



**CITY COUNCIL REGULAR MEETING AGENDA**  
**Wednesday, November 20, 2019**  
**5:00 PM - CLOSED SESSION (2ND FLOOR BOARD ROOM)**  
**7:00 PM - REGULAR MEETING (COUNCIL CHAMBERS)**

**CALL TO ORDER**

**PUBLIC COMMENT (RESERVED FOR CLOSED SESSION)**

**CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code.

Name of Case: Felix Sanchez and Nancy Noonan v City of Martinez, Contra Costa County Superior Court Case No. C18-02219.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code.

Name of Case: City of Martinez v. Kerry Kilmer; Tim Platt; Mark Thomson, and Does 1-25 Contra Costa County Superior Court Case No. C 17-02238

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code.

Name of Case: FRIENDS OF PINE MEADOW, an unincorporated association; and TIM PLATT, an individual vs. CITY OF MARTINEZ, a municipal corporation; CITY COUNCIL OF THE CITY OF MARTINEZ, and DOES 1 through 20, inclusive; DENOVA HOMES, INC. and CIVIC MARTINEZ, LLC (Real Parties in Interest) Contra Costa County Superior Court Case No. N18-18091

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to paragraph (1) of subdivision (d) of Section 54956.9 of the California Government Code.

Name of Case: FRIENDS OF PINE MEADOW, et. al v. CITY OF MARTINEZ, et. al., Contra Costa County Superior Court Case No. N17-0681

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Gov't Code section 54956.9(d)(2)

Number of potential cases: one

## **CALL TO ORDER - PLEDGE OF ALLEGIANCE**

**ROLL CALL** - *Councilmembers: Lara DeLaney, Debbie McKillop, Mark Ross, Vice Mayor Noralea Gipner, Mayor Rob Schroder*

**PUBLIC COMMENT** - *on Items not on the Agenda*

## **PRESENTATIONS**

## **CONSENT CALENDAR**

1. Motion Approving the Check Reconciliation Registers Dated November 7, 2019  
[191107 CK REG.pdf](#)  
[191107 PAYROLL WIRE TRANSFER- REG.pdf](#)  
[191107 AP WIRE TRANSFER- REG.pdf](#)
2. Consider and adopt a resolution supporting the acquisition of the Martinez Refinery by PBF Energy, Inc.  
[PBF Energy staff report 11-20-19.docx](#)  
[Reso -PBF Energy 11-20-19.docx](#)

## **GENERAL BUSINESS ITEMS**

3. Discuss, consider and authorize the Mayor to enter into a Non-binding Letter of Intent with the Pecos League of Professional Baseball Clubs LLC to negotiate a License Agreement for a professional level baseball team to be domiciled in Martinez.  
[Staff Report Pecos Letter of Intent 11-20-19.docx](#)  
[Exhibit A - Baseball LOI Pecos League 11-13-19.docx](#)

## **PUBLIC HEARING ITEMS**

4. Conduct a public hearing to adopt a resolution to approve new maximum rates and amend the solid waste and recycling franchise agreements between the City of Martinez and Allied Waste Systems, Inc., d.b.a. Allied Waste Services of Contra Costa County and d.b.a. Republic Services of Contra Costa County, to reflect same, increasing maximum residential, commercial, industrial and multi-family solid waste collection rates by 2.45% effective January 1, 2020, as set forth in Exhibit C to the franchise agreements.  
[Staff Report RS rate increase 11-20-19.docx](#)  
[Attachment A - Republic Residential Service History 2017-19.pdf](#)  
[Reso -RS Rate Increase 11-20-19.docx](#)  
[Exhibit C - 2020 Proposed Rates 11-20-19 for franchise.pdf](#)
5. Conduct a public hearing and adopt an ordinance amending Title 15, of the Martinez Municipal Code to adopt by reference the 2019 California Building Standards Code, CEQA exemption pursuant to Title 14, Chapter 3, California Code of Regulations, Section 15061(b)(3).

[Staff\\_Report\\_-\\_Public\\_Hearing\\_Building\\_Codes\\_11-20-19-Final.docx](#)

[2019\\_building\\_codes\\_adoption\\_ordinance\\_11-20-19.doc](#)

[Exhibit A - 2019 Building Code](#)

[Exhibit B - 2019 Residential Code](#)

[Exhibit C - 2019 Green Building Code](#)

[Exhibit D - 2019 Mechanical Code](#)

[Exhibit E - 2019 Plumbing Code](#)

[Exhibit F - 2019 Electrical Code](#)

[Exhibit G - 2019 Fire Code](#)

6. Conduct a public hearing and consider awarding up to one Conditional Certificate allowing the recipient to apply for a Commercial Cannabis Operating Permit to establish a retail cannabis facility; and find that this Certificate is not a project subject to CEQA or categorically exempt from the requirements of CEQA under Section 15061(b)(3); and direct staff to prepare a Resolution memorializing Council's decision.

[2019-11-20\\_Retail\\_Cannabis\\_Staff\\_Report\\_Final.docx](#)

[Attachment A - Map of Proposed Locations.pdf](#)

[Attachment B - Description of Evaluating Criteria.pdf](#)

7. Conduct Continued Public Hearing Relating to the Formation of City of Martinez Community Facilities District ("CFD") No. 2019-01 (Public Services) Relating to Traditions at the Meadow - Subdivision 9358 and:

1. Adopt a Resolution of the City Council of the City of Martinez Authorizing Formation of the CFD No. 2019-01 (Public Services).

2. Adopt a Resolution of the City Council of the City of Martinez Calling Special Landowner Election;

3. Adopt a Resolution of the City Council of the City of Martinez Declaring Results of Special Landowner Election and Directing Recording of Notice of Special Tax Lien; and

4. Waive Reading and Introduce an Ordinance Levying Special Taxes within the City of Martinez CFD No. 2019-01 (Public Services).

or

5. Find that due to the complexity of the proposed district and the need for public participation that the hearing being continued to a date no later than March 4, 2020.

[CFD Public Hearing Continuation Staff Report 11-20-19.docx](#)

## **CHIEF OF POLICE**

Chief of Police Comments/Updates

## **CITY MANAGER**

City Manager Comments/Updates

## **APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES**

### **CITY COUNCIL**

City Council Comments/Updates

### **ADJOURNMENT**

Adjourn to a Regular City Council Meeting on December 4, 2019 at 7:00 p.m. in the Council Chamber at 525 Henrietta Street, Martinez, California.

I hereby certify this City Council Agenda was posted on November 15, 2019.

Edgar Villanueva Jr., Deputy City Clerk

### **Information for the Public**

Any public record concerning an agenda item that is distributed to all or a majority of the City Council less than 72 hours before the meeting at which the item will be discussed or considered shall be available for inspection during normal business hours at the City Clerk's desk on the second floor of City Hall, 525 Henrietta Street, Martinez, California 94553, and in the public binder at the meeting.

All meetings are held in the Council Chambers, unless otherwise noted. Staff reports are available for review in the City Clerk's Office prior to the City Council Meeting and/or at the City Council Meeting; staff reports are available on the City's website at [www.cityofmartinez.org](http://www.cityofmartinez.org).

The Mayor accepts Public Comment on Agenda Items as they are discussed. Public Comment on items not on the Agenda can be addressed during the "Public Comment" portion of the meetings (kindly limit comments to 3 minutes on any one item). If you wish to be identified for the record, please state your name and present a Speaker Card to the Clerk.

The public is invited to attend Public Hearings and take the opportunity to speak. In accordance with Section 65009 of the California Government Code, anyone wishing to challenge action taken on any of these items in Court may be limited to raising only those issues he/she or someone else raised at the described Public Hearing or in written correspondence addressed and delivered to the City at or prior to the hearing.

"Motion for Reconsideration: A Councilmember voting with the majority on any item appearing on this agenda may move for reconsideration of that vote provided the motion is in conformance with the rules adopted by the Council governing such motions."

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (925) 372-3512. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.

**Note:** Regular City Council Meetings are held on the first and third Wednesdays of every month at 7:00 pm in the City Hall Council Chambers. City Council normally adjourns for a Summer Recess during the

month of August. Meetings are televised at 7:30pm on Friday following the Wednesday's meeting on: Comcast channel 28, U-Verse channel 99, and Wave channel 29.