

I. CALL TO ORDER

Mayor Rob Schroder called the meeting to order at 6:15 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, California, with all members present.

II. PUBLIC COMMENT (Comments are limited only Closed Session)

There being no comments made, the Council adjourned to Closed Session in the City Manager's Office.

III. CLOSED SESSION

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to paragraph 2 of subdivision (d) of California Government Code section 54956.9: one case.

B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION Initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Section 54956.9: one potential case.

IV. RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

The meeting reconvened at 7:05 p.m. in the Council Chambers. Mayor Schroder reported Closed Sessions were held regarding Conference with Legal Council, significant exposure to litigation, one case; and initiation of litigation, one potential case. Direction was provided to City's legal counsel.

PRESENT: Lara DeLaney, Councilmember, Debbie M^cKillop, Councilmember, Mark Ross, Councilmember, AnaMarie Avila Farias, Vice Mayor, and Rob Schroder, Mayor.

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

A. Proclaiming the month of May as "Older Americans Month 2016."

Mayor Schroder read and presented a proclamation, on behalf of the City Council, to Larry Risner and Shelley Pighin, Martinez Senior Center Club, and Gina Lombardi Gravert, Martinez Senior Center Supervisor. Mr. Risner thanked the Council for their continued support for the Senior Center and Senior Center Club members. Ms. Gravert commented on the many special activities planned for the month and invited the public to attend and participate.

B. Community Groups Funding Program Awards for College Park High School for Grad Nite.

Dian Bechter received a \$500 Community Grant on behalf of College Park High School's Grad Nite Committee. She expressed her appreciation to the Council for their support, and she noted this is a safe and sober event. She also thanked the community for their participation and encouragement.

C. Summer Bike Challenge.

Assistant to the City Manager Michael Chandler presented Kirsten Riker from 511 Contra Costa to speak about a new event that will be happening in Martinez this summer.

Kirsten Riker explained 511 Contra Costa is a public agency that provides programs to help reduce traffic in central and east Contra Costa County. She announced "Bike to Work Day" on Thursday, May 12, and reported on a new program designed to encourage biking instead of driving a car called "The Summer Bike Challenge." She added that this free program encourages the public to ride their bikes to recreational destinations, including special activities and incentives such as free items and prizes to be given throughout the summer. Ms. Riker reviewed the benefits for Martinez residents and encouraged the Council and the public to participate. She noted there are challenge cards available at this meeting and at various locations throughout the City.

Mayor Schroder asked, and Ms. Riker confirmed that participation can be through everyday activities as well as the special events.

Councilmember Ross expressed appreciation for the program and for Ms. Riker's leadership. He asked whether bike helmets and bike bells would be given away, and Ms. Riker said they have already and would be again. Councilmember Ross noted there is a new bike shop in town, which should be included with the list of resources. He also suggested that future Bike to Work Days should be on May 11th (5-11) since 511 is a co-sponsor.

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

Kathy Reichert, Director for Muir District Day Camp (Cub Scouts), reported there is currently an agreement with Creekside Church to use their facility. She noted this year, Creekside has allowed the camp to have a BB Gun program, but after contacting the City, she expressed there seems to be conflicting rules about shooting sports. Ms. Reichert requested assistance to see if there could be an exception so they can have their Shooting Program and the scouts can earn their badges. Mayor Schroder indicated he would refer the matter to staff.

Mandy Mauerman requested the Council do whatever they can to save Alhambra Hills. Mayor Schroder noted the City is still in negotiations with the owners - he indicated the public will be made aware when a decision is made.

CONSENT CALENDAR

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

1. Motion approving City Council Minutes of March 16, 2016. [M.Cabral]

2. Motion rejecting claim(s) against the City by Kevin Stricklin, Claim #16-11. [M.Cabral]
3. Motion approving Check Reconciliation Register dated 04/28/16. [C.Mosser/2.1.1]
5. Resolution No. 036-16 authorizing the submittal of grant applications to the California Department of Resources, Recycling and Recovery ("CalRecycle") for payment programs and rescinding Resolution No. 049-10. In addition, this resolution authorizes the Finance Manager to execute all necessary forms. [M.Chandler/30.08.00]
6. Martinez Police Non-Sworn Employees' Association: [J.Jakel/4.5.6]
 - A. Motion approving the financial provisions agreed to during the negotiations process between the City of Martinez and the Martinez Police Non-Sworn Employees' Association (MPNSEA) including the contract term, wages, CalPERS, overtime, and premium pays; and
 - B. Resolution No. 037-16 authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Martinez and the Martinez Police Non-Sworn Employees' Association, for the contract period July 1, 2015 through June 30, 2018.

Mayor Schroder requested Item #4 be removed from Consent and heard until Vice Mayor Avila-Farias arrives.

Mayor Schroder opened and closed public comment on Consent Items #1-3, 5 and 6, with no speakers coming forward.

On motion by Mark Ross, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve Item #A and Items #1 through #3, #5, and #6 of the Consent Calendar. Motion unanimously passed 4 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; Rob Schroder, Mayor.

PUBLIC HEARING(S)

CHIEF OF POLICE

7. Chief of Police Comment(s)/Update(s).

Chief of Police Manjit Sappal noted the recent anniversary of April 21, 1973, when the City lost Officer Thomas Tarantino in the Line of Duty (shot and killed) while serving the community.

CITY MANAGER

8. Consideration of a resolution amending the City Attorney Retainer Agreement to increase hourly rates. [J.Jakel/17.00.02]

Interim City Manager Jim Jakel presented the staff report, noting this is the first raise since 2002, other than adjustments based on the consumer price index (CPI). He also indicated the written report included a comparison with rates paid by other jurisdictions who use the services of a contract attorney. He gave an estimate of the annual cost to the City from the higher rate.

Mayor Schroder noted that Mr. Walters has been with the City since before he was mayor. He expressed surprise that there has been no increase in rates since 2002. He also was appreciative of the institutional knowledge that Mr. Walters has of the history of the City.

Councilmember Ross agreed with Mayor Schroder that the City has long benefitted from the very fair rate for such a knowledgeable attorney.

On motion by Debbie M^cKillop, Councilmember, seconded by Lara DeLaney, Councilmember, to approve Resolution No. 038-16 amending the City Attorney Retainer Agreement to increase hourly rates. Motion unanimously passed 4 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; Rob Schroder, Mayor.

9. Authorize the Interim City Manager and City Attorney to prepare an Access Agreement with Prop SF and Almar Marina Management Inc. ("Almar") to allow use of the Martinez Marina guest dock and a portion of the parking area for private charter ferry service from the Martinez Marina by Prop SF. [M.Chandler/14.02.12]

Interim City Manager Jakel started the presentation stating this was exciting news and a great proposal for the Marina and eventually for the entire Martinez Community. He requested Mike Chandler, Assistant to the City Manager review the details and access agreement between the City, Prop SF, and Almar.

**Vice Mayor Avila Farias entered and was seated at the dais at 7:30 p.m.*

James Jaber, Prop SF, discussed the benefits of the ferry service, including potential future expansion into the public sector and bringing ferry users into the underutilized area of the City.

Mayor Schroder expressed excitement at the possibilities and appreciation for Prop SF.

Councilmember Ross agreed and was grateful for the opportunity being offered to the City, he had long thought Martinez was ideal for ferry service. He also noted that a big operation was not necessary or cost effective, but a small private service was a good start. He expressed confidence as well that an operable ferry system would be beneficial to the City especially in the event of an earthquake. He noted that Martinez was originally established as a ferry stop to assist gold miners.

Councilmember DeLaney expressed appreciation for the innovative service being offered.

Councilmember M^cKillop thanked Prop SF for including Martinez; she was especially grateful for the potential to expand service into the public sector in the future.

Vice Mayor Avila Farias said she was also excited about the opportunity to put Martinez back on the map and to revive a portion of its history.

Mayor Schroder opened public comment on the item.

Robert Moseley acknowledged it was exciting to think about the benefits from adding ferry service, but he had some concerns about the 5-year contract which he discussed. He also commented on the existing emergency response system.

Kathy Reichert was optimistic about potential ferry service. She discussed her involvement in teaching/leading water programs, noting her regret that even though Martinez is a waterfront City, she has to go elsewhere to hold her classes due to current conditions at the marina.

Nancy Neunan indicated that Martinez Rants and Raves was doing a live broadcast of this meeting. She shared a question regarding who will fix the pier to make it presentable for ferry use and how will it be paid for. Mayor Schroder explained minor improvements will be made, but the City is currently working on a master plan that will include the marina and waterfront area; and the City hopes to make necessary repairs when funds are available.

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

Mayor Schroder discussed the insurance provision mentioned by Mr. Moseley, noting it is not uncommon to include protection for "also insured." He confirmed the City Attorney will be reviewing the contract and other paperwork to be sure Martinez' interests are protected.

Councilmember Ross clarified his earlier comments were not related to emergency service and first responders, but to everyday transportation needs following an earthquake.

Councilmember DeLaney commented on flooding issues in the area, and she was appreciative of the City's indemnification; but she questioned whether there should be additional signage to make people aware of the potential for flooding. Mayor Schroder agreed.

Councilmember DeLaney asked whether consideration should be given for the City to share in any economic benefit to the marina resulting from the ferry service.

Councilmember Ross acknowledged there might be financial benefit to Almar, he pointed out the City will benefit when the service is established and more customers are brought. He also noted that when usage is demonstrated, there may be other funding sources for making further improvements.

Interim City Manager Jakel agreed the revenue arrangements will change when/if the public sector expansion happens. He acknowledged the City faces some risks, but the potential benefit makes it worthwhile.

On motion by Lara DeLaney, Councilmember, seconded by Debbie M^cKillop, Councilmember, to approve authorizing the Interim City Manager and City Attorney to prepare an Access Agreement with Prop SF and Almar Marina Management Inc. ("Almar") to allow use of the Martinez Marina guest dock and a portion of the parking area for private charter ferry service from the Martinez Marina by Prop SF. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

4. Motion to approve appointment of Brad Kilger as the new City Manager, approve the City Manager employment agreement, and authorize the Mayor to execute same. [J.Jakel/17.00.01]

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

Interim City Manager Jakel confirmed Mr. Kilger's start date as June 13, if not sooner.

On motion by Lara DeLaney, Councilmember, seconded by Debbie M^cKillop, Councilmember, approve appointment of Brad Kilger as the new City Manager, approve the City Manager employment agreement, and authorize the Mayor to execute same. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

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

Interim City Manager Jim Jakel confirmed the Council meeting of May 18th has been canceled and the next regular meeting will be June 1st. He confirmed the joint meeting with Mt. Diablo School District on May 16th at Hidden Valley Elementary at 7:00 p.m. Mr. Jakel reported Police Chief Manjit Sappal will be Acting City Manager until the new City Manager arrives.

Interim City Manager Jakel stated this was his last meeting, and said it has been a pleasure to serve the City again. He also introduced new Finance Manager Cindy Mosser, stating she is a wonderful addition to the staff. He encouraged the Council to stop by to meet her.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

11. Authorize staff to proceed with the current design of Waterfront Park that includes the expansion of Field 3 for "Championship" use and the flexibility to add bleachers to accommodate approximately 600 spectators. [T.Tucker/10.05.03&11.05.13]

City Engineer Tim Tucker presented the staff report, discussing the history, current plan for the project design, estimated costs, and the usage demands Field 3 will help meet.

Mayor Schroder commented on past hopes for a minor league team to come to Martinez and expressed regret that it will not happen in the near future. He also noted that although there was public support for a dog park or a pickle ball court, the cost to amend the plan to include them was too high. He indicated his support for the plan as presented.

Councilmember Ross agreed, especially since there is still a possibility to expand Field 3 for further improvements in the future.

Councilmember DeLaney said she thought the proposed design was a good compromise as well. She questioned however, whether the composition of the field will affect future uses or be affected by them. Mr. Tucker explained how the composition will provide flexibility for the field's use. He also confirmed plans for ADA improvements for the concession stand area.

Vice Mayor Avila Farias indicated she also was supportive of the more flexible, adaptive plan, based on the future master planning for the marina and the City's future needs.

Councilmember M^cKillop agreed as well that the proposal was a good compromise with room for growth in the future.

Mayor Schroder opened public comment on the item.

Kathy Reichert expressed concern about parking for the 600 spectators that the bleachers will accommodate. Mayor Schroder clarified the expanded bleachers will not be added at the current time.

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

On motion by Lara DeLaney, Councilmember, seconded by Debbie M^cKillop, Councilmember, authorize staff to proceed with the current design of Waterfront Park that includes the expansion of Field 3 for "Championship" use and the flexibility to add bleachers to accommodate approximately 600 spectators. Motion unanimously passed 5 - 0. Yes: Lara DeLaney, Councilmember; Debbie M^cKillop, Councilmember; Mark Ross, Councilmember; AnaMarie Avila Farias, Vice Mayor; Rob Schroder, Mayor.

12. Council Subcommittee Reports.

Vice Mayor Avila Farias noted there will be a Public Safety Subcommittee meeting in June.

13. City Council Comments.

Councilmember Lara DeLaney announced the Cemetery cleanup on May 14th at 10:00 a.m.

Councilmember Mark Ross expressed his appreciation to Mr. Jakel for all his assistance and commented it has been a pleasure to work with him.

Vice Mayor AnaMarie Avila Farias thanked Mr. Jakel for his professionalism, guidance, civic duty to Martinez, and his knowledge. She asked for an update on the Alhambra Highlands. Mr. Jakel stated the City is still involved in the negotiation process, and indicated in the Closed Session the Council has allowed him the opportunity to work on special projects through June 13; he will be following up on this item and a few others.

Councilmember Debbie M^cKillop stated she felt privileged to work with the legendary Jim Jakel and hopes there is room for him to come back in some capacity. She noted he has been instrumental in the short time he has been with the City and has done so much. Councilmember M^cKillop gave a shout out to all those who participated in Earth Day, which she stated was a wonderful event.

Councilmember DeLaney asked staff if the City is on track with some of the public works projects such as the Berrellesa Street Bridge project and road work. Deputy Public Works Director Don Salts stated that there is a ground breaking ceremony on May 20th at 10:00 a.m.

He also reported that staff has met with VSS International, who is the contractor for the 2015-16 Paving Rehabilitation Project, which will begin on May 17th. He further indicated that patch paving has already started in anticipation for the next phase and described the process. Mr. Salts noted information and locations of the projects are listed on the City's website. City Engineer Tim Tucker stated the City will be going out to bid on a \$2 million Water Replacement Project very soon.

Councilmember DeLaney asked if water conservation is still needed and Deputy Public Works Director Salts stated yes, the project that was mentioned at the last meeting is still in process and we should be able to bring our system back and online at the end of next week.

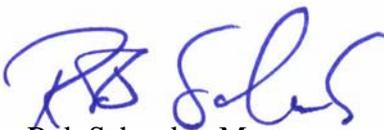
Councilmember Ross wanted to know about the Center Avenue overpass. Mr. Tucker stated he will be taking handicap ramp drawings to Caltrans and as soon as the encroachment permit is received, staff will make new handicap ramps this summer.

Mayor Rob Schroder expressed concern about the banners at Court Street, Pine Street, Center Avenue, and at entry ways in different parts of the City, which were installed about 12 years ago, but are now torn and tattered. He requested they all be taken down until the time comes when the City starts talking about economic development, when another banner program can be considered. Mayor Schroder asked Council to consider doing some polling with respect to a sales tax measure for the November ballot for infrastructure repair. He also stated that he intended to make Commission appointments in June, and asked the Council to send the spreadsheet back with their comments as soon as possible. Mayor Schroder also expressed his appreciation to Mr. Jakel, agreeing it has been great, he has a wonderful demeanor and he thanked Mr. Jakel for all he has done for the employees.

ADJOURNMENT

Adjourned at 8:17 p.m. to a Regular City Council Meeting on June 1, 2016 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 – 6/1/16