

CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Rob Schroder called the meeting to order at 7:11 p.m. in the Council Chambers with all members present.

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

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)/PROCLAMATION(S)

A. Swearing in of Police Officers Dustin Mayberry and Daniel Dansie.

Chief Tom Simonetti introduced the Officers, described their backgrounds, and introduced their families. Deputy City Clerk Mercy Cabral performed the swearing in.

City Council expressed their congratulations and welcomed the officers to the community. The officers also thanked the City and their families for their support.

B. Presentation of Certificate of Recognition to Kevin Kean, City's Representative on the Citizens Advisory Committee of the CCCTA.

Certificate of Appreciation was presented to Mr. Kean. Mayor Schroder noted that the City is seeking a replacement to serve on the Citizens Advisory Committee, and details are on the City website.

Marie Knutson, County Connection Liaison, presented Mr. Kean a Certificate of Appreciation as well.

C. Proclaiming September 2009 as "National Alcohol and Drug Addiction Recovery Month.

Mayor Schroder presented the proclamation to Doug Sibley and Pastor Afuhia Akolo of the Martinez United Methodist Church. Mr. Sibley noted that the purpose of the month is to remove the negative stigma from drug and alcohol addiction, allowing people to get the help they need.

D. Certificate of Recognition to Chris Ortiz, Umpire 2009 Little League Softball World Series.

Certificate of Recognition presented to Mr. Ortiz, for his service as a volunteer umpire for fifteen years.

- E. Certificate of Recognition to the Martinez Youth and Baseball 2009, 11 and 12 age group; and to the Martinez Little League Softball, 9 and 10 age group.

Certificates of Recognition were given to the Youth Baseball Girls in the 11 and 12 years age group: Lauren Burgos, Kyla Cole, Hannah Dewitt, Cara Dimercurio, Kaitlyn Emigh, Erin Enke, Lauren Fortney, Carley Johnson, Courtney Kelly, Braelyn Marti, Marissa Mohammed, Sam Schoelkopf, and Sinead Wiley; as well as coaches Kevin Emigh, Stacy Enke, and Manager Darren Johnson.

Certificates were also presented to Little League girl players in the 9 and 10 years age group: Morgan Azevedo, Brooke Botsford, Madeline Cervantes, Hannah Cole, Delaney Griffin, Amber Jorgensen, Meghan McCauley, Sarah Mohammed, Lindsey Osmer, Briana Perez, Regan Silva, Karlee Sparacino, Melissa Torres, and Samantha Whitworth; as well as coaches Chip Griffin, Steve Whitworth, and Manager Jeff Perez.

The Council congratulated the teams, coaches and managers on their accomplishments as District 4 champions, Section 1 champions and in the Northern California State Championship tournament.

The Council recessed for five minutes and resumed the meeting with all members present as indicated.

PUBLIC COMMENT

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

Kevin Bacon commented on the Veterans Hall shooting and wanted to know the status of the situation. The Mayor and City Manager gave an update on action being taken by the County to ensure public safety with future events at the Hall. Chief of Police Simonetti stated that the Department is also looking into a "Good Neighbor" Ordinance to regulate rental facilities and activities.

Frank Kluber spoke on water conservation and announced a seminar at the Ruth Bancroft Garden on September 12th on Harvesting Your Own Water and an Arundo (Plant Removal) event on September 26th from the portion of Alhambra Creek that runs along Alhambra Ave. Mr. Kluber also commented that in a recent article in the Martinez News-Gazette, it indicated that the City was going to make improvements on the Amtrak Station, but there was no mention of any improvements to the old historic Train Station, which are greatly needed. He further reported that the flashing lights that were installed on Alhambra Avenue near the Senior Center have been of benefit for many persons, and he thanked Councilmember Kennedy for pushing that project through.

Marta Van Loan complained about thugs taking over the parking lot at the Valley Convenience Market. She requested assistance from the Police Department for the business owner.

Phillip Ciaramitaro announced a fall music event to be held October 9th through the 11th, at the Ferry Point Park, and the festival is called "Under the Sun, Moon and Stars by the Bay." Mr. Ciaramitaro reviewed the daily and evening events and expressed his appreciation to Barbara Patchin for all her assistance. He encouraged the public to attend and raise money for future events. He also commented on the need for volunteers overall and some incentives for ticket sales.

Jill Corley, stated she owns horses at Muir Oaks and was cited in January 2009 for having too many horses on the site. She indicated that she was told that she could not appeal to the Council, but she would like to have her due process. Mayor Schroder stated that there was no appeal process to the Council, and the due process would be going through the court system. He referred the matter back to Dave Scola in Code Enforcement.

Lori Delfino stated that the City Code Inspector cites code sections, but she cannot locate them on the City website. She also commented on promises made to the residents upon annexation by the City that have not been kept. She noted that the complaint process through Code Enforcement is usually passed on to the homeowner in a phone call rather than in writing. Ms. Delfino also indicated that every time a complaint is made, the residents have to prove their rights, which she feels is harassment. She asked for the City Council to review the process. Councilmember DeLaney requested a report on the matter from staff. Ms. Delfino asked if the issue could be agendaized for future discussion. Mayor Schroder said it thought a report from staff would be better, as there are nuances to the situation that have not been mentioned tonight.

Ron Skrehot expressed his appreciation for the funding to the School District, as well as all the work from Council and staff in drafting the agreement.

Mike Alford commented on an article in the News-Gazette written by Richard Verrilli regarding Ray Sloan. Mr. Alford stated that the public should be made aware of this shady individual, and he discussed some actions done by Mr. Sloan during and after the last Council campaign when Mr. Sloan claimed to be working for Councilmember Menesini. He gave Mr. Verrilli a lot of credit for writing the truth, and he encouraged the Council to be aware of Mr. Sloan since another election season is beginning.

Richard Verrilli stated that he was not attacking Mr. Sloan, and he did not know anything about the allegations Mr. Alford was making, nor did he mention any Councilmember when he wrote the letter to the paper. He was simply concerned about the way Mr. Sloan attacked individuals opposing him, but he thought Mr. Sloan should not be spoken about in front of the Council if he is not here to defend himself.

Ms. Wu Ging Harrison, Martinez resident, stated that she came to tonight's meeting to bring students visiting from China, noting it is an honor and pleasure for her to bring them here. The Council welcomed them to the City.

Seeing no further speakers, Mayor Schroder closed public comment.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Motion approving City Council Minutes of July 1, 15, and 27, 2009. [M.Cabral]
2. Motion rejecting claim against the City by Richard Furman, Claim #09-12. [M.Cabral]
3. Motion approving Check Reconciliation Registers dated 07/21/09, 07/22/09, 07/28/09, 07/29/09, 07/30/09, 08/04/09, 08/05/09, 08/11/09, 08/12/09, 08/17/09, 08/18/09, 08/20/09, and 08/26/09. [C.Heater/02.01.01]
4. Resolution No. 093-09 approving the General Obligation Bond Tax Rate for the 2009/10 tax roll and directing submittal to Contra Costa County. [L.Marshall/02.09.00]
5. A. Resolution No. 094-09 accepting bids for the 2009 Asphalt Rubber Chip and Slurry Seal Project and awarding the construction contract to International Surfacing Systems (acct. C1039); and [T.Tucker/12.05.00]
B. Resolution No. 095-09 accepting bids for the Arterial Pavement Management Project and awarding the construction contract to International Surfacing Systems (acct. C1041). [T.Tucker/12.01.00]

Mayor Schroder indicated that he would need to recuse himself from voting on the July 15th minutes since he was not present. He also corrected a reference in the minutes of July 1st that identified *Vice Mayor* Menesini as *Mayor* Menesini.

Mayor Schroder opened and closed public comment on Items 2-5 of the Consent Calendar, with no speakers coming forward.

On motion by Lara DeLaney, Councilmember, seconded by Janet Kennedy, Councilmember, to approve Items #2 through #5 of the Consent Calendar. Motion unanimously passed 5 - 0.

On motion by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Councilmember, to approve City Council Minutes of July 1st as amended to read "Michael Menesini, Vice Mayor." Motion unanimously passed 5 - 0.

On motion by Michael Menesini, Vice Mayor, seconded by Mark Ross Councilmember, to approve City Council Minutes of July 15th. Motion passed 4 - 0. Yes: Lara DeLaney, Councilmember Janet Kennedy, Councilmember Mark Ross Councilmember, Michael Menesini, Vice Mayor, Recuse: Rob Schroder, Mayor.

PUBLIC HEARING(S)

CITY MANAGER

6. A. Presentation: Bi-annual update by the Martinez Chamber of Commerce; and
- B. Resolution No. 096-09 approving the Martinez Chamber of Commerce Agreement for the 2009-2010 fiscal year; and authorizing the City Manager to execute agreement.
[K.Majors/7.02.01]

Martinez Chamber Executive Director Cynthia Murdough discussed improvements in the Chamber's financial situation, and level of service over the past year that she has been Executive Director. She also discussed collaborative efforts with Amtrak and the Visitor Center. She and Membership Sales Director Reba Bower presented the Bi-Annual Report and reviewed the proposal for the Martinez Chamber Visitor's Center.

The Council commended Ms. Murdough and Ms. Bower for their hard work on behalf of the Chamber and the City.

Mayor Schroder opened and closed public comment on Items 6A and B, with no speakers coming forward.

On motion by Lara DeLaney, Councilmember, seconded by Janet Kennedy, Councilmember, to approve Resolution No. 096-09 approving the Martinez Chamber of Commerce Agreement for the 2009-2010 fiscal year; and authorizing the City Manager to execute agreement. Motion unanimously passed 5 - 0.

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

City Manager Phil Vince stated that he and staff have been working with single family developments and apartment complexes, and are trying to help businesses and developers from going under. Currently, the City is working with property owners to invest in the downtown, including the possibility of a sports bar in the downtown. He also noted that he and the Mayor continue to go out and meet all the City's major sales tax providers.

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

Chief Simonetti noted that there were new pictures in the Council Chambers, including a new picture of Tom Tarantino (the first Officer killed in the line of duty in 1973) and Paul Starzyk who died in the line of duty a year ago Sunday. To honor Office Starzyk, there will be an open house in the Police Department and in the Council Chambers from 7:00 a.m. to 11:00 a.m. and ceremonies will begin about 11:15 a.m., which the public is invited to attend.

Mayor Schroder commented on the recent DUI checkpoint in Martinez, which he passed through. Chief Simonetti reported on the results of the checkpoint, including one DUI, one stolen car and some expired licenses/registrations.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

9. Consider appointments of Gina Zagotta to the Cemetery Commission; and Ingemar Olsson to the Veterans Commission. [M.Cabral/16.01.01&16.07.01]

On motion by Rob Schroder, Mayor, no second required approve appointment of Gina Zagotta to the Cemetery Commission. Motion unanimously passed 5 - 0.

On motion by Rob Schroder, Mayor, no second required approve appointment of Ingemar Olsson to the Veterans Commission. Motion unanimously passed 5 - 0.

CITY COUNCIL

10. City Council Comments.

Councilmember Janet Kennedy announced the Shell Run for Education on October 3rd and a Pasta Feed on October 2nd at the Shell Clubhouse; and a Community support Pasta Feed for the Boys & Girls Club on October 17th - tickets are \$15 for individuals and \$50 for a family. Councilmember Kennedy wished her son a Happy 20th Birthday.

Mayor Rob Schroder announced the Lemon Grass Restaurant grand opening and ribbon cutting on September 25th at 5:00 p.m.

ADJOURNMENT

Adjourned at 8:46 p.m. to an Adjourned Regular Meeting on September 9, 2009 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—09/23/09