

CALL TO ORDER

Mayor Schroder called the meeting to order in the Council Chambers at 6:30 p.m. with all members present except for Councilmember Kennedy, who arrived shortly after roll call.

CLOSED SESSION

- A. 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.

PUBLIC COMMENT (on closed session items only)

There being no comments made, the Council adjourned to closed session in the City Manager's office.

RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

The meeting reconvened at 7:00 p.m. in the Council Chambers.

Mayor Schroder reported that a closed session was held with respect to Conference with Labor Negotiators, and direction was given to the City's negotiators.

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

EXCUSED: Michael Menesini, Councilmember.

ABSENT: None.

PRESENTATION(S)

PUBLIC COMMENT

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

Mike Alford reiterated his concerns regarding Patch; he raised questions as to how committee/commission appointments are made, how appointments were made to the General Plan Task Force, and how chairpersons are appointed by the commissions, which Mayor Schroder explained.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Motion approving City Council Minutes of November 16, 2011. [M.Cabral]
2. Motion rejecting claim against the City by Ron Sheppard, #11-31. [M.Cabral]
3. Motion accepting Check Reconciliation Register dated 11/29/2011. [C.Spinella/2.1.1]
4. Motion approving extension of the current Marina Management Agreement with Almar Marinas for the operation and management of the Martinez Marina for one (1) year (January 1, 2012 to December 31, 2012). [M.Austin/14.01.00]
5. Resolution No. 113-11 approving a three year agreement for consultant services with Carollo Engineers to provide on-call engineering services for the City's water system not to exceed \$500,000. [T.Tucker/15.02.00]

On motion by Mark Ross, Vice Mayor, seconded by Lara DeLaney, Councilmember, to approve Items #1 through #5 of the Consent Calendar. Motion unanimously passed 4 - 0. Absent: Councilmember Menesni; Rest: Ayes.

6. RECESS TO: MARTINEZ PUBLIC IMPROVEMENT CORPORATION

a) Roll Call:

- P Lara DeLaney, Boardmember
- P Janet Kennedy, Boardmember
- E Michael Menesini, Boardmember
- P Mark Ross, Vice President
- P Rob Schroder, President

- b) Resolution authorizing the execution, delivery, and sale of 2012 Certificates of Participation (COP) to refund the 1999 COP; and to finance water system improvements, the financing plan, sale of certificates, Installment Agreement with the City of Martinez, the Trust Agreement with US Bank, and related documents and official actions. (A.Shear/2.12.00)

Assistant City Manager Alan Shear provided the staff report.

Boardmember DeLaney asked for a greater explanation of the debt covenant and debt ratio, which was provided by Nicki Tallman of Brandis Tallman. Ms. Tallman also explained that the City has an excellent rate because it has consistently met the requirement for the coverage covenant.

Vice President Ross asked about including replacement of the water lines at the marina and other supplemental projects. Mr. Shear clarified that only water-related projects would qualify.

Tim Tucker, City Engineer, explained that the water lines at the marina would not qualify because the marina is privately owned, and the water district is only responsible up to the meter. He acknowledged that the City would be responsible under the marina enterprise fund, which is a separate fund.

Philip Vince, City Manager, asked if there was a way that the City could borrow from the water district fund and set the terms so that the payments are matched to the money flow of the water district. Mr. Tucker said it could be borrowed from the City's General Plan surplus.

Vice President Ross asked about other possible projects, such as restaurants or other facilities at the marina. Mr. Tucker said yes, the water district is responsible for making water-related improvements for potential customers. He thought there would be room in the budget for those improvements.

Mayor Schroder opened public comment on the item.

Mike Alford expressed concern about adequate facilities at the marina, to allow businesses to operate at the marina.

Boardmember DeLaney asked if the transaction with the bonds is limited to water district revenues, or could it be bundled with other general improvements. City Manager Vince said he thought it could be. Mayor Schroder asked for input from the City's bond counsel.

Bill Madison of Jones Hall confirmed it would be possible, although the City is unable to issue bonds without a vote of the people. He also noted that the City's credit and bond qualification is separate from the water system, and the full transaction would be subject to the City's qualifications. He also noted that the projects for the City's portion would have to be specified.

On motion by Mark Ross, Vice Mayor, seconded by Lara DeLaney, Councilmember, to approve Resolution No. 114-11 authorizing the execution, delivery, and sale of 2012 Certificates of Participation (COP) to refund the 1999 COP; and to finance water system improvements, the financing plan, sale of certificates, Installment Agreement with the City of Martinez, the Trust Agreement with US Bank, and related documents and official actions. Motion unanimously passed 4 - 0. Absent: Boardmember Menesini; Rest: Ayes.

c) Adjournment

The meeting adjourned at 7:35 p.m. and the Regular City Council meeting was reconvened.

PUBLIC HEARING(S)

CITY MANAGER

7. Consider a resolution: A) receiving the City Manager's report pursuant to MMC Section 12.40.040 preliminarily determining that disposition of the properties at 610 and 630 Court Street is for the common benefit of the citizens of Martinez, required by the public interest and convenience and in compliance with applicable law, and authorize the City Manager to commence the process of disposition of the properties at 610 and 630 Court Street by

negotiated sale to Southport Land Company; and B) setting the public hearing date authorizing the addition of the property located at 610 Court Street to the City's Inventory of Real Property and declaring the same to be in excess of the City's foreseeable needs and for the final disposition of the property at 630 and 610 Court Street and authorizing the preparation of the Notice of Potential Disposition as set forth in MMC Section 12.40.060. [P.Vince/5.15.00]

Item removed from the agenda and continued to a future meeting.

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

City Manager Phil Vince stated that Universal Sports Academy had contacted him informing him that Kelly Moore is testing some new paints that are less toxic and they might do a test project on the larger Zocchi building. He noted that in the contract the painting of the building would not be enforced until the 4th year.

Mayor Schroder indicated he knew the owner of Kelly Moore, and he would call him expressing the City's appreciation.

CHIEF OF POLICE

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

Mayor Schroder reported that Chief of Police Gary Peterson just returned from 11 weeks at the FBI Academy in Virginia and could not be present for the meeting, since his wife was giving him a "Welcome Home/Christmas Party" on the same night. He indicated Chief Peterson would make a report on his experience at the FBI Academy at a future meeting.

City Manager Vince recognized the efforts of Randy Iwasaki, Director of the Contra Costa Transportation Authority, who played a major role in getting the CBS Outdoor Billboard done.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

10. Resolution authorizing the execution, delivery, sale of 2012 Certificates of Participation (COP) to refund the 1999 COP; and to finance water system improvements, the financing plan, sale of certificates, Installment Agreement with the Martinez Public Improvement Corporation, Trust Agreement with US Bank, Purchase Agreement with Brandis Tallman, and related documents and official actions. [A.Shear/15.07.02]

Mayor Schroder opened and closed public comment on the item, with no members of the public coming forward.

On motion by Janet Kennedy, Councilmember, seconded by Mark Ross, Vice Mayor, to approve Resolution No. 115-11 authorizing the execution, delivery, sale of 2012 Certificates of Participation (COP) to refund the 1999 COP; and to finance water system improvements, the financing plan, sale of certificates, Installment Agreement with the Martinez Public

Improvement Corporation, Trust Agreement with US Bank, Purchase Agreement with Brandis Tallman, and related documents and official actions. Motion unanimously passed 4 - 0.
Absent: Councilmember Menesni; Rest: Ayes.

11. Council Subcommittee Reports.

12. City Council Comments.

Councilmember Janet Kennedy wished all Happy Holidays and a Happy New Year and thanked the entire City Staff.

Councilmember Lara DeLaney echoed Councilmember Kennedy's comments and expressed hope for a more prosperous New Year.

Vice Mayor Mark Ross also thanked staff and wished all Happy Holidays and a Happy New Year. He also questioned the disposition of the Mt. Diablo Health Benefit District with LAFCO. Mayor Schroder indicated he was not at the last meeting; however, the recommendation of the consultant was to dissolve the District. Councilmember Ross urged the Council to consider expressing the City's view on the ongoing payments to an undissolved/dissolved District, which seems to have no benefits for Martinez. Mayor Schroder agreed.

Mayor Rob Schroder reiterated his colleagues' comments and wished all Happy Holidays and Happy New Year, and he thanked staff for their work over the past year.

ADJOURNMENT

Adjourned at 7:44 p.m. to a Regular Meeting on January 11, 2012 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 – 1/11/12