

CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder called the meeting to order at 7:00 p.m. in the Council Chambers.

PRESENT: Lara DeLaney, Councilmember, Michael Menesini, Councilmember, Mark Ross, Councilmember, Janet Kennedy, Vice Mayor, and Rob Schroder, Mayor.

EXCUSED: None.

ABSENT: None.

PRESENTATION(S)

A. Proclamation honoring "Joyce Cid."

Mayor Schroder presented the proclamation establishing October 14th as "Joyce Cid Day," explaining that Joyce conducted a fundraiser last year at the Shell Club House and raised \$15,000, which was used to send children to Enchanted Lighthouse/Enchanted Hills Camp in Napa. Ms. Cid expressed her appreciation and stated that her goal is to educate the people of Martinez about the blind community and what blindness is like.

**Councilmember Ross arrived and was seated at the dais.*

B. Joltin Joe Update.

Mr. Ray Raineri presented Rick Aldridge, lead carpenter on the Joltin Joe Project. Mr. Raineri expressed his appreciation to Mike Chandler for all his assistance. Mr. Raineri reviewed past events, and noted there is a new brochure which contains information about the project. He also announced a future fundraising dinner.

A PowerPoint presentation was presented depicting the progress on the Joltin Joe project. The Council expressed their appreciation to Mr. Raineri, the Sons of Italy, and Mr. Aldridge.

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

Robert Barker expressed his appreciation to the City for recognizing Joyce Cid. Mr. Barker stated that he believed that his appeal on the Alhambra Highlands development was not rebutted or answered. He requested that the Council respond to his appeal. Mayor Schroder and City Attorney Jeff Walter explained that the Alhambra Highlands item had been resolved and that the Council had upheld the Planning Commission's decision. Mr. Barker expressed his frustration, stating that he felt that proper procedure had not been followed by the City.

Rose Martin reported that there have been several water leaks at the marina; unfortunately, the marina staff is very slow to respond. She indicated that there was no water service for a few days with the water leaking continuously before it was shut off. Staff was directed to look into the matter.

Mike Alford requested to know the status on the revenue from the bunker fuel. Mayor Schroder read a letter in response from Steve Leshner of Shell stating that Shell does not sell any retail products at the wharf; and therefore, the City could not receive sales tax revenue from them. Assistant City Manager Alan Shear stated that he had also contacted Ken Donny of Tesoro, who had confirmed that they do not conduct taxable business transactions at the wharf.

Rick Alridge expressed his appreciation to the Council for all they do. Councilmember DeLaney stated that the Council could not thank him and the rest of the carpenters enough for all their dedication.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

Vice Mayor Kennedy requested that item #1, Council Minutes, be removed from the Consent Calendar, since she was not present at the September 21st meeting. Councilmember DeLaney requested that item #3 be pulled, and Mayor Schroder requested that item #8 be pulled from the Consent Calendar.

2. Motion accepting Check Reconciliation Register dated 09/29/11, 10/12/11, and 10/13/11. [C.Spinella/2.1.1]
4. Resolution No. 101-11 accepting bids for the Raw Water Pipeline Replacement Project and awarding the construction contract to Carone and Company, Inc. and allocating \$400,000 of additional Water System funds to Account No. C7022. [T.Tucker/15.06.12]
5. Resolution No. 102-11 directing staff to take actions related to the issuance of Pension Obligation Bonds to refinance the outstanding Side Fund obligations of the City to the California Public Employees' Retirement System. [A.Shear&C.Spinella/2.09.00]
6. Resolution No. 103-11 directing staff to take actions related to the refinancing of the Certificates of Participation (1999 Water System Improvement Project) and issuing new bond money up to \$5 million for future water projects. [2.12.00]
7. Resolution No. 104-11 approving the City Policy for Website Posting and Community Message Billboard. [M.Chandler/43.03.11]

On motion by Lara DeLaney, Councilmember, seconded by Janet Kennedy, Vice Mayor, approve item #2 and items #4 through #7 of the Consent Calendar. Motion unanimously passed 5 - 0.

1. Motion approving City Council Minutes of September 7, and September 21, 2011. [M.Cabral]

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Councilmember, approve the City Council Minutes of September 7, 2011. Motion unanimously passed 5 - 0.

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Councilmember, approve the City Council Minutes of September 21, 2011. Motion unanimously passed 4 - 0. Abstain: Janet Kennedy, Vice Mayor; Rest: Ayes.

3. Motion retaining The Consulting Team and, specifically, Dr. Marilyn Manning, to assist the City Council in conducting its performance evaluation of the City Manager and authorize the Mayor to execute consultant agreement in an amount not to exceed \$7,000. [R.Schroder/17.00.06&41.01.01]

Councilmember DeLaney stated that in her opinion this expenditure would be a misuse of the City's money for a relatively simple process that many other cities handle internally. Councilmember Ross agreed that the cost was too high and that the money could be better spent on other priorities.

Councilmember Menesini expressed surprise that there was not a consensus and suggested that the item be continued to a later date. Mayor Schroder noted that the Consulting Team and Dr. Manning were very highly recommended, but agreed that the item should be continued so that everyone could consider the issue more carefully.

Item continued to November 2, 2011.

8. Resolution No. 105-11 approving Property Tax Exchange Agreement with Contra Costa County for North Pacheco Annexation to the City of Martinez. [M.Chandler/1.229]

Senior Management Analyst Michael Chandler responded to questions, explaining the various dates at which tax revenue would transfer, since the City would miss the December cutoff for the tax to transfer completely for the annexation. He also discussed the compromise reached with the County, which will provide some tax revenue sharing.

Mayor Schroder commended Mr. Chandler for his negotiating skills. Councilmember Menesini and Councilmember DeLaney expressed appreciation to Mr. Chandler for his explanations and negotiations.

Councilmember DeLaney also explained that although she worked for the County Administrator's office, she did not have any influence on the outcome of the negotiations. She asked staff to follow up with the Board of Supervisors, since they were supposed to act on the agreement by October 25, but the item was not on their agenda. Mr. Chandler stated that it had probably been moved to the next meeting.

Mayor Schroder opened the item for public comment.

Mike Alford asked about the revenue that the City would receive from the annexation. Mayor Schroder explained that although there was not much in the area currently, there were many opportunities for growth.

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

On motion by Mark Ross, Councilmember, seconded by Lara DeLaney, Councilmember, to approve Resolution No. 105-11 approving Property Tax Exchange Agreement with Contra Costa County for North Pacheco Annexation to the City of Martinez. Motion unanimously passed 5 - 0.

PUBLIC HEARING(S)

CITY MANAGER

9. Provide direction to staff on whether to proceed as a partner with the Central Contra Costa Transit Agency (CCCTA), Contra Costa Transportation Authority (CCTA) and Caltrans in the construction and maintenance of the Pacheco Transit Hub. [T.Tucker/]

City Engineer Tim Tucker presented the staff report. He explained the progress being made on the design of the Transit Hub and the future timeline for construction. He also explained where the funds for construction and maintenance would come from.

Councilmember Menesini stated that this facility would be an asset to the City and improve quality of life for its residents. He expressed concern that the surrounding area was blighted, and he noted that landscaping and appearance would be important in the planning of the facility. He also stressed the importance of keeping it affordable to the citizens.

Councilmember Ross asked how long this project had been in planning and what the total cost would be. Mr. Tucker stated that it had been discussed for eight years, and that \$325,000 had been slated for construction management. Councilmember Ross also noted that other communities in the area were very much in support of the project.

Mayor Schroder also explained that County Connection had voted to ask Martinez to manage the project because capital projects are one of the City's areas of expertise.

Councilmember Menesini suggested that the City look at bids from the people who paved Marina Vista.

Councilmember DeLaney expressed concern about the City having maintenance responsibilities, if the amounts pledged and the parking fees were not enough. She asked why the risk of extra or increased costs would be the City's responsibility. Councilmember Menesini suggested additional costs could be covered by raised fees or contributions from Caltrans. He added that he thought the City would do a better job of maintenance and management than would Caltrans. Mr. Tucker added that the City already did street maintenance in the area, so it would not be difficult to add the parking lot, and that this would offset some of the staff and budget cuts the City had had to make in terms of maintenance.

Mayor Schroder noted that the bus shelters would be maintained by CVS Outdoor, who was very reliable. Councilmember Menesini also noted that the Council would have an opportunity to review the agreement before final approval.

Vice Mayor Kennedy stated that as long as the costs were covered, she had complete confidence in the City's construction management and engineering divisions and their ability to complete projects ahead of time and under budget.

Councilmember Ross noted that the landscaping would be overshadowed by the flyovers that were proposed at the intersection.

Mayor Schroder opened the item for public comment.

Mike Alford asked why the City would be managing and maintaining a project that would not bring any funds or revenue into the City, and he expressed doubt that it would benefit the citizens of Martinez.

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

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember, to approve staff to proceed as a partner with the Central Contra Costa Transit Authority (CCCTA), Contra Costa Transportation Authority (CCTA) and Caltrans in the construction and maintenance of the Pacheco Transit Hub; and return agreements to Council for final approval. Motion unanimously passed 5 - 0.

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

No comments were made.

CHIEF OF POLICE

11. Chief of Police Comment(s)/Update(s)/Report(s).

Acting Chief of Police Eric Ghisletta spoke on a recent incident at the high school. He commented on how proud he was of the investigation conducted by the Detective Bureau, who worked around the clock in order to find the source of the email and were able to provide him with accurate information that he could share with the School District. He noted that the information provided was crucial to the decision the District made to keep the school open on Friday.

Councilmember Menesini stated that the Department handled the incident well; however, there was a lot of panic. He hoped that there could be some way to address that concern in the future.

Councilmember Ross commended the Police Department and the School District for their handling of the issue. Mayor Schroder echoed Councilmember Ross' remarks.

Councilmember DeLaney commended Captain Ghisletta on his performance at the Officer of the Year Award; she offered her congratulations to Detective Fred Ferrer and the Civillian Employee of the Year Andy McGuire.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

12. Consider appointment to the CCC Advisory Council on Aging.

Item continued to November 2, 2011.

CITY COUNCIL

13. Council Subcommittee Reports.

14. City Council Comments.

Vice Mayor Janet Kennedy reported out on her attendance at the League of California Cities Conference, recapping several of the sessions regarding cost recovery and downtown economics. She provided some handouts as well. She also reported on her and Councilmember Ross' attendance at the ABAG Regional Planning Committee meeting with discussion on priority development areas.

Councilmember DeLaney announced the Beer Fest this Saturday at 330 Ferry Street.

Mayor Rob Schroder commented on the 27th Annual Mayors' Golf Tournament held in Antioch last Friday. He stated that it was a great day, and they all had a good time raising money.

15. Closed Session: CONFERENCE WITH LABOR NEGOTIATORS pursuant to Section 54957.6 of the California Government Code.

Agency Designated Representatives: Philip Vince, City Manager; Alan Shear, Asst. City Manager, and Fran Buchanan, IEDA.

Employee Organization: Laborers International Union of No. American, Local #324; Martinez Police Non-Sworn Employees Association; and Martinez Police Officers Association.

Council adjourned at 8:30 p.m. to closed session in the City Manager's Office.

ADJOURNMENT

The Council reconvened at 9:35 p.m. Mayor Schroder reported that direction was given to the City's negotiators.

The meeting adjourned to a Regular City Council Meeting on November 2, 2011 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 – 11/2/11