

CALL TO ORDER

Mayor Schroder called the meeting to order at 6:00 p.m. in the Council Chambers. Present were Councilmembers Lara DeLaney and Janet Kennedy. Council adjourned to Closed Session in the City Manager's Office. Vice Mayor Mark Ross arrived shortly after roll call.

*Councilmember Michael Menesini arrived at 6:25 p.m.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to California Government Code Section 54956.8. Property: APN 373-030-018-7 & 373-030-019-5, Ferry Street, Martinez Agency Negotiators: Phil Vince, City Manager; Karen Majors, Asst. City Manager; Jeff Walter, City Attorney; Wendy Roberts, Asst. City Attorney Negotiating Parties: City of Martinez and Carlo Zocchi, Alhambra Industrial Park; Ethan Friedman, Miller Starr & Regalia. Under Negotiation: Purchase Price, and terms of payment.

RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

The meeting reconvened at 7:00 p.m.

PRESENT: Lara DeLaney, Councilmember, Janet Kennedy, Councilmember, Michael Menesini, Councilmember, Mark Ross, Vice Mayor, and Rob Schroder, Mayor.
EXCUSED: None.
ABSENT: None.

Mayor Schroder reported that a closed session was held--Conference with Real Property Negotiators regarding the Zocchi property. Mayor Schroder stated that the item will be heard later tonight, and a decision will likely be made.

PRESENTATION(S)/PROCLAMATION(S)

A. Presentation on the "Joltin Joe."

Public Works Director Dave Scola reviewed the history of the Joltin Joe and introduced Greg Reuter and the Sons of Italy in America, Diablo Valley Lodge 2167, who have volunteered to restore the Joltin Joe.

Greg Reuter explained why he volunteered as project coordinator for the Joltin Joe and gave a PowerPoint presentation on the restoration of the Joe Dimaggio boat. Mr. Reuter gave an introduction about his background, the deterioration of the boat, the proposed restoration process, materials, cost, funding, and the need for a secure location for the future display of the boat. He also responded to questions from the Council and audience.

Ray Raineri, Sons of Italy, Diablo Valley, gave a brief overview of the organization. Mr. Raineri discussed his organization's desire to take over the fundraising, and some of the unique aspects of the project. He also introduced other members of the group in attendance.

Mayor Schroder expressed appreciation for the Sons of Italy's commitment and willingness.

ITEM 10 TAKEN OUT OF ORDER:

10. Authorize the City Manager to sign an agreement with a boat restoration facility to restore the Joltin Joe.

Deputy Director of Parks and Community Services Joann Tool presented the staff report, asking the Council to endorse staff's continuing with the project. She thanked Mr. Reuters for his hard work and the information he provided.

Vice Mayor Ross commented on the fundraising issues. Councilmember DeLaney expressed concern about the City signing a contract before all the fundraising is in place. Ms. Tool said the contract would not be signed until the fundraising is complete.

Councilmember DeLaney questioned whether the restoration company might not be available by that time, and Mr. Reuters discussed the phasing of the fundraising and coordination with the restoration process. City Attorney Jeff Walter noted that the signing of the contract would come back to the Council in any case, and the risk benefit analysis could be done there.

Mayor Schroder asked whether an RFP would be needed. Mr. Walter said he would look in to that.

Vice Mayor Ross asked whether having a dedicated site would help with the fundraising. Mr. Reuter said it could.

Mayor Schroder opened public comment on the item.

Paul Wilson confirmed with staff that a trust fund for the restoration had already been opened. He said he would contribute \$100.

Mike Alford thanked Mr. Reuter for his leadership. He suggested the Council identify four or five potential sites for the boat and ask the people which site they prefer. He asked the Council not to waste time hiring any more consultants.

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

Councilmember DeLaney thanked Mr. Reuter and the Sons of Italy for their willingness to help with the project.

Councilmember Kennedy echoed Councilmember DeLaney's comments. She thought the train station would be a good location, and she noted that the historical society might want to be involved.

Vice Mayor Ross said the spring Little League parade day could be renamed as "Joe Dimaggio Day". He thanked Mr. Reuter and the Sons of Italy also. Councilmember Menesini also thanked them and congratulated staff for their efforts also. He mentioned another boat in the City that should be renovated as well, the Pescatore.

Mayor Schroder expressed his appreciation also, and he was optimistic about the project's success. He mentioned the emails he received in support of the project.

Motion to authorize the restoration of the Joltin Joe, and to authorize the City to accept the donations in a trust fund, direct staff to determine if this project is subject to public bidding, continue negotiations and pursue the matter as recommended in the staff report, and bring back the contract (for a boat restoration facility) with a presentation for Council's approval. Moved by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember. The Council voted to approve unanimously.

PUBLIC COMMENT

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

Marta Van Loan, Friends of the Library, announced the grand opening of the Library Reading Garden on Saturday, August 16th at 9:30 a.m. Ms. Van Loan shared pictures and expressed her appreciation to Joann Tool for all her assistance.

Gina, Manager of Ferry Street Station, commented on the events that took place at College Lane last Friday night. She expressed frustration and needed help in knowing what to do when there are fights and gunshots. Commander Gary Peterson stated that there will be more patrols in the downtown and on weekends and will be conducting an educational program for all the license holders.

Councilmember Menesini requested the City Attorney and the Police Department to look at College Lane as a public nuisance and take some type of action. Mayor Schroder requested that staff also look into another establishment outside city limits.

Paul Wilson commented on an article in the Contra Costa Times regarding the City Manager's comments on the unreinforced masonry ordinance, the historic inventory and redevelopment. He stated he was against the City helping downtown property owners to fix their establishments, and that they should be responsible for their own repairs. Mayor Schroder confirmed that the historic resource inventory had not been completed yet.

Mike Alford agreed with previous comments about College Lane and with Commander Peterson's comment about increasing night patrols in the downtown, adding that it would help to clean up the area and give better control. Mr. Alford recommended that the new City Manager go out into the community and introduce himself to the people and talk to them to get a better feel for Martinez.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Motion approving Check Reconciliation Registers dated 07/10/08. [C.Heater/02.01.01]
2. Motion accepting Investment Summary for June 30, 2008. [C.Heater/02.01.01]
3. Motion approving Ordinance 1348 C.S. Calling a General Municipal Election and Ordering the Submission of a Proposition of Incurring Bonded Debt for the Purpose of the Acquisition, Construction and Completion of Parks, Library Improvements, and Pool Safety and Improvement to the Qualified Voters of the City of Martinez at the General Municipal Election to be held on November 4, 2008. [J.Tool/40.20.03]
4. Resolution No. 071-08 authorizing the City Manager to execute a consultant services agreement for the design of the Marina Vista Streetscape Project in an amount not to exceed \$300,000. [T.Tucker/12.04.38]
5. Resolution No. 072-08 accepting bids for the Alhambra Creek Bank Stabilization Project and awarding the construction contract to the lowest responsible bidder. [T.Tucker/10.07.00]
7. Resolution No. 074-08 accepting bids for the Alhambra Avenue Paving, Highway 4 to John Muir Road, and awarding the construction contract to the lowest responsible bidder. [T.Tucker/12.04.39]
8. Resolution No. 075-08 authorizing destruction of City files pertaining to the Community Development Department, Finance Division, and City Clerk's Office. [M.Cabral/40.10.01]

Item #6 was pulled for discussion.

Mayor Schroder opened Items #1-5 and #7-8 for public comment.

Regarding Item #4, Mr. Wilson commented on the large amount of money the City pays for consultants. Mayor Schroder noted that the majority of the costs to be spent on that project were coming from TLC grants and PG&E funds, and it was very important to have expert help with the undergrounding project.

Regarding Item #4, Mike Alford agreed this is an important project, but he agreed with Mr. Wilson that the City does spend too much on consultants. He urged the Council to make the necessary decisions and not worry about making mistakes.

Mayor Schroder closed public comment on Items #1-5 and #7-8 of the Consent Calendar.

Councilmember DeLaney noted that the costs were actually for professional design services rather than consultants.

Motion to approve Items #1 through #5 and #7 and #8 of the Consent Calendar.
Moved by Lara DeLaney, Councilmember, seconded by Michael Menesini, Councilmember.
Motion unanimously passed 5 - 0.

6. Resolution allocating \$175,000 of Water Reserve Funds to repair the Muir Oaks Reservoir.

Councilmember DeLaney expressed concern about the percentage of cost to go towards design, administration and inspection. City Engineer Tim Tucker discussed the technical, special issues with the project, acknowledging that it is a higher than usual percentage of cost.

In response to a question from Councilmember Menesini, Mr. Tucker discussed future replacement plans for the tank, as part of the Master Plan.

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

Motion to approve Resolution No. 073-08 allocating \$175,000 of Water Reserve Funds to repair the Muir Oaks Reservoir. Moved by Michael Menesini, Councilmember, seconded by Janet Kennedy, Councilmember. Motion unanimously passed 5 - 0.

PUBLIC HEARING(S)

CITY MANAGER

9. Consider and discuss possible annexations and consider authorizing the City Manager to enter into an agreement with CH2MHill to provide consultant services to assist the City of Martinez with two possible annexation efforts if certain conditions are met.
[K.Majors/1.00.00]

Assistant City Manager Community and Economic Development Karen Majors presented the staff report. Mayor Schroder asked, and Ms. Majors reviewed the tasks to be done by the consultants.

Councilmember Menesini acknowledged these were specialized tasks. Mayor Schroder discussed the LAFCO recommendation to consider the annexations, based on the number of "out-of-area" service requests brought before LAFCO.

Councilmember Menesini noted that the area southeast of the City is mostly surrounded by properties already in the City, and he commented on the importance of that "entrance" to the City.

Councilmember DeLaney expressed her strong support for the annexations, but she questioned whether an RFP should be issued, rather than sole-sourcing to this organization. Councilmember Menesini said he thought it should not delay for that, but rather that the City should move forward now.

Mayor Schroder noted that this firm came highly recommended from Louanne Texeira. Councilmember DeLaney said Ms. Texeira was also aware of other firms that do the same type of work.

Vice Mayor Ross asked the City Manager and City Attorney about the cost threshold for sole-sourcing contracts. Mr. Walter indicated that there was no cost threshold requirement for consultant work, but an RFP process could be used if the Council desires.

City Manager Vince said it would depend on the comfort level of the Council - staff could do it either way. Mayor Schroder mentioned that much of the financing would come from the property owners themselves.

Councilmember Menesini said that given the small amount of money, he didn't think the delay was warranted. Councilmember DeLaney commented on the need for due diligence on the part of the Council.

Councilmember Menesini suggested separating the two requests and allowing one to go forward, but doing an RFP for the other.

Mayor Schroder opened public comment.

Jan Garonis commented on continued delays to the annexation and urged the Council to move as quickly as possible.

Joe Hind asked about the cost range. He asked whether the price could be narrowed down to satisfy everyone. He also encouraged the Council to go ahead now.

Mike Alford asked how much revenue or benefit the City would realize from the annexation. He also asked the extent of the annexation. He urged the Council to show leadership and make the necessary decision.

Connor Garonis mentioned that he has a Deferred Annexation Agreement, but his property is outside the urban limit line. Mayor Schroder acknowledged that there would have to be a ruling by the Contra Costa County Transportation Authority to see whether it would be a violation of Measure J. Councilmember Menesini agreed, but he didn't think it would delay the annexation.

Paul Wilson asked, and Councilmember Menesini confirmed that the organization was formerly called Claire Hill & Associates.

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

Mayor Schroder asked, and the City Attorney confirmed it would be possible to split the application into two. Mayor Schroder asked Councilmember DeLaney whether that would address her issues.

Councilmember DeLaney said she felt projects of this size should be done with an RFP, and it should have been done as a matter of course.

Motion to approve authorizing the City Manager to enter into an agreement with CH2MHill to provide consultant services to assist the City of Martinez with two possible annexation efforts if certain conditions are met. Moved by Michael Menesini, Councilmember, seconded by Janet Kennedy, Councilmember.

Motion Carried 4-1. Yes: Janet Kennedy, Councilmember, Michael Menesini, Councilmember, Mark Ross, Vice Mayor, Rob Schroder, Mayor. No: Lara DeLaney, Councilmember.

10. Update on the Joltin Joe Restoration and authorize the City Manager to sign an agreement with a boat restoration facility. [D.Scola&J.Tool/11.15.04]

Item acted upon earlier. Approved.

11. Consider resolution approving the acquisition of the Alhambra Industrial Park (10 acre Zocchi Property) from Westmont Company LLC, RAH Properties, LLC and HRP, LLC and authorizing the Mayor to execute the required documents. [K.Majors/10.13.08]

Assistant City Manager Karen Majors presented the staff report.

Mayor Schroder opened public comment on the item.

Paul Wilson asked how much of the property would remain under Mr. Zocchi's ownership. Mayor Schroder confirmed that the whole 6.7 acres would no longer be Mr. Zocchi's. Mr. Wilson asked about the use of the property and whether adequate soils analysis had been done. Mayor Schroder confirmed that the site would be used for Phase 3 of the Intermodal Station, primarily for use as parking. Ms. Majors indicated that the analysis done had shown that the level of contamination at acceptable levels for commercial/industrial use. She also explained that there were different levels for commercial/industrial use as opposed to residential use.

Mike Alford expressed concern about the amount of money spent, just for parking. He said there shouldn't be too much contamination, given the previous uses. He also commented on other possible uses that could be added to the site if the existing building is left. He confirmed with staff that there would be no residential use on the property. Mayor Schroder explained that the funding from CalTrans and CCCTA was only for transportation uses.

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

Vice Mayor Ross thanked former City staffer, Richard Pearson, for working so hard to obtain the funding to finally complete Phase 3 of the Intermodal Station. He commented on the many ways that Amtrak can connect with other transportation systems, including BART in Richmond. He also thanked current staff and other communities in the Bay Area that allowed some of their projects to be delayed so this one could be funded.

Councilmember DeLaney noted that the parking could also come in handy if a ferry stop is ever included. Councilmember Menesini agreed, noting the station can be a valuable transportation hub for the area. He also discussed the importance of community involvement in deciding the details of Phase 3 and Phase 4.

City Attorney Jeff Walter suggested additional language for the resolution regarding potential non-material changes to the agreement.

Motion to adopt Resolution No. 076-08 as amended approving the acquisition of the Alhambra Industrial Park (10 acre Zocchi Property) from Westmont Company LLC, RAH Properties, LLC and HRP, LLC and authorizing the Mayor to execute the required documents; and include the following: non-material changes may be made to the agreement subject to the approval of the City Manager and the City Attorney. Moved by Mark Ross, Vice Mayor, seconded by Lara DeLaney, Councilmember. Motion unanimously passed 5 - 0.

12. Comment(s)/Update(s)/Report(s).

No comments made.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

13. Consider appointment of Councilmember Kennedy as Voting Delegate to the League of California Cities Annual Conference and appoint Councilmember DeLaney as Alternate Voting Delegate. [M.Cabral/07.03.04]

Motion to approve appointment of Councilmember Kennedy as Voting Delegate to the League of California Cities Annual Conference and appoint Councilmember DeLaney as Alternate Voting Delegate. Moved by Rob Schroder, Mayor, and no second required. Motion unanimously passed 5 - 0.

CITY COUNCIL

14. City Council Comments.

Councilmember Michael Menesini apologized for missing the last Council Meeting, as he was celebrating his 61st birthday.

Vice Mayor Mark Ross indicated he shared Councilmember DeLaney's concerns with sole-sourcing projects and Requests for Proposals. He requested that Council consider holding a September 11th ceremony.

Councilmember Lara DeLaney indicated that she would like to see Council develop a policy with regards to sole sourcing and establish a level by which contracts should be issued by an RFP process, perhaps at a threshold recommended by the City Manager. She also stated that there are other policies that she will be bringing forward for Council consideration.

Mayor Rob Schroder reported a dead tree in front of US bank and requested that staff check the tree and others nearby to reduce the hazards to pedestrians. Mayor Schroder also stated that he received a resignation letter from Bob Perry, Committee Member on the Design Review, creating a vacancy, and he reported a vacancy on the Contra Costa Advisory Council on Aging.

Councilmember Menesini stated that he received a flyer from Contra Costa Water District which compared water districts and water quality in our area; the flyer indicated that Martinez' water was very much in the top of the list and the City should be proud of this accomplishment. He requested that we honor the Water Treatment employees for a job well done. Mayor Schroder agreed.

ADJOURNMENT

Adjourned at 9:38 p.m. to a Summer Recess, and then to a Regular City Council Meeting on September 3, 2008, 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