Regular Meeting
November 18, 2015
Martinez, CA

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

Mayor Rob Schroder called the meeting to order at 6:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, California with all members present except Councilmember Avila Farias and Vice Mayor Ross who were late.

PRESENT: AnaMarie Avila Farias, Councilmember, Lara DeLaney, Councilmember, Debbie McKillop, Councilmember, Mark Ross, Vice Mayor, and Rob Schroder, Mayor.
EXCUSED: None.
ABSENT: None.

PRESENTATION(S)

Item #A postponed until after Public Comment.

B. Alliance NRG Pace Program.

Senior Management Analyst Michael Chandler spoke on another PACE program (Property Assessed Clean Energy) provider, AllianceNRG Program. He introduced Griselda Blackburn of AllianceNRG Team.

Ms. Blackburn gave an overview of their PACE program, providing residential and commercial property owners the choice among multiple prequalified PACE financing providers. She indicated AllianceNRG Program can finance more challenging aspects of PACE such as seismic retrofits, and offers better competitive rates, terms, and service. She also reviewed background information on the partners of the AllianceNRG Program and what Martinez needs to do to participate. Councilmember DeLaney expressed having more choices can benefit the City and its residents. She thanked Ms. Blackburn for her presentation.

C. Downtown Ice Rink.

**Vice Mayor Ross joined the meeting at 6:15 p.m. and was seated at the dais.*

Terry Edwards, President of Main Street Martinez, recognized boardmembers present and Executive Director Leanne Peterson. Mr. Edwards acknowledged and expressed his appreciation to the sponsors in donating monies or equipment, the volunteers, City Council and staff for making the Downtown Ice Rink a reality. Mr. Edwards announced the opening on November 21, noting the rink will be open through January 3, seven days a week. He also said the rink is located at the corner of Marina Vista Avenue and Ferry Street, and more information can be found at www.downtownholidayice.com.

The Council expressed excitement at the possibilities and appreciation that the ice rink will finally become a reality.

Main Street provided a small token to the Council and staff present.

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

Councilmember Avila Farias joined the meeting at 6:26 p.m. and was seated at the dais.

Nina Breinig provided background history and current statistics on the number of police officers needed to protect the Martinez community and the time and money it takes to train one officer. She urged the Council to provide competitive salaries for Police Officers, rather than continuing to train them and have them leave. She commented on the current schedules and demands that are felt by the officers, as well as rising crime rates.

Carol Powell, resident, spoke in support of the Police Officers, the need for finalization of their contract, a salary increase for them, and fair bargaining.

Marshall Cochrane commended the Council for the work they do on behalf of the City. He expressed his concern on the loss of Police Officers because of the salary disparity. He expressed the City needs to avoid the vicious cycle of reduced staff leading to increased workloads, crime rates, and frustration for the Officers and residents, all of which accelerates additional losses. He thought the Council should work aggressively to resolve this issue.

Jackie Johnson updated the Council and the community on the Citizens Dog Park, announced two future public workshops and encouraged the public to attend and help with the cause.

Eli Dominguez commented in support of the Police Officers. He indicated he has noticed a rise in crime and a delay in police response times. He expressed concern if officers keep leaving there will be fewer officers to patrol and protect the City.

Arben Hamiti, representing a small group of Albanians, invited the Council and the public to attend their celebration of the independence of Albania. He noted their heritage and culture is very important, and wished to raise the Albanian flag on November 28th. Mayor Schroder directed staff to work with Public Works on the issue.

Phyllis Loya indicated she was present to show support for the Police Department and encouraged the Council to work with the Police and engage in fair negotiations. She expressed public safety should be the first priority of government. Ms. Loya stated an understaffed police department is not competitive and is unresponsive to emergency calls. There will be a negative outcome if lives are in danger and there are no police officers to address the call. She questioned why any officer should work for a department that doesn't appreciate them or pay them what they are worth when there are other agencies who will gladly take a lateral transfer.

Diane Boyle spoke on the Sandy Hook incident three years ago and the atmosphere at the local school when she picked up her grandchild; Officer Muncher was present at the school and provided reassurance of safety. She could not understand how the City cannot provide a better salary to keep the Police Officers in Martinez. She was concerned about public safety when the department is understaffed. She urged the Council to get together and work to create a substantial plan.

Julian Frazer stated some City meetings have not been noticed correctly and would like the City Attorney to review the issue. Mr. Frazer said the City has a reserve which should be used to address current needs rather than holding on to it for future potential needs. He mentioned several areas - hiring police officers, a dog park, and pickleball courts - where the money could be used to solve problems facing the City without raising sales taxes.

Nick Voyvidich, President of the Martinez Police Officer Association, spoke on the public safety impacts due to police officers leaving the City. Officer Voyvidich commented he has not seen so many officers leave to go to other agencies. He commented on the time costing the City to replace new officers is about 40 weeks and tens of thousands of dollars. He noted the Department is very dedicated and appreciate the support of the citizens. He indicated the Mayor and Council have the power to end the problems, and the Martinez Police Officers Association is willing to work with the Council to reach an agreement.

Seeing no further speakers, Mayor Schroder closed public comment.

The Council recessed briefly and reconvened with all members present.

D. Main Street Plaza Mural.

Dena Betti (mother of Jenna Betti) and Colleen Gianatiempo, artist, presented a mural project, "A Small Town with a Big Heart". This project came forth from the tragic loss of Jenna. Ms. Betti provided the process for the project. Ms. Gianatiempo discussed the concept of the mural, the different designs that will be incorporated, and the adjacent park.

The Council discussed the location of the mural, whether Jenna's name would be part of the mural, whether the Joltin' Joe could be identified in the mural, the beauty and symbolism of the mural as designed (without names) and the heart of Martinez that is typified by the mural. They also expressed gratitude for the project and sympathy to Ms. Betti for her loss.

A. Brown Act Review (Ad Hoc and Subcommittees).

City Attorney Jeff Walter reviewed the basic principles of the Brown Act and noted the purpose of the Brown Act is to allow the public to attend, observe, monitor, and participate in the decision-making process. He informed every commission, committee, or board which the Council creates by formal action is subject to the Brown Act. However, a committee which is comprised of a minority (two members of the Council) is not subject to the Brown Act and has to be conducted in private, unless it is a Standing Committee.

He explained that a Standing Committee is a committee which has a fixed meeting time or has continuing subject matter jurisdiction, and all Standing Committee meetings must be noticed; the public can attend and must be allowed to make comments. He added an Ad Hoc Committee can meet privately, but must only be of short duration.

Mr. Walter discussed the use of emails and serial meetings (typically used to develop concurrence on a subject), and read an opinion from the Attorney General on collective concurrence.

City Attorney Walter also reviewed the role of a project committee, which studies and provides a recommendation to the Council for action. He noted this kind of committee usually lasts for 8 months. He clarified that if a Councilmember decides to form their own committee and meets every Saturday for discussion, the committee is not subject to the Brown Act because it was not created by the Council. However, he or she could not discuss the meeting with other Councilmembers, but could do so at a Council meeting. Councilmembers can attend Standing Committee meetings, but can only attend as observers.

Vice Mayor Mark Ross asked about information shared on Facebook. Mr. Walter cautioned against expressing opinions on any matter that could come before the Council because the interviewer could share the opinion with other Councilmembers would result in a violation of the Brown Act. He acknowledged it is tricky, which is why he recommends against publicly addressing any pending issues whether in person, on Facebook, or on any social media or other media forum. He added, however, in some cases there is no violation because there is no intent; although he still advised having no comment is preferred.

Vice Mayor Ross also asked about comments made in a text, perhaps during a Council meeting, which Mr. Walter discussed. He believed information on an item gathered during or just before a meeting was okay provided the Councilmember advises the public of the source of the information. He cautioned against texting each other during a meeting and noted the issue of whether texts or emails sent to each other on personal devices were subject to the public records laws and is currently before the State Supreme Court.

Councilmember Avila Farias asked about emails between individual Councilmembers and Mr. Walter, said emails were stored in his email account and protected by attorney-client privilege. He indicated he sends summary emails to the whole Council when a question arises, but since he does not identify who raised the question, it is fine. He confirmed staff should do the same when questions are posed by individuals regarding pending topics.

In response to a question from Mayor Schroder, City Attorney Walter reviewed confidentiality requirements connected with closed session items. He also responded to a question from Julian Frazer on the same subject.

CONSENT CALENDAR

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

1. Motion approving City Council Special Minutes of March 28, October 28, and November 2, 2015 and Regular Council Minutes of October 21, 2015. [M.Cabral]

2. A. Motion approving a mural concept and location; and [A.Shear/T.Tucker/16.10.00]

   B. Resolution No. 106-15 authorizing the City Manager to execute an agreement upon approval of the City Attorney for the Design and Installation of Art Work consisting of a mural in the Main Street Plaza.

3. Resolution No. 107-15 allocating $50,000 from Water Surplus Funds to develop the City of Martinez's 2015 Urban Water Management Plan and authorizing City Manager to execute an agreement with Psomas in the amount of $46,000. [T.Tucker/15.01.06]

Mayor Schroder opened public comment on Consent Calendar Items #A and #1-3.

Julian Frazer requested that his comments in the Minutes regarding sanitized subcommittee reports, creek flooding and the loss of permeable land due to clean ups and his criticism of the General Plan be clarified.

Seeing no further speakers, Mayor Schroder closed public comment on Consent Calendar.

On motion by Mark Ross, Vice Mayor, seconded by Lara DeLaney, Councilmember, to approve Item #A and Items #1 through #3 of the Consent Calendar. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie McKillop, Councilmember; Mark Ross, Vice Mayor; Rob Schroder, Mayor.

PUBLIC HEARINGS

4. Conduct a public hearing to consider resolutions to: [M.Chandler/30.0700&31.02.00]

A. Resolution No. 108-15 approving and authorizing the City Manager to execute amendments to the franchise agreements between the City of Martinez and Allied Waste Systems, Inc., d.b.a. Allied Waste Services of Contra Costa County and d.b.a. Republic Services of Contra Costa County, for Solid Waste and Recycling Services; and

B. Resolution No. 109-15 approving an amendment to the Allied Waste Systems, Inc., d.b.a. Allied Waste Services of Contra Costa County and d.b.a. Republic Services of Contra Costa County, franchise agreements for Solid Waste and Recycling Services to increase residential, commercial, multi-family and industrial refuse collection rates as required to fund implementation of the City's Organics recycling program, and as set forth and approved in Exhibit C to the franchise agreements.

Senior Management Analyst Michael Chandler presented the staff report, discussing state legislation on the issue from the 1980s forward, summary of the project background, and tentative program implementation dates.

Erik Nylund of Crowe Horwath continued the report with a discussion of project assumptions, cost analysis, cost impacts, rate impacts, and rate comparison with Contra Costa County jurisdictions. In response to a question from Mayor Schroder, he reviewed the rates for other services which are currently provided to the customers.

Vice Mayor Ross pointed out that the cost comparisons confirm Martinez is mid-range in rates charged and clarified that animal waste products do not qualify as organics.

Councilmember DeLaney asked for more information on the rate methodology used, which Mr. Nylund discussed. She also questioned the time period estimating the amount of food waste eventually being accumulated and diverted through this program and Mr. Nylund explained it was partly based on comparisons with other jurisdictions. Councilmember DeLaney expressed appreciation for the information presented tonight and to the Subcommittee previously. She was pleased with the projected rates and the anticipated benefits.

Vice Mayor Ross commented on the rate-setting methodology that has served Martinez well and has been applied in other jurisdictions subsequently. He asked when the City's rates would be up for renewal and Mr. Nylund said the base year is 2017. Vice Mayor Ross expressed concern about the need for public outreach as far as items being picked up to reduce illegal dumping of mattresses and other bulky items.

Mayor Schroder asked about the size of the pail that will be provided to customers for collection of the waste, which Mr. Nylund reviewed. Mayor Schroder commented as well on the original rate structure developed by the Subcommittee (consisting of himself and then-Councilmember Barbara Woodburn) as an incentive for the provider to be more efficient in its collections.

Mayor Schroder explained that the public hearings for Items #4A and #4B would be held concurrently, but each would be voted on separately.

Mayor Schroder opened the public hearing.

Julian Frazer stated it was not clear to him from the staff report how single-family residential units would be handled and what the requirements would be. Mr. Chandler said the residential component was not required by State legislation, but was included as part of the complete rollout of the program. Mr. Frazer expressed concern about the unnecessary rate increase for single-family units. He also commented on the potential odor from the organic materials and suggested that since the recycled items don't smell bad they could be picked up bi-weekly, which might be one way to cut costs and avoid the rate increase for now. In addition, he thought customers should be able to opt out since it is not yet a State requirement. He questioned whether a digital scale could be used on the trucks to see what each customer is contributing to the landfill and charge accordingly. He also expressed concern about the amounts being charged to the customers essentially as a tax based on the franchise agreements and whether there is a related benefit to the consumer.

Mayor Schroder confirmed with Mr. Chandler the organic matter will eventually not be allowed in the landfill and residential single-family will be required to participate.

Carolyn Boone suggested the green waste material be picked up every week and indicated she would be willing to pay extra for more frequent service.

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

Michael Chandler noted that additional language was presented at the dais regarding annual re-use day in October of each year and how much compost each household can request back for personal use.

Councilmember DeLaney commended staff for a job well done.

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Vice Mayor, adopt Resolution No. 108-15 approving and authorizing the City Manager to execute amendments to the franchise agreements between the City of Martinez and Allied Waste Systems, Inc., d.b.a. Allied Waste Services of Contra Costa County and d.b.a. Republic Services of Contra Costa County, for Solid Waste and Recycling Services *as amended.*

Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^c^Killop, Councilmember; Mark Ross, Vice Mayor; Rob Schroder, Mayor.

On motion by Mark Ross, Vice Mayor, seconded by Lara DeLaney, Councilmember, adopt a Resolution No. 109-15 approving an amendment to the Allied Waste Systems, Inc., d.b.a. Allied Waste Services of Contra Costa County and d.b.a. Republic Services of Contra Costa County, franchise agreements for Solid Waste and Recycling Services to increase residential, commercial, multi-family and industrial refuse collection rates as required to fund implementation of the City's Organics recycling program, and as set forth and approved in Exhibit C to the franchise agreements. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^c^Killop, Councilmember; Mark Ross, Vice Mayor; Rob Schroder, Mayor.

5. Public hearing and introduction of an ordinance repealing and reenacting Sections 8.26.020, 9.50.120, and 9.56.010, amending Section 8.26.010, and adding Chapter 9.53 to the Municipal Code prohibiting Trespassing, Unlawful Camping, Sleeping in Vehicles, and Defecating or Urinating in Public. [M.Sappal/04.08.12]

Chief of Police Manjit Sappal presented the staff report discussing the need to update the City's ordinances to address current conditions and associated case law to ensure that homelessness is not criminalized but that illegal behaviors are handled. He reviewed the proposed changes and compared current language for each section with the proposed new language. He noted changes were vetted by the City Attorney and changed according to his recommendations.

Vice Mayor Ross asked whether a person could sleep in a vehicle in a vacant lot. Chief Sappal said it would depend on whether it is public or private property.

Councilmember DeLaney asked how the use of a trespass letter would be effective with an individual who is prone to disregard City laws anyway. Chief Sappal reviewed the process, ultimately leading to the arrest of an individual who has been previously warned, even if the property owner is not present at the time of the trespass. In response to a question from Vice Mayor Ross, Mr. Sappal also discussed how penalties are determined for each offense.

City Attorney Jeff Walter reviewed penalties for violations of the City's Municipal Code, both misdemeanors and infractions.

Councilmember M^c^Killop thanked the Chief for his comprehensive and thoughtful report and for addressing such an important issue.

Mayor Schroder opened the public hearing.

Julian Frazer expressed concern about issues in the downtown and recent incidents. He commented on the location of the Loaves and Fishes service and other locations which would be better suited. He also felt having the services offered has increased the number of people needing assistance and exacerbated the problem rather than helping the situation.

Susan Gustafson offered accolades to Chief Sappal for implementing changes so quickly after his hiring as Chief. She expressed confidence new provisions will give the police the tools they need, as well as sending the message that it's not okay to use City resources inappropriately.

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

Mayor Schroder commended Chief Sappal as well for what he has accomplished in such a short time. He also noted the Council had no power to prevent Loaves and Fishes at its current location, but did develop a Memorandum of Understanding with the providers, which has been followed.

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Vice Mayor, to approve introduction of an ordinance repealing and reenacting Sections 8.26.020, 9.50.120, and 9.56.010, amending Section 8.26.010, and adding Chapter 9.53 to the Municipal Code prohibiting Trespassing, Unlawful Camping, Sleeping in Vehicles, and Defecating or Urinating in Public. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie M^c^Killop, Councilmember; Mark Ross, Vice Mayor; Rob Schroder, Mayor.

6. Public hearing and introduction of an ordinance amending Title 10, Vehicle and Traffic, Chapter 10.20, Special Speed Zones, of the Martinez Municipal Code. The amendment would lower the speed limit on Alhambra Way from Pleasant Hill Road East to Alhambra Avenue (south of SR4) from 25 to 20 MPH. [T.Tucker/12.15.06]

City Engineer Tim Tucker presented the staff report, reviewing background from 1994 on and changes over that time, input from residents, the study area boundaries, recent workshops held, summary of concerns expressed, the traffic safety plan which was developed, solutions considered, and steps already taken.

Councilmember Avila Farias asked about the time frame for improvements to be made by the developer and Mr. Tucker indicated it may not be done this construction season, but hopefully the following one. Councilmember Avila Farias commented on the importance of bicycle and pedestrian improvements and questioned whether there might be grant opportunities. Mayor Schroder asked how the public felt about possible improvements, since Martinez takes pride in being a rural community. Mr. Tucker said people seemed to be supportive of a pathway, but not sidewalks.

Councilmember DeLaney asked about attendance at the workshops and Mr. Tucker said they were well attended. Councilmember Avila Farias indicated she had attended since she lives in the area and Mr. Tucker did a great job.

Councilmember DeLaney asked about enforcement of the traffic controls, since there seems to be a long-term problem. Mr. Tucker responded that there was actually more compliance than people realized and thought it was improving.

Vice Mayor Ross noted there might be funding available through the Air District's Safe Pathways program.

Mayor Schroder opened the public hearing.

Julian Frazer commented on options for the pathway that will keep the rural feel of the neighborhood. He also suggested focusing on the creek access and include signage that discusses wildlife and the environment.

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

On motion by AnaMarie Avila Farias, Councilmember, seconded by Debbie McKillop, Councilmember, to approve introduction of an ordinance amending Title 10, Vehicle and Traffic, Chapter 10.20, Special Speed Zones, of the Martinez Municipal Code. The amendment would lower the speed limit on Alhambra Way from Pleasant Hill Road East to Alhambra Avenue (south of SR4) from 25 to 20 MPH. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie McKillop, Councilmember; Mark Ross, Vice Mayor; Rob Schroder, Mayor.

CITY MANAGER

7. Consider the implementation of a Community Court Program. [M.Sappal/04.08.15]

Chief of Police Manjit Sappal presented the staff report discussing nearby jurisdictions which have community courts, the role of the community court, how the process works, types of cases, and how the program benefits the City and the community.

Mayor Schroder asked where the community court would be held for Martinez. Chief Sappal said it would take place in a conference room at the police station. In response to a further question, he confirmed there are few lawyers involved and participation in the program is voluntary, as an alternative to jail time.

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

On motion by Debbie McKillop, Councilmember, seconded by Lara DeLaney, Councilmember, to approve implementation of a Community Court Program. Motion unanimously passed 5 - 0. Yes: AnaMarie Avila Farias, Councilmember; Lara DeLaney, Councilmember; Debbie McKillop, Councilmember; Mark Ross, Vice Mayor; Rob Schroder, Mayor.

8. Consider a resolution to adopt a General Fund Reserve Policy. [A.Shear&C.Spinella/02.01.00&2.10.00]

Assistant City Manager Alan Shear presented the staff report discussing the City's current informal General Fund reserve policy, why/how adopting a more formal policy would benefit the City, components of the proposed policy, comparisons with policies of other jurisdictions, and potential impacts of financial or legislative actions by the State and Federal governments.

Vice Mayor Ross expressed appreciation for the proposed policy noting it has been a long-standing issue which needs to be discussed. He indicated he liked the proposal overall, except for the provisions related to handling of the excess fund balance at the end of the year.

Councilmember DeLaney asked for clarification regarding how the excess is determined and will be allocated, which Finance Manager Cathy Spinella discussed. Councilmember DeLaney questioned whether it needed to be explicitly stated in the policy.

Vice Mayor Ross commented that it is explained in the policy provisions, but acknowledged it could be more clearly stated. Mayor Schroder asked, and Ms. Spinella confirmed staff's recommendation that a minimum amount be contributed to the excess fund each year as the reserve is being built up.

Mayor Schroder agreed with Vice Mayor Ross regarding the amount of excess funds allocated to ensure adequate resources for future retirement pension/benefits. There was further discussion between staff and the Council regarding other uses of reserve funds such as economic downturns, etc.

Ms. Spinella noted some information needed has been delayed to determine amounts needed for this budget, but should be available soon from outside sources. She indicated once it is received, staff will be able to complete the necessary calculations.

Councilmember Avila Farias expressed support for the revisions proposed by Vice Mayor Ross. She was appreciative of the work done by staff and the Subcommittee in drafting the policy.

Councilmember McKillop indicated her support for the policy and Vice Mayor Ross' recommended changes and the clarification of the language requested by Councilmember DeLaney.

Mayor Schroder opened public comment on the item.

Julian Frazer asked about the difference between "unassigned" and "assigned" reserves, which Ms. Spinella explained. Mr. Frazer was concerned the City might hold monies in reserve that should be spent now on valid needs the City has, rather than put aside indefinitely for future contingencies.

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

Vice Mayor Ross asked how binding this resolution would be on the City's financial policies. Jeff Walter, City Attorney, commented on future Councils and if/how the policy can be changed to accommodate their needs.

The Council discussed with staff how the wording of the resolution and the policy could be changed to include the provisions requested by the Council.

Item continued to the next agenda on the Consent Calendar for consideration of the wording of the policy.

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

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

10. Council Subcommittee Reports.

Councilmember McKillop reported out on the November 9th meeting of the Pickleball Ad Hoc Subcommittee, noting they discussed potential short-term and long-term solutions to the issues. She reviewed some of the options, such as taping, signage and sharing court time.

Councilmember DeLaney commented on the possibility of finding a dedicated site for pickleball such as Hidden Valley Park or even a currently undeveloped City-owned property. She also reported that the pickleball association had indicated they might be able to contribute to the costs and/or help with fundraising activities. She noted staff will be evaluating potential locations and will report back to the Subcommittee.

11. City Council Comments.

Councilmember Lara DeLaney thanked Frank Castle of the Coast Guard for facilitating a safety inspection for the Joltin Joe and Public Works staff who helped facilitate the process. She noted the boat had passed the inspection and now has a sticker stated. She also thanked Bob Pester who paid for the replacement of the lettering done in gold leaf and other graphics on the back of the boat.

Councilmember DeLaney requested the Council consider changing the name of Waterfront Park to Joe DiMaggio Park. She also indicated she received a request from the Building and Trades Council to include in the park the construction of the World's Largest Wooden Bat, which would be paid by the Building and Trades Council. She asked for Council support of those ideas when the final design of the park comes before the City Council. She expressed concern the City might miss the opportunity to comment on the environmental impact report (EIR) for demolition of the County jail because of the limited number of Council meetings scheduled between now and the end of the comment period. She thought the importance of the proposed project warranted input from the City and the public in the process, and perhaps having a special Council meeting to consider the issue.

Councilmember DeLaney further noted the County is also considering the demolition of two houses on Escobar that have been abandoned and derelict. Given the need for housing in the downtown, she thought the City should also be involved in the planning for re-use of the site. She noted she continues to receive complaints regarding the postal service and requested another meeting with the Postmaster or take it to a higher level. She concluded by expressing sympathy and an offer of prayers for peace for Paris.

Vice Mayor Mark Ross expressed agreement with the concern about the County's proposed demolition projects, acknowledging the calendar is not favorable for the usual public process to be followed. He discussed potential dates the Council could meet, but also noted nothing seemed feasible. He also commented on public safety issues with leaving the buildings in their current position.

After brief discussion among the Council, Mayor Schroder asked staff to contact the County for an extension of time for both items. Councilmember Avila Farias pointed out she brought information about these projects at a meeting in September, but it was not discussed.

Vice Mayor Ross echoed Councilmember DeLaney's comments regarding the terrorist attacks in Paris, expressing sympathy for those affected and unity with the resolve to find the ones responsible.

Councilmember McKillop stated her heart goes out to Paris as well and commented on the importance of those who go in after such incidents to process the scene and gather information to hold the perpetrators accountable.

Mayor Rob Schroder discussed items on the agenda for the Closed Session and announced the meeting would be adjourned (after the Closed Session) in memory of long-time City Treasurer Josephine Heruth Nation, who passed away in November at the age of 102.

II. **CLOSED SESSION (Board Room)**

A. Pursuant to California Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS
Agency Designated Representatives: Rob Braulik, City Manager; Alan Shear, Asst. City Manager; Fran Buchanan, IEDA.
Employee Organization: Laborers International Union of No. America, Local #324; Martinez Police Officers Association; Martinez Police Non-Sworn Employees Association and Management Compensation Plan.

B. Added from Special Agenda: Pursuant to California Government Code Section 54957 PUBLIC EMPLOYMENT - Title: City Manager PUBLIC EMPLOYEE PERFORMANCE EVALUATION - Title: City Manager

Dick Duncan spoke in reference to Labor Negotiations. He noted he supported the Police Department and asked for clarification on salaries and benefits. Mr. Duncan noted the salary shown in the survey and asked if it included the benefits. He requested Council to look at the total compensation.

The Council adjourned to Closed Session in the Board Room.

ADJOURNMENT

Mayor Schroder reported out from the Closed Session on Negotiations, indicating direction was given to the City's negotiators regarding City Manager Employment: the Council unanimously accepted the resignation of Rob Braulik effective December 31, 2015, and gave direction to the City Attorney to start the process of recruiting for a new City Manager.

Adjourned at 11:23 p.m. in memory of Josephine Heruth Nation, former City Treasurer, then to a Regular City Council Meeting December 2, 2015 at 6:00 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 01/19/15