



CONSIDERATION TO ESTABLISH A NEW COMMISSION

City Council Study Session | May 15, 2024



WHAT AND WHY?

To form a brand-new commission aimed at promoting diversity, equity, inclusion, and a sense of belonging within our community.



Environmental Scan

County & State:

- Only agency with a DEIB Commission is Pleasant Hill
- Varying levels of DEIB planning
- CCC Arts & Culture Commission
- CA Racial Equity Commission
- El Cerrito & Richmond have a Human Relations Commission

City:

- School District has SLAM
- Adopted DEIB Roadmap
- Cultural Events
- Proclamations
- Organizational Training
- CARES Employee Engagement Committee
- Quarterly HR Reports

Proposed New Commission Framework

01 - MEETING FREQUENCY

Quarterly, and as needed. A quorum of 5 members will be needed in order to have a meeting.

02 - SIZE & MAKE-UP

5 at-large members; 1 Planning and PRMCC representative; and 1 alternative. Members will serve a 4-year term, with an option to renew for another 4-year term.

03 - APPOINTMENT

Application required to be submitted. Interviews coordinated by mayor and appointments approved by the Council.





DUTIES & RESPONSIBILITIES

- Plan inclusive events
- Provide policy recommendations
- Advance Sister Cities
- Enhance community relations
- Recommend proclamations & recognition opportunities
- Recommend grant funding

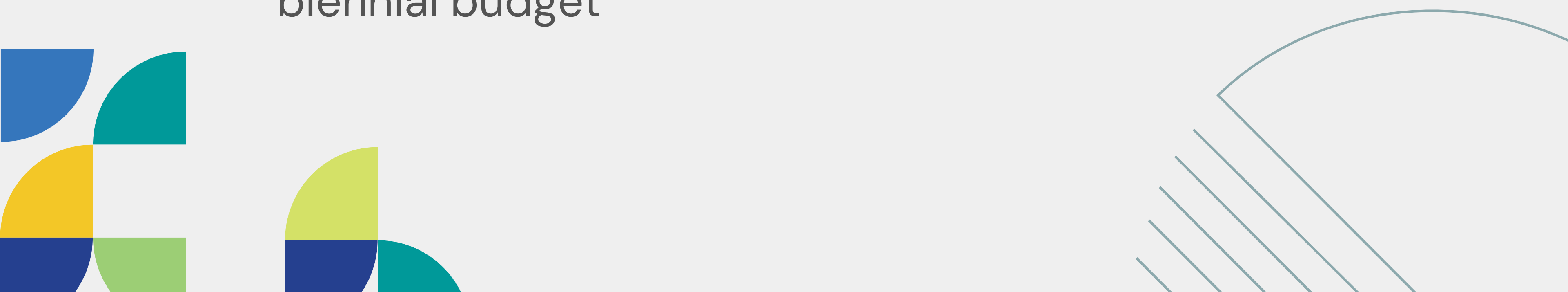


LIMITATIONS

- Within jurisdiction of the City Council
- Consistent with the Council-Manager form of government
- No direction on internal personnel and training matters
- No redundancy or overlap with other commissions



FISCAL IMPACT

- \$50,000 allocated from ARPA:
 - \$30,000 – training, facilitation and consultation
 - \$20,000 – culturally meaningful events
 - Ongoing budget needs will be evaluated during the next biennial budget
- 

NEXT STEPS



Study Session
to solicit
direction on
new ordinance



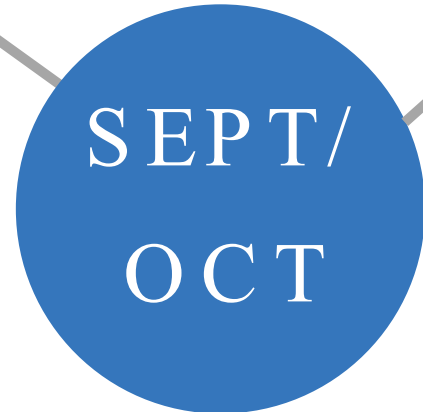
Follow-up report at
City Council to
reiterate direction



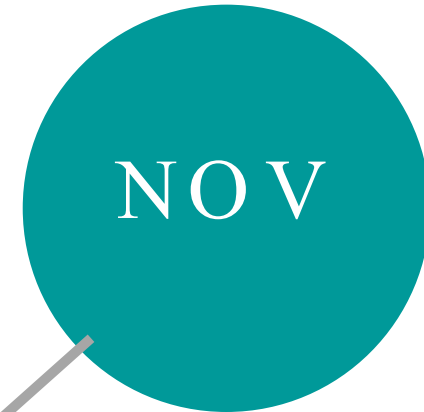
Public Hearing
& adoption of
new ordinance



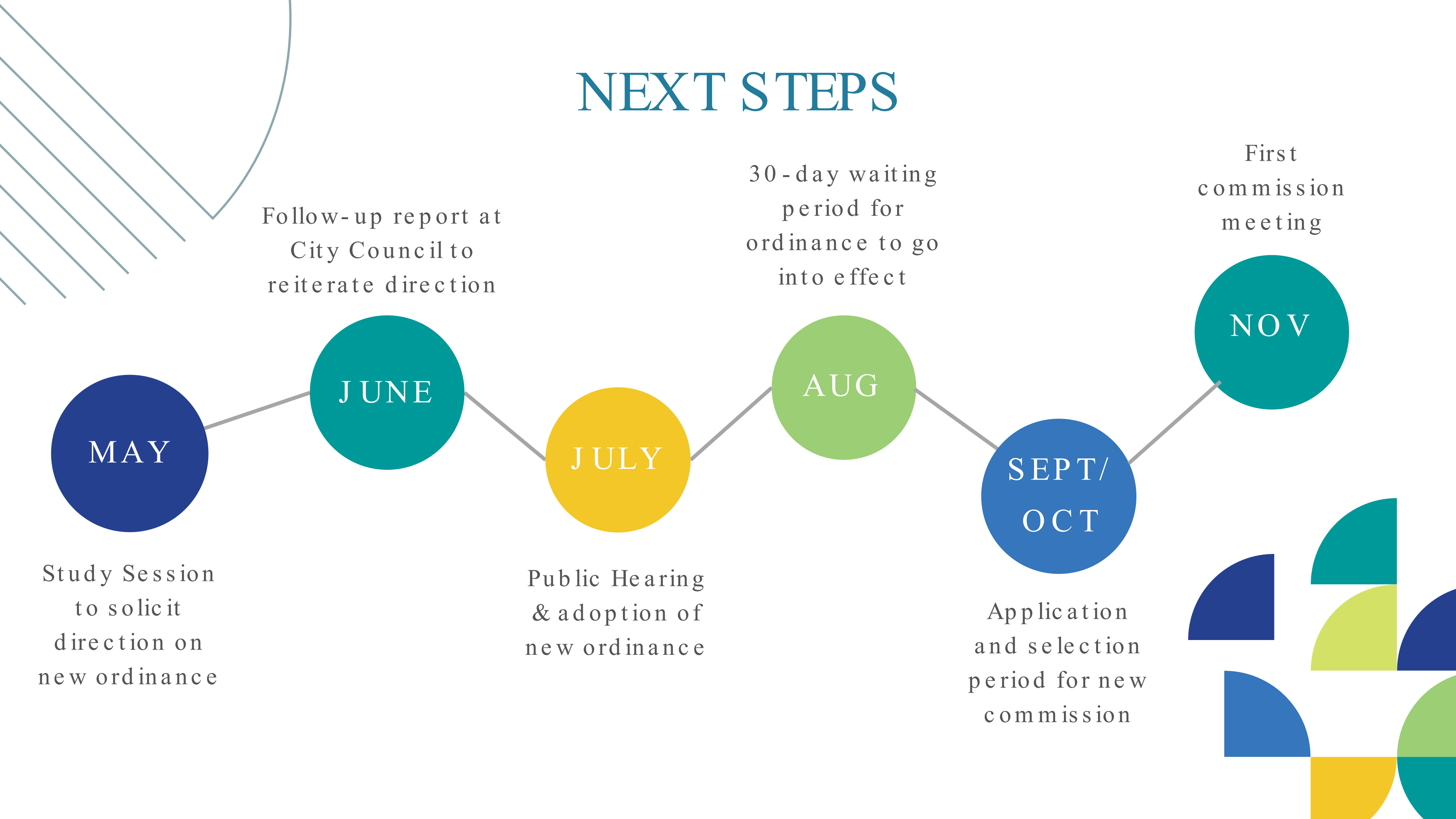
30 - day waiting
period for
ordinance to go
into effect



Application
and selection
period for new
commission



First
commission
meeting



DISCUSSION POINTS

1. Number of members
2. Make-up of members
3. Frequency of meetings
4. Duties.....

- Plan inclusive events
- Provide policy recommendations
- Advance Sister Cities

- Enhance Community relations
- Recommend proclamations & recognition opportunities
- Recommend grant funding



FY23 Audit Results

Presented By: June Du, Finance Director

City Council Meeting | MAY 15, 2024

BACKGROUND



1. The City is required to have its financial statements audited by the independent auditor annually.
2. Finance Department staff delivered the financial data to the auditor.
3. Maze & Associates audited the City's financial statements as well as internal control procedures.
4. The audited financial statements were presented to the Budget and Finance subcommittee for review on May 6, 2024. Representatives from the audit firm attended the meeting virtually.

DISCUSSION



Opinion:

The financial statements present fairly, in all material respects.

DISCUSSION



General Fund:

The General Fund ended fiscal year with a \$3.86 million surplus (including American Rescue Plan Act/ARPA fund).

In Millions	FY23	FY22	Changes	% of Change
Revenues	\$39.58	\$38.85	\$0.73	1.88%
Expenditures	\$-34.54	\$-30.71	\$-3.83	12.46%
Net	\$5.04	\$8.14	\$-3.10	
Transfers (net)	\$-1.18	\$-4.01	\$2.83	-71%
Net Changes	\$3.86	\$4.13	\$-0.27	
Beg. Fund Bal.	\$20.68	\$16.55		
End. Fund Bal.	\$24.54	\$20.68	\$3.86	



General Fund Reserves:

According to City’s reserve policy, \$6.9 million is required to maintain in the unassigned fund balance, \$5.0 million committed to City’s assigned and unassigned contingency reserve. \$8.4 million is restricted for ARPA programs, \$1.78 million is restricted, or has been committed or assigned to cover, claims, encumbrances, and other City projects. The unrestricted unassigned fund balance is \$9.5 million.

General Fund Expenditure	34,538,292
20%	6,907,658
Committed to ARPA	8,363,052
Pension/OPEB	2,358,540
Improvement	906,871
Catastrophes	900,000
Contingencies	100,000
Economic Uncertainty	632,122
	4,897,533
Other committed	1,782,556
Unassigned	9,497,640
	24,540,781
Total Fund Balance	

RECOMMENDATION



Receive and file the report



Questions?



CRITICAL INFRASTRUCTURE AND TRANSIT ORDINANCE DISCUSSION

Presented By: Andrew White, Chief of Police

City Council Meeting | May 15, 2024

BACKGROUND



- Existing Municipal Code Provisions
- Enforcement Exceptions
 1. Informed of shelter
 2. Shelter is available
 3. Refuse to stay in shelter
- Court Decisions
 - Martin v. Boise
 - Johnson v. Grants Pass
- Current Approach & Services



Critical Infrastructure Ordinance

1. What should be included in the definition of “critical infrastructure”?
2. Should youth-oriented facilities be included? If so, what should be included in the definition?
3. Should areas at risk of wildfires be included under this ordinance?
4. How much notice should be provided prior to abatement of an encampment prohibited by the ordinance?



Transit Facility Regulations

1. Should the ordinance include a provision whereby a violator could be expelled from the transit facility for a specified period of time, subject to appeal to the City Manager?



CITY COUNCIL REGULAR MEETING AGENDA

Mayor Brianne Zorn
Vice Mayor Debbie McKillop
Councilmember Jay Howard
Councilmember Mark Ross
Councilmember Satinder S. Malhi

DATE: Wednesday, May 15, 2024
TIME: 7:00PM
PLACE: Council Chamber, 525 Henrietta Street, Martinez, CA 94553; and via Zoom

INFORMATION FOR THE PUBLIC

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REMOTE PARTICIPATION

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1. **Link:** <https://cityofmartinez-org.zoom.us/j/96255548549?pwd=KzdzMzFoZDQrenI2OXIsNWtlTkp6UT09>
2. **Webinar ID:** 962 5554 8549
3. **Passcode:** 101010

PUBLIC COMMENTS

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ADA ACCOMODATIONS

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AGENDA CONTINUED TO PAGE 2

CALL TO ORDER - *Pledge of Allegiance*

ROLL CALL - *Councilmembers Jay Howard, Mark Ross, Satinder S. Malhi, Vice Mayor Debbie McKillop, Mayor Brianne Zorn*

CIVILITY STATEMENT - *As your elected Governing Board, we will treat each other and the public with patience, civility, and courtesy as a model of the same behavior we wish to reflect in Martinez for the conduct of all City business and community participation. This includes respect for everyone's First Amendment Right to voice their opinion on matters within the City's subject matter jurisdiction, even if that opinion is different from our own. The decisions made tonight will be for the benefit of the Martinez community and not for personal gain.*

PRESENTATIONS

1. Proclamation - National Police Week and Peace Officers Memorial Day
[Proclamation - National Police Week and Peace Officers Memorial Day](#)
2. Proclamation - National Public Works Week
[Proclamation - National Public Works Week](#)
3. Proclamation - 150th Anniversary of The First Congregational Church
[Proclamation - 150th Anniversary of The First Congregational Church](#)
4. Proclamation - Asian American and Pacific Islander Heritage Month
[Proclamation - Asian American and Pacific Islander Heritage Month](#)
5. Chamber of Commerce Business of the Month
 - May 2024 - Zandonella Catering

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

6. Adopt a resolution approving the appointments of Rial Patel and Yasmin Zand to the Civil Service Commission and direct the Assistant City Clerk to conduct the Oath of Office.
[Staff Report - Civil Service Commission Appointments](#)
[Resolution - Civil Service Commission Appointments](#)
7. Adopt a resolution of the City Council of the City of Martinez approving the formation of the Old Train Depot Development Ad-hoc Subcommittee and appointments of Councilmembers Mark Ross and Satinder Malhi to serve as Subcommittee members.
[Staff Report - Old Train Depot AdHoc Subcommittee Formation and Appointments](#)
[Resolution - Old Train Depot AdHoc Subcommittee Formation and Appointments](#)

PUBLIC COMMENT - *For items not on the agenda. Non-agenda public comment is limited to matters which are within the subject matter jurisdiction of the City Council, and which are not action items listed elsewhere on the agenda.*

CONSENT CALENDAR

8. Motion waiving reading text of all Resolutions and Ordinances.
9. Motion to approve Action Minutes for May 1, 2024.
[Action Minutes 5-1-2024](#)
10. Motion approving the Check Reconciliation Register, dated April 25, 2024

[Check Reconciliation Register 4-25-2024](#)

11. Motion approving the Check Reconciliation Register, dated May 2, 2024
[Check Reconciliation Register 05-02-2024](#)

12. Waive the reading and adopt the Ordinance, approving a Zoning Map and Zoning Text Amendment to amend the Martinez Municipal Code by: 1) comprehensively updating the permitted and conditionally permitted uses for the Commercial, Industrial, Research and Development, and Professional and Administrative zoning districts; 2) amending Chapter 22.04 (Definitions) to remove the individual numbering and add definitions consistent with the updated uses; 3) amending Chapters 22.14 (PA Professional and Administrative Office Districts), 22.15 (C Commercial Districts), and 22.18 (I Industrial Districts) by revising setback and building separation standards to be consistent with other zoning districts; 4) amending Chapters 22.15 (RD Research and Development Districts) and 22.18 (I Industrial Districts) by modifying development standards to incentivize industrial development and establishing performance standards; 5) repealing Chapter 22.30 (U Undesignated Districts); 6) adding Chapter 22.31 (Temporary Use Permits) to regulate temporary uses, such as mobile vendors; 7) Revising Section 22.36.060 (Parking – Industrial Uses) to reduce industrial parking requirements; 8) revising Chapter 22.43 (Accessory Dwelling Units and Junior Accessory Dwelling Units) to comply with State law and clarify existing regulations; 9) revising Chapter 22.08 (District Designations) to be consistent with the elimination of the TC Thoroughfare Commercial, CR Commercial Recreation, CI Controlled Industrial, and U Undesignated zoning districts; 10) approving a Zoning Map Amendment: for 45 parcels zoned TC/NC Thoroughfare Commercial/Neighborhood Commercial to NC Neighborhood Commercial; for six parcels zoned TC Thoroughfare Commercial to NC Neighborhood Commercial; for four parcels zoned CR Commercial Recreation to NC Neighborhood Commercial; for 11 parcels zoned M-29 Multifamily to R-1.5 Residential; for 12 parcels zoned PA/CI Professional and Administrative/Controlled Industrial to PA/RD Professional and Administrative/ Research and Development; for 14 parcels zoned RB Retail Business to NC Neighborhood Commercial; and for one parcel zoned ECD/CI Environmental Conservation District/Controlled Industrial to ECD/SC Environmental Conservation District/Service Commercial; 11) approving a Zoning Map Amendment to rezone all parcels zoned U Undesignated to appropriate zoning designations consistent with the General Plan; and 12) other minor revisions.
[Staff Report - Uses Update](#)
[Ordinance - Uses Update](#)

13. Adopt a resolution rejecting bid submitted by Pavement Coatings Co. for the FY 2023/24 Surface Seal Project No. C1076-1 and directing staff to re-advertise the project.
[Staff Report - FY23/24 Surface Seal Project \(C1076-1\) Bid Rejection and Project Re-Advertisement Resolution – FY23/24 Surface Seal Project \(C1076-1\) Bid Rejection and Project Re-Advertisement](#)

14. Adopt a resolution:
 1. Accepting the bid of Buhler Commercial as the lowest responsive and responsible bidder and authorizing the City Manager to execute a contract and any change orders until completion of the Pine Meadow Park Project No. C5048 in accordance with the approved plans and specifications, in an amount not to exceed of \$2,710,000, which includes a 5% contingency of \$130,104.
 2. Approving the transfer of \$151,122 from fund 3432, \$23,831 from fund 3437, \$26,197 from C5002, \$26,197 from C5017, \$21,027 from C5027, \$35,000 from C5035, \$8,372 from C5037, \$300,000 from FY24/25 Citywide Drainage Study, \$100,000 from C5049, and \$40,928 from C3014 totaling \$720,000 to fully fund Project C5048.

[Staff Report - Pine Meadow Park \(C5048\) Award Construction Contract](#)
[Resolution - Pine Meadow Park \(C5048\) Award Construction Contract](#)

15. Adopt a resolution establishing the list of streets designated to receive Fiscal Year 2024-25 Road Maintenance and Rehabilitation Account funding.
[Staff Report - RMRA Street Selection FY24-25](#)
[Resolution - RMRA Street Selection FY24-25](#)
[Attachment A - RMRA Street List FY24-25](#)
16. Adopt a resolution approving the revised Investment Policy.
[Staff Report – Revised Investment Policy](#)
[Resolution – Revised Investment Policy](#)
[Attachment A – Investment Policy \(Redlined\)](#)
17. Adopt a resolution authorizing the City Manager to execute a First Amendment to the Consultant Services Agreement with Maze & Associates (Maze), for audit services for the fiscal years ending June 30, 2024, and June 30, 2025.
[Staff Report - Maze Contract Amendment](#)
[Resolution – Maze Contract Amendment](#)
[Attachment A - Consultant Services Agreement Maze & Associates](#)
[Attachment B - First Amendment to Consultant Services Agreement Maze & Associates](#)
[Attachment C - Fees Proposal Maze & Associates](#)
18. Receive and file Quarterly Investment Report for the Month Ended September 30, 2022.
[Staff Report - Quarterly Investment Report 9-30-2022](#)
[Attachment A - Quarterly Investment Report 9-30-2022](#)
19. Receive and file Quarterly Investment Report for the Month Ended December 31, 2022.
[Staff Report - Quarterly Investment Report 12-31-2022](#)
[Attachment A - Quarterly Investment Report- 12-31-2022](#)
20. Receive and file Quarterly Investment Report for the Month Ended March 31, 2023.
[Staff Report - Quarterly Investment Report 03-31-2023](#)
[Attachment A - Quarterly Investment Report 3-31-2023](#)
21. Receive and file Quarterly Investment Report for the Month Ended June 30, 2023.
[Staff Report - Quarterly Investment Report 06-30-2023](#)
[Attachment A - Quarterly Investment Report 06-30-2023](#)

GENERAL BUSINESS ITEMS

22. Receive and file the Annual Comprehensive Financial Report for the Fiscal Year Ended June 30, 2023.
[Staff Report - Acceptance of Fiscal Year 2023 Annual Comprehensive Financial Report](#)
[Attachment A – Draft Annual Comprehensive Financial Report \(ACFR\)](#)
23. Consider the following actions necessary for the levy of annual assessments within existing Landscaping and Lighting Assessment Districts for fiscal year 2024-25:
 - a. Adopt Resolutions describing improvements and changes for Fiscal Year 2024-25.
 - b. Adopt Resolutions declaring the City’s intent to levy and collect assessments for Fiscal Year 2024-25 and setting the date for public hearings on June 5, 2024, and directing the City Clerk to publish required notices.

- c. Motion to approve Engineer's Reports for the following Landscaping and Lighting Assessment Districts:

[Staff Report - LLADS Intention to Levy FY24-25](#)

[Attachment A - LLADs Location Map FY24-25](#)

- 1979-3 LL-2 Village Oaks Terrace
 - [VOT Intention Resolution](#)
 - [VOT Improvements Resolution](#)
 - [VOT Engineer's Report](#)
 - [VOT Assessment Diagram](#)
- 1981-3 Muir Station Park
 - [MS Intention Resolution](#)
 - [MS Improvements Resolution](#)
 - [MS Engineer's Report](#)
 - [MS Assessment Diagram](#)
- 1983-3 Vista Oaks
 - [VO Intention Resolution](#)
 - [VO Engineer's Report](#)
 - [VO Improvements Resolution](#)
 - [VO Assessment Diagram](#)
- 1988-1 Center Martinez
 - [CM Intention Resolution](#)
 - [CM Improvements Resolution](#)
 - [CM Assessment Diagram](#)
 - [CM Engineer's Report](#)
- 1994-1 Creekside
 - [CS Intention Resolution](#)
 - [CS Improvements Resolution](#)
 - [CS Engineer's Report](#)
 - [CS Assessment Diagram](#)
- 1997-1 Brittany Hills
 - [BH Intention Resolution](#)
 - [BH Improvements Resolution](#)
 - [BH Engineer's Report](#)
 - [BH Assessment Diagram](#)
- 72000-2 Terra Vista
 - [TV Intention Resolution](#)
 - [TV Improvements Resolution](#)
 - [TV Engineer's Report](#)
 - [TV Assessment Diagram](#)
- 2001-1 Alhambra Estates
 - [AE Intention Resolution](#)
 - [AE Improvements Resolution](#)
 - [AE Engineer's Report](#)
 - [AE Assessment Diagram](#)

24. Hold discussion and provide direction to staff regarding critical infrastructure encampment and transit regulation ordinance.

[Staff Report - Critical Infrastructure and Transit Ordinance Discussion](#)

PUBLIC HEARING ITEMS

CHIEF OF POLICE

25. Comments/Updates
26. Receive and file report regarding extension of public comment period for the 2024 Local Hazard Mitigation Plan.
[Staff Report - 2024 HMP Extension of Public Comment Period](#)
[Attachment A - LHMP Flyer](#)

CITY MANAGER

27. Comments/Updates

SUBCOMMITTEE REPORTS

28. Budget & Finance Subcommittee Report Out for May 6, 2024.

CITY COUNCIL

29. Comments/Updates

ADJOURNMENT - *Adjourn to a City Council Study Session on May 29, 2024 at 6PM.*

On May 11, 2024, a true and correct copy of this agenda was posted on the City Hall Kiosk, located at 525 Henrietta Street, Martinez, CA 94553, and on the City website at www.cityofmartinez.org.

/s/ Kat Galileo, Assistant City Clerk



CITY COUNCIL STUDY SESSION AGENDA

Mayor Brianne Zorn
Vice Mayor Debbie McKillop
Councilmember Jay Howard
Councilmember Mark Ross
Councilmember Satinder S. Malhi

DATE: Wednesday, May 15, 2024
TIME: 5:30pm
PLACE: Council Chamber, 525 Henrietta Street, Martinez, CA 94553; and via Zoom

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2. **Webinar ID:** 962 5554 8549
3. **Passcode:** 101010

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AGENDA CONTINUED TO PAGE 2

CALL TO ORDER - *Pledge of Allegiance*

ROLL CALL - *Councilmembers Jay Howard, Mark Ross, Satinder S. Malhi, Vice Mayor Debbie McKillop, Mayor Brianne Zorn*

STUDY SESISON ITEMS

1. Receive report, hold discussion, and provide direction regarding the formation of a new commission focusing on community initiatives that promote diversity, equity, inclusion and belonging.
[Staff Report - DEIB Commission Formation](#)

PUBLIC COMMENT - *Agenda Items Only*

ADJOURNMENT - *Adjourn to a Regular City Council Meeting on May 15, 2024 at 7:00 PM*

On May 11, 2024, a true and correct copy of this agenda was posted on the City Hall Kiosk, located at 525 Henrietta Street, Martinez, CA 94553, and on the City website at www.cityofmartinez.org.

/s/ Kat Galileo, Assistant City Clerk



Lighting and Landscape Districts

Presented By: Joe Enke, City Engineer

City Council Meeting | May 15, 2024

BACKGROUND



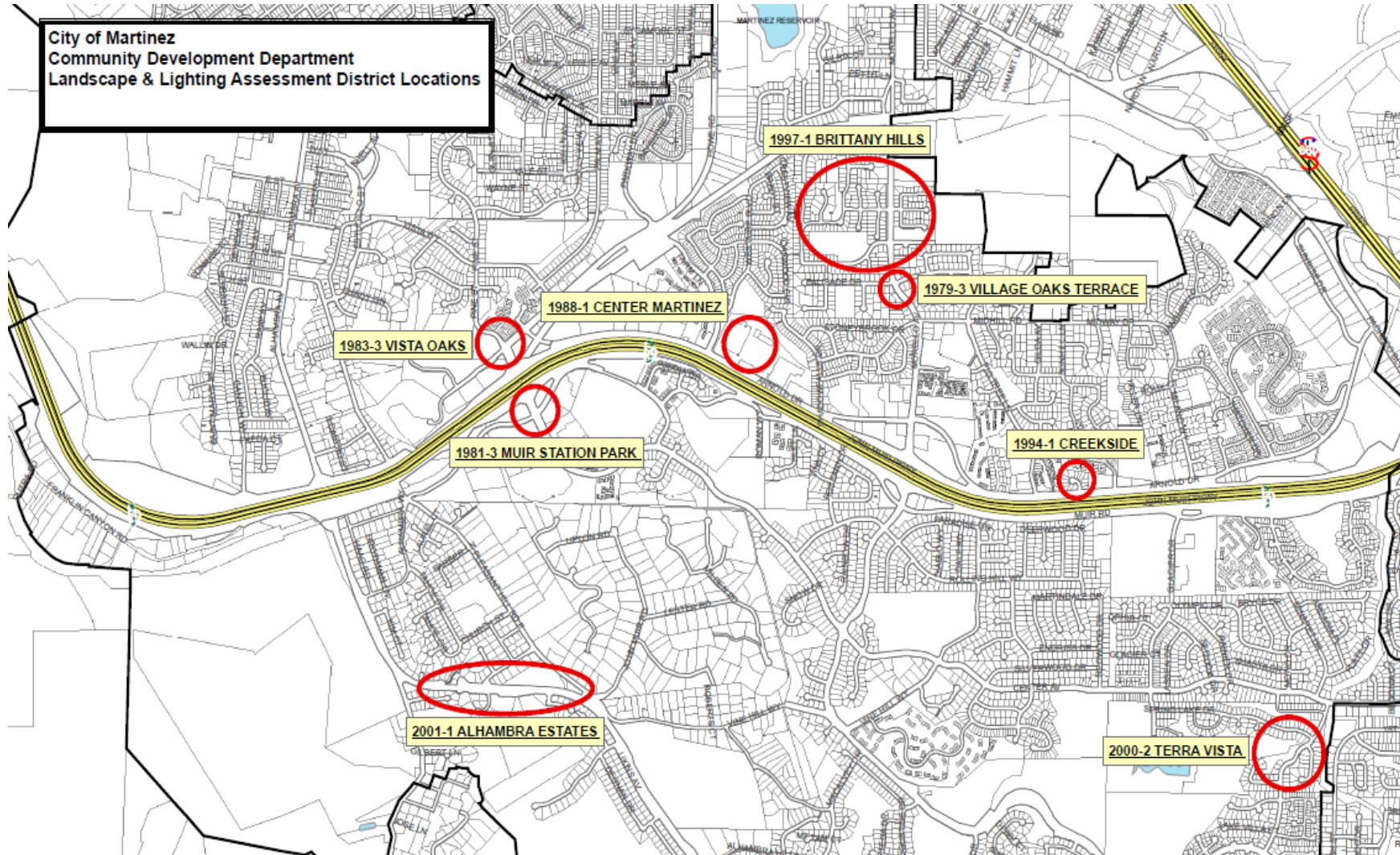
- Section 13.29.010, Martinez Municipal Code, adopted on March 18, 1981, incorporates the Landscaping and Lighting Act of 1972 in the Martinez Municipal Code. This allowed the City to form Assessment Districts for the purpose of maintaining landscaping and lighting facilities over the public rights-of-way, easements and properties.
- Since 1981 the Council has approved the formation of eight Districts
- Districts are subject to Proposition 218 which require elections and majority approval to increase rates. (With the exception of newer formed districts which were created with the ability to have Consumer Price Index increases)



Three-step procedure for levying and collecting annual assessments each fiscal year. These steps are briefly described as follows:

1. The Council adopts a resolution directing the Engineer to prepare and file a report for the subsequent fiscal year on assessments to be levied.
2. **The Engineer prepares and files the annual report and date for public hearing is set.**
3. If no increase is proposed in the assessment levy rate, there is no requirement under Proposition 218 to mail ballots to property owners; however, a public hearing is still required under the Landscaping and Lighting Act of 1972.

Location Map



FISCAL IMPACT



Fiscal Year 2024-25 Assessments

Acct. #	Title	District #	# of Parcels	Assessment Amount
LL910	Village Oaks Terrace	1979-3	9	\$3,420
LL911	Muir Station Park	1981-3	8	\$7,750
LL912	Creekside	1994-1	15	\$6,470
LL913	Brittany Hills	1997-1	205	\$60,180
LL914	Vista Oaks	1983-3	7	\$14,570
LL915	The Center/Costco	1988-1	5	\$5,650
LL916	Terra Vista	2000-2	23	\$6,762
LL917	Alhambra Estates	2001-1	26	\$20,797



Questions?

Kat Galileo

From: Martinez, CA <webmaster@cityofmartinez.org>
Sent: Thursday, May 16, 2024 7:01 AM
To: CityClerk
Subject: *NEW SUBMISSION* Public Comment

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Public Comment

Submission #: 3207513
IP Address: 98.35.176.58
Submission Date: 05/16/2024 7:00
Survey Time: 7 minutes, 9 seconds

You have a new online form submission.

Note: all answers displaying "*****" are marked as sensitive and must be viewed after your login.

Public Comment

For City Council and Council Subcommittee Meetings and Agenda Items

To submit written comments for an upcoming City Council meeting, complete the form details below. Upon submission, the City Clerk will receive your comments and forward them to the City Council in advance of the meeting. Comments must be submitted by 12pm the day of the meeting.

Name

Joseph Surges

Company/Organization (If Applicable)

City Council Meeting Date

05/16/2024 06:54 AM

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I wish to speak on:

Non-Agenda Item or Topic

Comment

Dear Councilmembers, On your website you encourage people to visit the cities parks. I am writing to advise why would anyone do that when the restroom facilities are so disgusting. Have any of you tried using the ones at the marina near the children playground and bocce courts? They are constantly filthy and disgusting. Near the skateboard area you have restrooms but only can access them with a code to get in the door. Please do something to address this issue. You just spent lots of money on fancy new signs, how about spending some on maintenance and upkeep!!!

Thank you,
Martinez, CA

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