

CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

Vice Mayor Mark Ross called the meeting to order at 7:23 p.m. in the Council Chambers with all members present except Mayor Schroder, who was speaking at the Vicente High School graduation ceremony and would be arriving shortly. He indicated that the regular meeting started late due to the Downtown Traffic Circulation Workshop that was held earlier at 5:00 p.m.

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

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

A. Wi-Fi Upgrade Presentation.

Senior Management Analyst Michael Chandler provided a brief staff report, indicating the Council's next steps if Phase II of the project was approved. Jerry Richardson from AirCloud Communications gave a PowerPoint presentation, including a summary of the success of Phase I of the downtown Wi-Fi project along with an overview of the Phase II proposal, which will upgrade the technology and expand the Wi-Fi coverage to the Marina, Sport Complex, Ferry Street and other downtown locations, and City Hall. He also briefly discussed cost and advertising.

Vice Mayor Ross asked how close they were to developing their own solution for advertising. Mr. Richardson stated that he had tried several different systems without success, but the one they were working on had promise. Vice Mayor Ross asked if public service announcements would be a possibility, and Mr. Richardson said that public service and local ads would both be possible.

Councilmember Kennedy stated she was glad to hear how successful the project had been, and asked how the new spots had been selected. Mr. Richardson said the goal was to expand the original core along Main Street while adding other places where people gathered.

Councilmember DeLaney agreed that the possibility of expansion was encouraging. She asked if the coverage at the Marina would also reach to the waterfront park area. Mr. Richardson stated that the only limitation was power, and that there would be more coverage in the field where there were no obstructions, although he was not sure it would cover the entire park.

Councilmember Menesini asked if the technology could be expanded to the parks at the south end of town, especially Hidden Lakes Park, since it was so heavily used. Mr. Richardson stated that the technology could be placed anywhere, but they would need line-of-sight from Mount Diablo or from the top of the County building. He said he could discuss with Mr. Chandler and see if the parks could be added to the proposal. He added that security was also a concern.

**Mayor Schroder returned to the dais at 7:38 p.m.*

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

Albert Turnbaugh requested the Council to consider formation of an Economic Development Corporation. Mr. Turnbaugh stated that if the City is going to revitalize downtown and insure that unreinforced masonry buildings are retrofitted, it is vitally important that people have access to funding, but it is almost impossible for anyone to get a viable loan during this economic downturn. Mayor Schroder stated that some buildings are already getting retrofitted, but agreed that other buildings need help to meet the August 15 deadline. He directed the City Manager to come back with some alternatives for the July 11th meeting, as well as an analysis of what stage each of the buildings are in.

Kristin Henderson spoke on unreinforced masonry buildings especially the historic Veterans Building, which needs to be retrofitted. Ms. Henderson provided background on the downtown Historic Post Office Building and the reasons it was nominated for Federal, National and State Registers.

Pat English asked if the Wi-Fi expansion could include her restaurant. Mr. Chandler explained that the system is linear, the outdoor patrons would be able to use the Wi-Fi, but not the indoor patrons without buying the additional equipment from AirCloud.

Mike Alford questioned why one of Mr. Duncan's buildings is registered as a duplex when it is a triplex, and he questioned why Mr. Duncan had a parking pass for Escobar when he lives on Talbart, and it's expired.

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 May 2, 2012. [M.Cabral]
2. Motion accepting Check Reconciliation Registers dated 05/17/12, 05/23/12, and 05/31/12. [C.Spinella/2.1.1]
3. Motion approving an Agreement for Special Services between the Pleasant Hill-Martinez Joint Facilities Agency and Liebert Cassidy Whitmore for legal services. [A.Shear/17.01.02]
4. Resolution No. 059-12 establishing the 2012-13 Appropriations Limit. [C.Spinella/02.01.00]
5. Resolution No. 060-12 requesting and consenting to consolidation of a General Municipal Election on November 6, 2012, and set specifications of the election order. [S.Chapek/40.20.03]

6. Resolution No. 061-12 committing to the "Open for Business" Pledge developed by the East Bay Economic Development Alliance (EDA). [P.Vince/43.02.00]
7. Resolution No. 062-12 amending the Schedule of Fees for City Services extending the discount for solar related fees.[M.Chandler/09.01.00&02.02.01]
8. For Landscape and Lighting Assessment Districts: 1979-3 Village Oaks Terrace--Reso Nos. 063-12 and 064-12; 1981-3 Muir Station--Reso Nos. 065-12 and 066-12; 1983-3 Vista Oaks--Reso Nos. 067-12 and 068-12; 1988-1 The Center Martinez--Reso Nos. 069-12 and 070-12; 1994-1 Creekside--Reso Nos. 071-12 and 072-12; 1997-1 Brittany Hills--Reso Nos. 073-12 and 074-12; 2000-2 Terra Vista--Reso Nos. 075-12 and 076-12; and 2001-1 Alhambra Estates--Reso Nos. 077-12 and 078-12.
[T.Tucker/10.02.34&10.02.15&10.02.22&10.02.31&10.02.36&10.02.37&10.02.40&10.02.41]
- A. Adopt resolution describing improvements and changes.
- B. By motion, approve Engineer's Report.
- C. Adopt resolution of intention to levy and collect assessments, setting date for public hearing on June 20, 2012, and directing the City Clerk to give and publish all required public notices
9. Resolution No. 079-12 authorizing the City Manager to execute a dedication of a Public Utilities Easement over a portion of Richardson Street. [T.Tucker/10.04.0]
11. Resolution No.080-12 accepting the Martinez Public Library Project per contract documents and instructing the City Clerk to file a Notice of Completion. [D.Salts/5.18.00 & 10.05.03]

Mayor Schroder pulled Item #10 from the Consent Calendar.

Mayor Schroder opened public comment on Items #1 through #9 and Item #11 of the Consent Calendar.

Regarding Item #11, Dylan Radke asked if the Notice of Completion would conclude any future library-related purchases using Measure H funds. He mentioned that they were hoping to spend some of the money on audio-visual equipment. Mayor Schroder stated that future purchases would still be possible.

Regarding Item #11, Kristin Henderson spoke about the Library being an historic building. She then commented on a conversation she overheard between the Police Chief and the Senior City Attorney.

Seeing no further speakers, Mayor Schroder closed public comment on Items #1 through #9 and #11 of the Consent Calendar.

On motion by Janet Kennedy, Councilmember, seconded by Lara DeLaney, Councilmember, to approve Items #1 through #9 and #11 of the Consent Calendar. Motion unanimously passed 5 - 0.

10. Resolution granting an appeal and overturning the Planning Commission's determination that lice removal salons should be permitted uses in the commercial districts, NC, CC and SC. [J.Walter/9.4.4.31]

Mayor Schroder noted that the City staff had not been following the established process in giving permits to businesses with uses that were not listed in the Zoning Code. He asked if staff had come up with any recommendations for how to be welcoming to new businesses while still protecting the Zoning Code, in the interim until the Zoning Code could be updated.

Senior Planner Corey Simon stated that he understood that City Attorney Jeff Walters was working on a draft ordinance to allow staff to use their own judgment when deciding if new uses can fit inside established categories. He suggested that the problem was not an immediate one, since this particular application had been resolved, but as it stood now, new uses would have to go to the Planning Commission. Councilmember DeLaney stated that she did not believe that had been the consensus or direction of the Council, since she recalled Councilmember Menesini expressing support of the existing criteria. She added that it would not necessarily be a long turnaround for the Planning Commission to give approval to a very pressing application. Councilmember Menesini agreed and stated that he did not think the current process was particularly onerous; although the Zoning Code would need to be updated and streamlined for both applicants and staff. Mr. Simon suggested there may be some cases in which it would be unreasonably time-consuming to involve the Planning Commission. Mayor Schroder stated that it did not seem like it would be an issue while they were working on changing the process.

Senior City Attorney Veronica Nebb stated that staff had been discussing a possible list of changes that could be made in advance of the General Plan update, hopefully without incurring too much cost. She said that in the interim, the Code could be amended to add uses on a case-by-case basis. She requested direction as to whether the changes should be made in advance of or subsequent to the General Plan update, and Councilmember Menesini suggested both.

Mayor Schroder opened public comment on the item.

Rachael Ford suggested there was an incongruity with the City pledging to be welcoming new businesses while slowing down the permitting process, although she commended the Council for showing leadership by granting the appeal. She suggested the Council grant staff some flexibility in finding a place in the Code for new uses. Councilmember Menesini stated that modernizing the Zoning Code would make the City more welcoming to new businesses, and added that all organizations inevitably developed inefficiencies, but some things needed to be talked about in the open. Councilmember DeLaney added that staff could be empowered to act in their own judgment, but they would have to have policies to follow.

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

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember, to approve Resolution No. 081-12 granting an appeal and overturning the Planning Commission's determination that lice removal salons should be permitted uses in the commercial districts, NC, CC and SC. Motion unanimously passed 5 - 0.

PUBLIC HEARING(S)

12. Resolution amending the Schedule of Fees for City Services to increase facility reservation fees at Rankin Park and playfield rental fees at Tavan Field (continued from May 16th meeting.) [P.Lorick/02.02.03]

Recreation Manager Patty Lorick noted a correction in the resolution. She presented the staff report and provided a PowerPoint presentation regarding some of the recent park improvements at the rental areas at Rankin Park and playfields at Tavan Field. She explained the proposed schedule of fees and the reasoning behind them.

Mayor Schroder stated that the park improvements were beautiful, and added that he thought the fees were reasonable. Councilmember DeLaney agreed that Rankin Park was gorgeous, although the lack of shade around the picnic areas was concerning. Ms. Lorick indicated that the trees were fast-growing and would soon provide more shade. Councilmember DeLaney suggested that there should be a bigger savings for residents. Ms. Lorick stated that if the non-resident fees were too high, they would just find a resident to pay for it. Councilmember Menesini expressed agreement with Councilmember DeLaney, and suggested that the non-resident fees should be raised just as a statement.

Mayor Schroder opened public comment on the item.

Dick Duncan asked if the fees would be the same for night games, and Ms. Lorick stated that there would continue to be a fee to turn the lights on, which would remain at \$32/hour.

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

Councilmember Kennedy agreed that the parks were beautiful and that the fees were very reasonable for the quality of the parks. Vice Mayor Ross agreed and congratulated staff on their work.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember, Resolution No. 082-12 amending the Schedule of Fees for City Services to increase facility reservation fees at Rankin Park and playfield rental fees at Tavan Field *as revised*. Motion unanimously passed 5 - 0.

CITY MANAGER

13. Resolution restoring two-way traffic on portions of Castro Street, Escobar Street, Estudillo Street, and Main Street. [D.Scola&T.Tucker/8.4.0&12/19.00]

City Engineer Tim Tucker presented the staff report. He explained the history of the issue, including the reasons Main Street had been changed to one-way, and the reasons staff was recommending the streets be returned to two-way. He also explained the lane width requirements in the City and the County.

Councilmember DeLaney asked for clarification on the sections of Main Street that were under consideration. She also asked why a one-way configuration with diagonal parking would not allow for outdoor dining on both sides, since that was the configuration currently used on the 500 block. Mr. Tucker clarified that he was referring to the option given by Mr. Duncan and Mr. Avalon. He added that the 500 block did not meet minimum unobstructed width requirements.

Vice Mayor Ross asked if that meant the diagonal parking would have to be eliminated, if the street was kept one-way. Public Works Director Dave Scola confirmed that and noted that the outdoor dining proposal and design had always been based on parallel parking spaces.

Councilmember Kennedy asked about the progress on the possibility of the City's leasing a parking lot, and City Manager Philip Vince stated that the discussions were very preliminary. Councilmember Kennedy confirmed with Mr. Vince that if the City had to lease land for additional parking, they would be paying for it out of the Parking Fund. Councilmember DeLaney asked why the negotiations had not been approved by the Council beforehand, and Mr. Vince stated that they had just had an informal discussion to see it was even a possibility before bringing it to the Council.

Mayor Schroder opened public comment on the item.

Bob Russell encouraged the Council to keep in mind that the 500 block was a unique place that provided a special welcome to visitors to downtown.

Dick Duncan noted that the 500 block had been approved by the Fire District when the one-way configuration was put in, and it was still acceptable to them. He also stated that it was important to make compromises when dealing with older downtowns like Martinez, and some requirements would not be reasonable. He asserted that his design provided a reasonably sized lane for one-way parking with diagonal parking on one side. He also expressed concern about the lack of a CEQA analysis. Mayor Schroder asked how Mr. Duncan's plan had been amended in response to Mr. Scola's requirements, and Mr. Duncan explained that having diagonal parking on one side and no parking on the other allowed for a reasonably sized lane and enough space for cars to go around trucks that were loading or unloading. He also explained some of the reasoning behind where his design had added outdoor dining.

Mike Alford stated that two-way streets would improve business exposure and address concerns about safety and loading and unloading, and stated that he felt the 500 block seemed cluttered. He also asserted that most of Martinez's prosperity had occurred when the streets were two-way, and that the current prosperity of the 500 block was due to the businesses providing good products.

Carolyn Duncan stated that it would be a bad idea to change a configuration that was so successful, especially during a difficult economic time. She suggested that the City wait until later to change the 500 block.

Pat English stated that the businesses on the 500 block had turned around when the configuration was changed to one-way. She stated she did not think the rest of Main Street needed to be one-way, but she urged the Council not to change the 500 block.

Fred Morris expressed concerns about safety vehicles getting by when UPS and FedEx trucks were parked in front of the store, noting that the trucks were there frequently. He stated that he did not mind the 500 block staying the same, but making the rest of Main Street one-way could hurt the rest of the businesses there who were against it.

Mitch Avalon stated that it was difficult to know exactly what made the 500 block successful, but suggested that keeping it one-way would provide for a wider traffic lane and ensure a safety buffer between the dining and the traffic, as well as room for landscaping, which would improve the ambience. Councilmember Menesini noted that all of the examples of outdoor dining he had seen had been on two-way streets.

Rachael Ford spoke about Cincinnati, Ohio, one of the most successful downtown revitalization projects in the country. She described a street with a similar style and culture to Martinez' downtown, which had begun to flourish when it was changed to two-way. She added that longer routes in downtown created by one-way streets contributed to declining air quality.

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

Mayor Schroder noted that there was conflicting research and expert opinion on whether one-way or two-way streets were better for business. He stated that he had studied Mr. Duncan's plan, including its amendments, very carefully, and still believed that two-way streets were the ideal solutions. He believed that the design of the new platforms were so good that people would continue to want to eat outside and business would remain successful. He expressed concern about Lemongrass and Pacifica Pizza having to wait for access to the outdoor dining. He also noted that Napa, while it is a beautiful community, also has many one-way streets that make it difficult to get around, and that Napa's new specific plan provided for changing many of the streets to two-way. He expressed belief that the businesses on Main Street would see more success as a result of changing the streets to two-way, even if they were against it now.

Vice Mayor Ross asked how the rectangular platform designs would fit in a diagonal parking space, in Mr. Duncan's proposal. Mr. Scola reiterated that the platform designs proposed by staff and approved by the Council were designed to fit into parallel parking spaces, whether the street ended up one-way or two-way. He added that the one-way configuration on the 500 block had not been approved by the Fire District, but it was only intended to be a test project, and it created a substandard condition. Vice Mayor stated that having square platforms with diagonal parking would be an inefficient use of space.

Councilmember Menesini stated that there was no perfect plan, but in order to have outdoor dining and parking that was consistent with public safety concerns, the parallel parking would be necessary.

Councilmember DeLaney asked if the 900 block, with parallel parking and two-way traffic, met with the minimum width requirements. Mr. Scola stated that he did not have the dimensions in front of him, but he believed it was only 9 inches narrower than the 20-foot minimum. He added that it was a physical constraint leftover from when the street was built decades ago. Councilmember DeLaney stated that it was inconsistent to accept a substandard configuration on the 900 block but recommend that the 500 block be changed. She also stated it was a good thing the one-way configuration had gone in against the City engineers' recommendations because it had been successful.

Vice Mayor Ross stated that he was leaning toward keeping the 500 block one-way, but thought that the diagonal parking would have to go. He expressed concern about the safety of the outdoor dining being so close to traffic. He suggested placing removable posts at the corners and

middle of the platforms to provide protection for the patrons. He stated that his preference would be to restore two-way traffic on the smaller streets, and make Main Street one-way for four more blocks, and suggested that that would not impair ingress and egress to downtown. He thanked Mr. Duncan and Mr. Avalon for their hard work.

Councilmember Kennedy mentioned that one of the streets that had been one-way when she first started working for the County had caused a lot of accidents. She stated that although she appreciated the work that had been put into the alternatives, her main priority had always been public safety, and she was concerned about the substandard width of the street and people backing into traffic from the diagonal parking. She stated that she was not in favor of one-way traffic on Main Street because it made circulation more confusing. She added that she wanted the outdoor dining option to be offered to all of Main Street so that the dining options in downtown could be emphasized.

Councilmember Menesini stated that it was difficult to make a decision like this when there were valid points on either side, but noted that the Specific Plan, which had been designed to be in the best interest of the entire downtown, recommended two-way streets in downtown. He stated that he supported returning Main Street to two-way, especially for issues of public safety.

On motion by Michael Menesini, Councilmember, seconded by Janet Kennedy, Councilmember, to approve Resolution No. 083-12 restoring two-way traffic on portions of Castro Street, Escobar Street, Estudillo Street, and Main Street. Motion passed 3 - 2. Yes: Janet Kennedy, Councilmember; Michael Menesini, Councilmember; Rob Schroder, Mayor. No: Lara DeLaney, Councilmember; Mark Ross, Vice Mayor.

Vice Mayor Ross reiterated his earlier suggestion, to at least keep the 500 block one-way, and urged the Council to consider leaving it for at least a year, since the business owners preferred it. He also noted that other streets would remain one-way, so it would not be out of place.

Councilmember DeLaney asked why the City would want to change a configuration that was working to one that was untried. She also expressed concerns about safety with diners right next to traffic, and mentioned other cities that had experienced revitalization with one-way streets. She suggested trying a two-way configuration with outdoor dining on a different block while keeping the 500 block the same to see which would work better.

The Council recessed at 9:32 p.m. and returned to the dais with all members present.

14. Discuss Concord proposal to reorganize Mount Diablo Health Care District and detach Martinez from the District (verbal report). [P.Vince/43.00.01]

City Manager Philip Vince presented the staff report and explained some of the things discussed and presented at the LAFCO hearing. Mayor Schroder added more information about the District for clarification, and explained what the reorganization would do and what LAFCO was asking the City to do.

Councilmember Menesini clarified that the District would change from an Independent Special District to a Dependent District of Concord and Pleasant Hill. He also asked what would happen to Martinez' tax liability toward the District. Mayor Schroder stated that the City did not pay any taxes directly to the District, although Councilmember DeLaney added that a percentage of the

property taxes in Martinez went to the District. She asked, if the District was dissolved, if that percentage of property taxes could be redirected to programs that benefited Martinez; Mayor Schroder confirmed that would happen if the District was reorganized.

Councilmember Menesini expressed concern about Concord collecting taxes from Martinez to use on Concord's programs. Senior City Attorney Veronica Nebb stated that she would need to do more research to determine what the District's obligations and authorities included, and to find out what the consequences of the reorganization would be. Councilmember Menesini stated that before agreeing to the reorganization, he would want to make sure that the City did not end up owing money to Concord.

Councilmember DeLaney suggested that the District be dissolved completely, because it provided so little benefit to the public; Councilmember Kennedy agreed. Councilmember Menesini stated that if the District would benefit Concord and there would be no disadvantage to Martinez, then Concord could keep it. Mayor Schroder stated that Concord wanted the District dissolved, but LAFCO did not.

After discussion consensus was reached to send a letter to LAFCO requesting to be indemnified, consenting to the detachment and holding the City harmless; and the agency should be dissolved.

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

No comments made.

CHIEF OF POLICE

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

Chief Gary Peterson announced that Officer Dansie will be leaving the City to work for the Concord Police Department and Police Assistant Andy McGuire will be leaving to join the Santa Clara Police Department. He indicated that staff is in the process of filling both positions.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

17. Council Subcommittee Reports.

Mayor Schroder reported on the General Plan Update, indicating that Planning Manager Terry Blount had resigned and Senior Planner Corey Simon and Assistant Planner Anjana Mepani will be managing the project. He also noted that consultant Jeff Blair has been instructed to prepare an administrative draft for internal review by late summer. Mayor Schroder reviewed the timing, and he noted that depending on the amount of public comment, it could go before the Planning Commission in late August/September, and before the City Council around October/November.

Councilmember Lara DeLaney and Vice Mayor Ross reported out on the June 4th Budget Subcommittee meeting, noting that they reviewed the proposed budget adjustments that will be presented at the next Council meeting; and recommendations were made regarding the Community Group Funding requests, which will also be presented at the next meeting.

They also noted that there would be another Budget Subcommittee meeting on June 11th at noon, to discuss costs associated with the outdoor dining platforms and subsidy level to be provided to merchants.

18. City Council Comments.

Vice Mayor Ross requested that staff contact the Post Office regarding the landscaping. He also announced the Bike to Bridges bicycle ride to benefit Special Olympics on Sunday June 10, at the Waterfront Park at 7:00 a.m. Vice Mayor Ross also stated that he would be absent from the next meeting and requested that the budget approval be postponed to the next meeting after that.

Councilmember Janet Kennedy reported on the ABAG Regional Planning meeting that she and Vice Mayor Ross attended, noting that most of the discussion centered around the Regional Housing Allocation. She directed the public to ABAG's website for more information on the process and to submit public comment. Councilmember Kennedy also indicated that next week she will be attending a League of California Cities Policy Committee on Housing and Economic Development in Sacramento.

Councilmember Lara DeLaney stated that she too will be in Sacramento attending the League meeting for an Employee Relations Committee. She also suggested that Council look at allowing dogs in the Downtown Dining area; and she requested that the Economic Development Subcommittee review the Economic Development Corporation before it goes to the full Council.

Councilmember Michael Menesini reported that a queue, which extended about a mile, was occurring on Highway 4 westbound onto Alhambra Avenue. He requested that the engineers look into the matter.

Mayor Rob Schroder stated that he attended an LED lighting demonstration in Concord with respect to a Smart Light, a chip that is inserted into LED lights allowing the bulb to last for up to 30 years and can be individually turned on and off or dimmed remotely. He added that currently the company is working with Chevron on a program for municipalities. Senior City Attorney Veronica Nebb noted that Novato had adopted the same program six months ago on about one third of their streetlights, and the estimated annual savings were about \$60,000. He also requested that the meeting be adjourned in memory of Retired Police Officer Robbie Robinson and Supervisor Gayle Uilkema.

ADJOURNMENT

Adjourned at 10:19 p.m. *in Memory of Retired Police Officer Robbie Robinson and Supervisor Gayle Uilkema* to a Regular Meeting on June 20, 2012 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 – 7/11/12