

**CALL TO ORDER - RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL**

Mayor Schroder called the meeting to order at 7:05 p.m. in the Council Chambers. The mayor requested a moment of silence in remembrance of the tragedy in Newtown, Connecticut.

PRESENT: Lara Delaney, Councilmember, Anamarie Avila Farias, Councilmember, Michael Menesini, Councilmember, Mark Ross, Vice Mayor, and Rob Schroder, Mayor.

EXCUSED: None.

ABSENT: None.

**PRESENTATIONS**

- A. Swearing in of Police Officers Michael Lincoln, Garrett Pock, Ricky Vasquez and Reserve Police Officer George Tucker.

Chief Gary Peterson commented on best practices for school safety in light of the recent tragedy, and noted that the school district would be reviewing their emergency response procedures and protocols. He thanked the Council for its support of public safety and recognized Police Department staff for their hard work in the hiring process. Chief Peterson introduced the new officers and provided their backgrounds. The swearing-in was performed by City Clerk Gary Hernandez. The Council welcomed the new officers.

- B. Proclamation to Contra Costa County Library as Recipient of the National Medal for Museum and Library Service 2012.

Mayor Schroder read and presented the proclamation to Barbara Flynn, Contra Costa County Librarian. Ms. Flynn thanked the City.

**PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)**

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

Doug Stewart provided an update on the Martinez Pacheco homeless outreach team. The team made 92 new contacts, and provided 4 mental health referrals and shelter to 7 people. The Homeless Management Information System is now in place to better coordinate services with the County, and the team is going to be focusing more on crisis intervention training. January 30th is the next homeless count date. Residents can volunteer to assist through the County website. Mr. Stewart urged the public not to give to panhandlers, in order to keep them open to shelter and services.

Mike Alford discussed concerns with lack of staffing at the County hospital and requested that the City investigate. He spoke of his experience at the Santa Crawl.

## CONSENT CALENDAR

### MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Motion rejecting claims against the City by Joseph Brock and Jennifer O'Dell, Claim #12-28. [M.Cabral]
2. Motion approving Check Reconciliation Register(s) dated 12/13/12. [C.Spinella/2.1.0]
3. Motion approving agreement with Michelle Wierschem (aka Mitch Austin) for consultant services on the Marina for the period of January 1, 2013 to June 30, 2013 to be funded by the General Fund. [A.Shear/17.00.05]
4. Resolution No. 127-12 adopting a "Complete Streets Policy." [T.Tucker/12.01.00]
5. Resolution No. 128-12 accepting Marina Vista Streetscape Project per contract documents and instructing the City Clerk to file a Notice of Completion. [D.Salts/12.04.38]

Councilmember Anamarie Avila Farias requested that Item #5 be pulled from the Consent Calendar.

On motion by Michael Menesini, Councilmember, seconded by Lara Delaney, Councilmember, to approve Items #1 through #4 of the consent calendar. Motion unanimously passed 5 - 0.

Councilmember Avila Farias requested clarification on the unforeseeable conditions and why the Marina Streetscape project went over budget. Deputy Public Works Director Don Salts stated that most of the costs were associated with work that PG&E had originally agreed to do, but had later requested the City contractors perform. Because of additional funding from the city of Concord, the City was also able to do a full asphalt overlay, which required extra funding, but provided for a better product. Unanticipated conditions included underground fuel lines in the way of construction. Councilmember Avila Farias requested further information in the staff report in the future.

Mayor Schroder opened the Item for public comment.

Mike Alford asked where the fuel line was. Mr. Salts stated it runs parallel to Marina Vista on the north side.

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

Vice Mayor Ross commented on other issues with the pavers and gutters. He suggested creating project labor agreements as other cities do to reduce the instances of change orders. Mayor Schroder clarified that, even with the change orders, the project was still under budget.

On motion by Lara Delaney, Councilmember, seconded by Mark Ross, Vice Mayor, to approve Resolution No. 128-12 accepting Marina Vista Streetscape Project per contract documents and instructing the City Clerk to file a Notice of Completion. Motion unanimously passed 5 - 0.

## **PUBLIC HEARING(S)**

### **CITY MANAGER**

6. Parking Meters Upgrade Project: [T.Tucker/08.04.00]
  - A. Adopt Resolution allocating \$85,000 of undesignated Parking District Reserve for the purchase of up to 165 credit card enabled electronic meter mechanisms; and amending the 2012-13 operating budget by \$8,000 to cover the costs associated with the IPS meters.
  - B. Motion directing staff to initiate the process of amending Sections 10.36.040, Hours of Operation and 10:36.060, Fees, of the Martinez Municipal Code relating to parking meters.
  - C. Motion waiving parking meter fees starting December 20, 2012 through January 1, 2013.

City Manager Philip Vince presented the staff report. He indicated that at first the new credit-card-enabled parking meters did not perform well enough to justify the expense; however, usage has increased since the last report. Staff has also begun investigation into many of the other parking issues that had been put forward. City Engineer Tim Tucker provided more detailed information on the parking meter revenue. Although increasing credit card usage may not be enough to cover the costs of the mechanisms, several residents have commented that the new meters improve the image of downtown. In addition, customers who use credit cards tend to stay longer in downtown, which may provide an economic boost. To consistently offer the credit card function will cost \$85,000 to purchase new meters and \$8,000 to fund the credit card mechanism. Staff is also requesting direction on the further investigation of parking issues and parking meter fees, and on the past practice of free parking until the New Year's holiday.

Mayor Schroder noted that the funds from parking fees are only used for maintenance, enforcement and expansion of parking facilities. Over two thirds of revenue from parking fines is allocated to the State, and the rest goes to the City General Fund under Fines and Forfeitures. Councilmember DeLaney asked if the revenue from parking fines could be allocated only for parking district funds, and Chief Peterson stated that is not possible because of the way the State shares the funds. Councilmember DeLaney stated she believed more information was needed before the Council could make a decision, particularly on the costs of the credit card mechanism and of parking enforcement. She requested a report on all financial aspects of the parking district and on the impacts of rate increases on resident access. Mayor Schroder commented that appropriate parking rates help regulate usage and access.

Vice Mayor Ross commented on the difficulty of finding parking near the courthouse and he did not favor parking enforcement after 5:00 p.m. or on Saturdays. Mr. Vince noted that the number of new spaces needed for the courthouse may not be as high as originally suggested because of the way court cases are spread out throughout the year. The City will continue to investigate this and determine if jurors and judges will continue to get free parking.

Vice Mayor Ross commented that private parking lots might be helpful. Mayor Schroder suggested a multi-faceted approach is needed to solve the parking problem.

Councilmember Avila Farias requested a tabulated comparison of the budgets of the different options, including income, expenses and fees. She also requested a map showing where the current meters are in downtown. The most important factors are the cost-effectiveness of the approach and whether it will create a burden for downtown visitors.

Councilmember Menesini stated he believed the credit card meters are more modern and business-friendly, although he recognized the cost/revenue issues. He suggested modest rate increases might be warranted, although he agreed enforcement hours should not be extended past 5 pm or to weekends. He also agreed the City should consider a new parking lot or structure in the future in order to be more welcoming to visitors, but suggested that the courts should help with providing parking for jurors, perhaps by providing them with parking cards.

Mayor Schroder stated that the Council would continue to look into a solution to the problem, and noted he had received several emails from residents opposed to rate increases. Mayor Schroder stated that Main Street Martinez Economic Restructuring Committee has been looking into the problem, and he would like to see their report before making a decision. He agreed that the City will continue discussing this with the County as well. He suggested that a portion of parking income should be earmarked for future expansion and development. He also agreed that the credit card meters are the direction the City wants to go in the future.

Mayor Schroder opened the Item for public comment.

David Fisher, owner of two buildings on Court Street, expressed opposition to weekend enforcement and to the elimination of meters near the courthouse. He asked if it was possible for the meters to reset automatically when cars leave, and Mr. Tucker stated it could be done but required extra equipment. Mr. Fisher suggested the kiosk approach, to increase revenue and save on maintenance. Mr. Tucker noted that Walnut Creek is moving away from kiosks, which are more expensive, and a problem with one kiosk would shut down the whole block.

Mark Shoemaker, downtown merchant, expressed opposition to rate increases because it would discourage visitors to downtown. He suggested eliminating all the meters and requested more information on the financial aspects of the parking system.

Mike Alford agreed that the County needs to help provide parking for the courthouse. He stated that enforcement of the meters disincentivizes visiting the downtown.

Richard Verrilli suggested that staff should further investigate the impact of the new meters on businesses in downtown. He suggested that rate increases and increased enforcement would damage the image of the City.

Harlan Strickland encouraged the Council to continue the conversation and do more research on the subject. He expressed his opinion that the meters harm downtown and noted that Martinez' nearest competitors do not have meters in downtown.

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

Councilmember DeLaney expressed approval of offering free holiday parking. She noted that the residents' needs and experiences are the most important factor in these decisions, if the City wants the downtown to thrive. She also suggested it is important to accentuate what is unique about downtown and communicate all decisions and plans clearly with business owners and customers.

Mayor Schroder asked if the Council could delay making a decision on the purchase of the meters. Mr. Tucker stated the Council could decide not to purchase, purchase only the ones on Main Street and leave the others until after further study, or lease the ones on Main Street for now, which would add to the total cost of the project. Mayor Schroder stated that he supported the free holiday parking, but he noted the City would not have the resources to enforce time limits. He hoped customers and business owners would take responsibility for following the time limits. Mayor Schroder agreed that this was something the public should be able to give more input on, but he did not want to send it to a subcommittee because he felt the whole Council should consider it at the same time.

Councilmember Menesini agreed that managing parking is complicated and free parking can be problematic. He noted that parking tickets can be extremely frustrating for customers and the card-reading meters would make it much easier to avoid them. He suggested the Council did not need to make a decision today on the new meters or on the rates. Councilmember Avila Farias agreed that the City should move forward with the modern technology, but she would prefer more information on the financial impact before making a decision.

Vice Mayor Ross noted that the City's downtown is unique, so it is hard to apply conclusions from studies done elsewhere. He suggested extending the free parking holiday until the January meeting to evaluate the effect. Councilmember DeLaney asserted that would not be helpful because the time limits would not be enforced. Councilmember Menesini suggested that residents would rather pay for the meters than accept the risk of a parking ticket for violating the free parking time limit.

The Council agreed to continued Items 6 A and B and directed staff to provide more information and answer Council's questions on Item 6.A at the next meeting, providing the public with another opportunity to comment. Staff was directed to develop a timeline for Item #6.B, including formal opportunities for public input and a transition plan.

On motion by Michael Menesini, Councilmember, seconded by Lara Delaney, Councilmember, to approve waiving parking meter fees starting December 20, 2012 through January 6, 2013. Motion unanimously passed 5 – 0.

7. Receive and file report on the recently enacted Public Employees' Pension Reform Act (PEPRA) of 2013. [A.Shear/4.5.13]

Assistant City Manager Alan Shear provided information on PEPRA and presented a PowerPoint outline of the impacts facing the City and its current and future employees. The basic effect of the act is to increase the retirement age and decrease the benefit formulas, with separate provisions for safety and non-safety employees.

Mr. Shear explained how the retirement formulas are calculated. The act also requires higher contributions from new employees, changes the requirements for cost-sharing agreements, and creates pensionable compensation caps. Mr. Shear answered questions from Councilmembers on the report.

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

\* *General Plan Status Update.*

City Manager Phillip Vince provided the Council a report on the General Plan update, discussing why the process has been so slow, a brief history of the General Plan, environmental review requirements, associated costs, staffing issues, and his dissatisfaction with the product submitted by the original consultants. He noted that changes to staff and the budget resulted in the selection of a new consultant and development of a new plan for completion and review of the product. He also discussed the role of the 18-member General Plan Review Committee and the excellent job they achieved, including public outreach. He briefly reviewed the next steps in the process as well.

Councilmember DeLaney asked who would be in charge of the process now, and Mr. Vince indicated that the contract Planning Manager, Dina Tasini, would be overseeing the staff and consultants. Councilmember DeLaney also asked if the General Plan Review Committee would have additional opportunities to see the product before it comes back to the Council, and Mr. Vince confirmed they would. Councilmember DeLaney asked how much had been expended so far. Assistant City Manager Alan Shears said it was about \$183,000, and he agreed to provide further details of the costs in the next report.

Councilmember DeLaney expressed concern about Ms. Tasini's experiences in completing a General Plan update.

## **CHIEF OF POLICE**

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

Chief Gary Peterson noted that he and Captain Ghisletta attended the graduation of Sergeant Lisa Maloney from Post Supervisory Leadership Institute. He also informed the Council about the "Avoid the 25 Program," scheduled for December 17 and 18, as well as a DUI check point on January 18, 2013.

## **APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES**

### **CITY COUNCIL**

10. Resolution appointing Councilmember Lara DeLaney as Vice Mayor for the year 2012-2013. [41.02.01]

On motion by Rob Schroder, Mayor, no second required to approve Resolution No. 129-12 appointing Councilmember Lara DeLaney as Vice Mayor for the year 2012-2013. Motion unanimously passed 5 - 0.

Mayor Schroder thanked Councilmember Ross for his service as Vice Mayor for the last year.

11. Council Subcommittee Reports.

Mayor Schroder discussed the reworking of the subcommittees, from 22 in number down to 5. He asked for input from the Councilmembers as to their preferred appointments before the January meeting.

12. City Council Comments.

Vice Mayor Lara DeLaney thanked management staff for a wonderful holiday luncheon and expressed appreciation for the great work of all the staff in the last year. She wished everyone a Merry Christmas and Happy Holiday and Happy New Year.

Councilmembers Mark Ross and Anamarie Avila-Farias thanked the voters for their support in allowing them to serve.

Councilmember Mike Menesini wished all happy holidays and reflected on the past year. He indicated the Delta water issues will be coming to the forefront in 2013.

Mayor Schroder stated that the old Ferry Street Station's kitchen is not up to code, and the upgrade would be cost prohibitive; and there has been some discussion in making it just a bar. Therefore, he requested that staff look into a moratorium on bars downtown to which there was no objection. Vice Mayor DeLaney indicated that staff should have a conversation with County Health to discuss the prohibitive nature of their regulations on restaurant kitchens. The Mayor also noted that he has spoken to other government officials regarding the tragic incident in Newtown, Connecticut and will be proposing a letter concerning gun violence.

**ADJOURNMENT**

Meeting adjourned at 9:54 p.m. in memory of the 20 children in Newtown, Connecticut and their teachers and the mother of Police Officer Dustin Mayberry.

Approved by the City Council,

Rob Schroder, Mayor

Mercy G. Cabral, Deputy City Clerk – 02/06/13