourly basis. He also adjourned in memory of Mary Russo DiMaggio, who was a lifelong resident of Martinez who passed away peacefully on July 11, 2016. She graduated from Alhambra High School in 1943 and worked at the Bank of America on Main Street for over 20 years. She married Frank DiMaggio in 1946 and raised two children Vincent and Salvatore, and was the heart and soul of the family.

ADJOURNMENT

Adjourned at 10:56 p.m. in memory of *Georgia Pelot, retired City employee, and Mary Russo DiMaggio, lifelong resident*, then to an Adjourned Regular City Council Meeting on August 3, 2016 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 - 9/7/16