



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
September 7, 2011**

TO: Mayor and City Council
FROM: Mitch Austin, Community Services Contract Manager
SUBJECT: Shell Settlement Funding Marina Projects
DATE: September 1, 2011

RECOMMENDATION:

Adopt a resolution authorizing expenditure appropriations in the amount of \$50,000 from the Shell settlement funding for relocating the Yuba City bus memorial, paving, security gate for the public dock used by the Sea Scouts and lighting and electrical upgrades of the fishing pier at the Martinez waterfront.

BACKGROUND

The City received \$50,000 from Equilon Enterprises LLC (parent company of Shell) in October 2008 as part of a settlement ordered by the Superior Court of California – County of Contra Costa, for a discharge of vacuum gas oil at the Martinez Refinery into marine waters in January 2006. The judgment specifies the settlement is to be used “for improvements or other purposes at the Martinez marina or waterfront.”

In March of 2010 the City Council reviewed three options shown below for allocation of these funds. The PRMCC recommended approval of Option #1 and the City Council approved this option. The facility that was going to house the CCDRE has since been re-allocated to another vendor.

Option #1 (Staff recommended)

1. \$28,000 for paving the gravel pathway leading to the pier approach (ADA and accessibility issue); see attached diagram
2. \$5,000 for completing wiring on west end of fishing pier (augments \$10,000 electrical support provided by Local 302)
3. \$11,000 for installation of 2 “sun shelters” with bench seats; see attached picture

Option #2 (proposed items are already targeted for Prop 84 grant funding)

1. Installation of perimeter security fencing at John Muir Amphitheater; or
2. Installation of wind and sun screens, and/or sound shell to enhance acoustics

Option #3

1. Delta Research Institute (initial support)

Option 1.2 has not been exercised because the matching support for the electrical upgrades did not come to fruition. Therefore the PRMCC Marina Subcommittee surveyed the waterfront again along with Public Works staff to provide the City Council with a revised recommendation for the use of the Shell Settlement Funds. The following recommendations in order of importance have been recommended for approval by the PRMCC and City Staff.

1. **Fishing Pier Lighting:** Improve lighting leading to the fishing pier and on the pier. Improvement of lighting will improve safety of use and help deter vandalism.
2. **Yuba City Bus Memorial:** Relocate memorial approximately 20' back onto the berm behind it and include an ADA accessible path to the memorial. The memorial is regularly inundated with water and does not have an accessible path to the monument. This is pending agreement with the Contra Costa Fire Department.
3. **Security Gate at Public Dock:** Install a security gate at the public dock which solely houses the Albatross, the Sea Scouts boat. Sea Scouts have had issues with the public particularly homeless wandering onto the boat. Installing a gate would allow the group to better secure the vessel and restrict access by the general public.
4. **Parking Lot Path:** Widen and re-pave walking path adjacent to the parking lot. The area is paved, but paving showing some wear and some areas are narrow and a bit uneven.

Below is the financial estimate for the improvements. If approved the improvements would be completed by spring of 2012.

FISCAL IMPACT:

No impact to the General Fund. The funding is reserved in a special settlement fund that the City established in 2006.

ACTION:

Motion to adopt a resolution authorizing expenditure appropriations in the amount of \$50,000 from the Shell settlement funding for relocating the Yuba City bus memorial, paving, security gate for the public dock used by the Sea Scouts and lighting and electrical upgrades of the fishing pier at the Martinez waterfront.

Attachments: Waterfront Projects Diagram
Resolution

APPROVED BY:



City Manager

RESOLUTION NO. -11

AUTHORIZING EXPENDITURE APPROPRIATIONS IN THE AMOUNT OF \$50,000 FROM THE SHELL SETTLEMENT FUNDING FOR RELOCATING THE YUBA CITY BUS MEMORIAL, PAVING, SECURITY GATE FOR PUBLIC DOCK USED BY SEA SCOUTS, AND LIGHTING UPGRADES OF THE FISHING PIER AT THE MARTINEZ WATERFRONT

WHEREAS, in October 2008, the City received \$50,000 from Equilon Enterprises, LLC (the parent company of Shell) as part of a settlement ordered by the Superior Court of California - County of Contra Costa (hereinafter, the "Shell Settlement Funding"); and

WHEREAS, the judgment provides that the Shell Settlement Funding is to be used for improvements or other purposes at the Martinez marina or waterfront; and

WHEREAS, the City Council has received from the Parks, Recreation, Marina and Cultural Commission (PRMCC) recommendation for using a portion of the Shell Settlement Funding for relocating the bus memorial, paving, security gate for Sea Scouts dock, and electrical upgrades of the fishing pier at the Martinez waterfront; and

WHEREAS, staff estimates the cost of said improvements at the Martinez waterfront can be accomplished in an amount not to exceed \$50,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council allocates up to \$50,000 of the Shell Settlement Funding for funding marina and waterfront improvements.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City council of the City of Martinez at a Regular Meeting of said Council held on the 7th day of September, 2011, by the following vote:

AYES:
NOES:
ABSENT:

RICHARD G HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

Waterfront Projects Diagram

