

CALL TO ORDER

Mayor Schroder called the meeting to order at 6:15 p.m. in the Council Chambers with all members present except Councilmember Kennedy and Vice Mayor Ross who arrived shortly after roll call.

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

CLOSED SESSION

- A. PUBLIC COMMENT (On closed session items only)
- B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Cal. Gov't Code section 54956.9(b): One potential case.
- C. CONFERENCE WITH LABOR NEGOTIATORS pursuant to Section 54957.6 of the California Government Code. Agency Designated Representatives: Philip Vince, City Manager; and Alan Shear, Asst. City Manager. Employee Organization: Management Compensation Plan.

RECONVENE - PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder called the meeting to order at 7:08 p.m. in the Council Chambers. He stated that Closed Session was held with respect to Conference with Legal Counsel, Anticipated Litigation and there was nothing to report; and with respect to Conference with Labor Negotiators the item was continued to a future meeting.

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

EXCUSED: Michael Menesini, Councilmember.

ABSENT: None.

PRESENTATION(S)

- A. Recognizing March 2012 as "American Red Cross Month."

The proclamation was presented to Marcelle Indelicato and Theresa Miller of the American Red Cross. Ms. Indelicato expressed appreciation for the Council's past and future support.

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 requested the Council find out which ships are being fueled out in the bay, as that is lost revenue that should be coming to the City.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

1. Motion approving the City Council Minutes of February 1, and February 15, 2012. [M.Cabral]
2. Motion accepting Check register(s) dated 02/23/2012. [C.Spinella/2.1.1]
3. Motion authorizing the City Manager to execute the 2012 Martinez Community Swim Team Rankin Aquatic Center Use Agreement. [P.Lorick/11.04.01]
4. Resolution No. 015-12 authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Martinez and the Martinez Police Non-Sworn Employees Association (MPNSEA), for the contract period July 1, 2011 through June 30, 2015. [A.Shear/4.5.6]
5. Resolution No. 016-12 authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Martinez and Laborers International Union of No. American, Local #324 for the contract period July 1, 2011 through June 30, 2015. [A.Shear/4.5.7]
6. Resolution No. 017-12 establishing a 2008, Series B Debt Service Fund, for Measure H project funds. [C.Spinella/2.09.00&10.05.03]
7. Resolutions directing the City Engineer to prepare the Engineer Reports and Assessment Diagrams for the following Landscaping and Lighting Assessment Districts: [T.Tucker]
 - a. Resolution No. 018-12, 1979-3 (LL-2) (Village Oaks Terrace) for Fiscal Year 2012-13. [10.02.34]
 - b. Resolution No. 019-12, 1981-3 (Muir Station Park) for Fiscal Year 2012-13. [10.02.15]
 - c. Resolution No. 020-12, 1983-3 (Vista Oaks) for Fiscal Year 2012-13. [10.02.22]
 - d. Resolution No. 021-12, 1988-1 (Center Martinez) for Fiscal Year 2012-13. [10.02.31]
 - e. Resolution No. 022-12, 1994-1 (Creekside) for Fiscal Year 2012-13. [10.02.36]
 - f. Resolution No. 023-12, 1997-1 (Brittany Hills) for Fiscal Year 2012-13. [10.02.37]
 - g. Resolution No. 024-12, 2000-2 (Terra Vista) for Fiscal Year 2012-13. [10.02.40]
 - h. Resolution No. 025-12, 2001-1 (Alhambra Estates) for Fiscal Year 2012-13. [10.02.41]

On motion by Janet Kennedy, Councilmember, seconded by Mark Ross, Vice Mayor, Items #1 through #7 of the Consent Calendar. Motion unanimously passed 4 - 0.
ABSENT: M.Menesini, Councilmber; REST: Ayes.

PUBLIC HEARING(S)

CITY MANAGER

8. Resolution approving: (1) the Purchase and Sale Agreement between Contra Costa County and the City of Martinez for 610 Court Street; and (2) authorizing expenditure appropriation in the amount of \$378,000; and (3) authorizing the City Manager to execute said Agreement and a Certificate of Acceptance relating to same and any and all further documentation necessary for the closing of escrow on the purchase. [P.Vince/5.15.00]

City Manager Philip Vince presented the staff report. He briefly explained the history of negotiations with the County and how the purchase would progress, and discussed how the purchase would aid in the revitalization of downtown.

Mayor Schroder opened the Item for public comment.

Mike Alford commented on how unsuccessful the purchase of 630 Court Street was and expressed his opinion that this purchase was unwise and ill-timed.

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

**Vice Mayor Ross recused himself due to a potential Conflict of Interest which has not been determined due to the proximity (500 feet) of a leased Deli, and left the dais.*

Councilmember DeLaney stated that 610 Court Street had been appraised and would not require the same kind of renovations that 630 Court Street did. She added that the City already has an interested buyer, so it would not remain on the City's inventory. Having a tenant in that space would contribute to the revitalization of downtown.

Councilmember Kennedy added that one of the problems with 630 Court Street was that it was so small, and that there had been people who had expressed interest in purchasing both properties from the City. She thanked Mr. Vince for his work in negotiating with the County.

On motion by Lara DeLaney, Councilmember, seconded by Janet Kennedy, Councilmember, to approve Resolution No. 026-12 approving: (1) the Purchase and Sale Agreement between Contra Costa County and the City of Martinez for 610 court Street; and (2) authorizing expenditure appropriation in the amount of \$378,000; and (3) authorizing the City Manager to execute said Agreement and a Certificate of Acceptance relating to same and any and all further documentation necessary for the closing of escrow on the purchase. Motion passed 3 - 0.

ABSENT: M. Menesini, Councilmember; ABSTAIN: M. Ross, Vice Mayor; REST: Ayes.

**Vice Mayor Ross returned to the dais.*

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

City Manager Philip Vince stated that the City had a successful weekend with Mr. Middleton of Norcal Sports, who held a volleyball tournament. Mr. Vince expressed his appreciation to Public Works Director Dave Scola and his staff in getting the building ready for use.

CHIEF OF POLICE

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

Chief of Police Gary Peterson reported on graffiti activities, adding that the Police Department and Public Works have joined Graffiti Fighters who are experts in graffiti abatement, in order to enhance and expand their efforts.

Councilmember DeLaney requested a presentation to the Council in the future.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

CITY COUNCIL

11. Council Subcommittee Reports.

12. City Council Comments.

Janet Kennedy expressed get well wishes to Sophia Menesini.

Vice Mayor Ross commented on the service for Hulet Hornbeck that was attended by many; he stated that Martinez was very lucky to have a legend that lived in this town, who accomplished so much for the Park District and the public.

Mayor Schroder extended his congratulations to all the recipients of the new "persons of the year" awards that were announced last night. He also expressed his congratulations to his step daughter Sophie Hatch on winning the Young Woman's award. Mayor Schroder requested that the meeting be adjourned in memory of Howard Shelby, lifelong resident of Martinez.

ADJOURNMENT

Adjourned at 7:33 p.m. *in memory of Howard Shelby* then to a Regular Meeting on March 21, 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 – 3/7/12