

CALL TO ORDER /PLEDGE OF ALLEGIANCE/ROLL CALL

Mayor Schroder called the meeting to order at 6:00 p.m. in the Council Chambers.

PRESENT: Mark Ross, Councilmember, Michael Menesini, Vice Mayor, Janet Kennedy, and Robert Schroder, Mayor.

EXCUSED: Lara DeLaney, Councilmember None.

ABSENT: None.

**Councilmember Menesini arrived shortly after roll call.*

PUBLIC COMMENT (Comments are limited only to items listed on the agenda)

Mark Sparacino urged the Council to move on the 630 Court Street project which has been going on the last 8 to 10 years; he recommended opening an Italian restaurant.

Mike Alford spoke on 630 Court Street expressing concern as to what was going to happen to the building since there needs to be a lot of money invested in the building; he commented that the building has become more of hindrance than anything else.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Approve and authorize the Mayor to sign the attached response to the Grand Jury report: "Ethics and Transparency Issues in Contra Costa County." [A.Shear/6.1.9]

Mayor Schroder opened public comment on the consent calendar.

Mike Alford did not understand the ethics issue and requested further clarification which Mayor Schroder provided adding that the Grand Jury investigated openness and accountability among public officials throughout Contra Costa County such as nepotism. Mayor Schroder stated that the report contains the Grand Jury findings, noting that the City was not cited for anything specifically, but was required to provide an overall response regarding our policies and procedures.

Assistant City Attorney Veronica Nebb clarified that there was an amendment to the City's response adding the City's Conflict of Interest Code.

On motion by Janet Kennedy, Vice Mayor, seconded by Mark Ross, Councilmember, to approve Items Item #1 of the Consent Calendar *as amended*. Motion unanimously passed 4 - 0.

CITY MANAGER/CITY COUNCIL

2. Comments.

No comments were made.

CLOSED SESSION (*adjourn to City Manager's Office*)

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS pursuant to California Government Code Section 54956.8.

Property: 630 Court Street.

Agency Negotiators: Philip Vince, City Manager; Dave Scola, Public Works Director; Alan Shear, Asst. City Manager; Veronica Nebb, Asst. City Attorney.

Negotiating Parties: City of Martinez and Southport Land Development.

Under Negotiation: Price, terms of payment and other conditions of sale.

B. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

- a) Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One potential case; and
- b) Initiation of litigation pursuant to subdivision (c) of Section 54956.9: One potential case.

Mayor Schroder reported that with respect to Conference with Real Property Negotiators, 630 Court Street, direction was given to the City's property negotiators; with respect to Anticipated Litigation a) exposure to litigation, and b) initiation to litigation direction was given to legal counsel.

ADJOURNMENT

Adjourned at 6:45 p.m. to a Regular Meeting on September 7, 2011 at 7:00 p.m. at City Hall in the Council Chambers, 525 Henrietta Street, Martinez, California.

Approved by the City Council,

Rob Schroder, Mayor

Mercy G. Cabral, Deputy City Clerk – 9/7/11