

CALL TO ORDER-PLEDGE OF ALLEGIANCE - ROLL CALL

Mayor Schroder called the meeting to order at 7:00 p.m. with all members present.

PRESENTATION(S)/PROCLAMATION(S)

On motion of Mark Ross, Councilmember, seconded by Lara DeLaney, Vice Mayor, the council voted unanimously to add an urgency item honoring Raymond Fowler.

Proclamation honoring Raymond Fowler.

Mayor Schroder presented the proclamation to Mrs. Denise Fowler, in honor of her husband, Raymond Fowler, proclaiming June 6, 2006 "Raymond Fowler Day" in the City of Martinez. Ms. Fowler accepted the proclamation, commenting on how surprised and pleased her husband would have been.

Presentation of City Donations to Alhambra High School and College Park High School for annual Grad Night event. [M.Chandler/6.10.01&6.10.04]

Representatives from Alhambra High School and College Park High School were each presented with a \$500 donation toward Grad Night. They expressed appreciation for the City's support, and invited the public to their respective walkthroughs. Councilmember Kennedy noted that both grad nights could use any volunteers.

Presentation "Relay for Life in Martinez" by the American Cancer Society.

Emily Riggs, representing the American Cancer Society Greater Bay Area, discussed the "Relay for Life in Martinez," a 24-hour fundraising event that will be held on August 26 and 27 at Alhambra High School. Ms. Riggs stated that volunteers and participants are needed; she distributed brochures and bracelets. In response to a comment from Councilmember Kennedy, she noted that this will be a first time event for Martinez. Vice Mayor DeLaney asked, and Ms. Riggs confirmed that it is possible to sign up online at www.cancer.org.

Councilmember Wainwright asked about the deadline for signups, and she clarified that it is still possible to register, contrary to the deadline mentioned in the brochure. Councilmember Ross asked about "luminaries" referred to in the brochure, Ms. Riggs explained that it is another way to honor someone, in the form of a candle in a bag of sand.

Proclamation in proclaiming June 6th as "National Hunger Awareness Day."

Mayor Schroder read the Proclamation and presented it to representatives of the Food Banks of Contra Costa and Solano counties, in recognition of their service to the community. The representatives presented the Council with a "Faces of Hunger" Report on Martinez and

reviewed statistics for the area. They also noted that the Food Bank will be hosting a week of activities from June 5-9, in observance of hunger awareness.

Presentation on higher density residential developments.

Deputy Community Development Director Albert Lopez showed a PowerPoint presentation, beginning with definitions and traditional ways to measure density. He showed pictures of projects throughout Contra Costa County from lower to higher densities, and commented on parking challenges and solutions.

Vice Mayor DeLaney asked about 30' high buildings, specifically how many stories they had. Mr. Lopez said they are usually about 2 1/2 stories, including garage areas underneath.

Vice Mayor DeLaney asked about types of commercial uses in one of the projects shown, which Mr. Lopez discussed. Vice Mayor DeLaney confirmed with Mr. Lopez that most of the projects shown were in the 30-40' range.

Vice Mayor DeLaney also asked about live-work restrictions in one of the San Pablo projects. Mr. Lopez said he was not sure, but it would likely be for home occupation type uses, and it could be conditioned as such. Vice Mayor DeLaney said she thought that was a bit restrictive, although she acknowledged that was what the Council had decided for the live-work areas in the Downtown Specific Plan.

Vice Mayor DeLaney asked if any of the cities had oriented their projects toward ownership and owner-occupied units, as opposed to rental units. Mr. Lopez said such concepts could be promoted through the General Plan or Zoning Ordinance. He also commented on market considerations that affect whether a project is built for rental or ownership.

Vice Mayor DeLaney asked about affordable housing components; Mr. Lopez stated he did not research that aspect for this presentation.

Councilmember Kennedy asked, and Mr. Lopez confirmed that only two of the projects shown were rental, and the rest were ownership housing. She also asked whether density bonuses were given for any of the projects. Mr. Lopez said he did not know. Councilmember Kennedy noted that Metro Walk did have a first-time homebuyer component, which would require owner occupancy. She asked that staff not consider this presentation a substitute for the field trip that had been requested by the Council, since there are nearby smaller infill developments that would be more like what Martinez would likely have. She expressed appreciation for his report, but she also raised other questions for consideration.

Councilmember Wainwright commented on Mr. Lopez' reaction to the parking areas in some of the projects and asked what other way the parking could be handled. Mr. Lopez said as long as the market requires 2 spaces per unit, the type of configuration he showed is the reality for projects of that density, unless the buildings are built higher.

Councilmember Wainwright commented on the number of units per acre and the impacts that the layout and size of the streets can have on the appearance of a project. He asked what a project in the new Shoreline District might look like. Mr. Lopez said that wider streets contribute more parking, but would lower the number of units. He also noted that a pedestrian-oriented project could have narrower streets, better landscaping and more possibilities for open space within it. The actual type of project would also depend on the style of a particular developer.

Councilmember Ross asked if the courtyard concept is common. Mr. Lopez said it is not very common, but he especially liked the integration of the parking into the project, with the open space, courtyards on top of the parking. Councilmember Ross said he would like to see more information on that type of development.

Councilmember Kennedy commented on two projects in the City, one at the former Farmer's Market site and one at the old "Paul" site, both with garages in the back.

Councilmember Ross mentioned a new project in Richmond, near the Ikea, that he would also like to see the plans from.

Mayor Schroder agreed a field trip would be beneficial, without going too far from Martinez.

PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)

Mayor Schroder noted that the Special City Council meeting originally set for noon on Monday, June 12, would be rescheduled, hopefully for an evening.

Tim Platt noted that the examples given in the report by Mr. Lopez represented lower densities than what is proposed in the Downtown Specific Plan for Martinez. He asked whether most of the surrounding cities have lower allowable densities than is proposed. Mr. Lopez said most of the projects were within the range specified in the Downtown Plan. He acknowledged that projects at the higher end of the range are harder to find.

Bambi Barker asked if any studies have been done on the demographics of the downtown. Mayor Schroder said yes, and some of the information is included in the Downtown Specific Plan itself. Ms. Barker commented on her experience as a home health nurse, visiting many of the developments included in the presentation. She expressed concern that adequate visitor parking be included.

Dr. Robert Barker, resident and property owner, was concerned about how numbers are used in making presentations on high density housing, without giving a clear understanding of what they actually mean. He commented on unavoidable and irreparable impacts on the infrastructure of the City that will result, and urged the City to think carefully before selling out to the developers.

Mike Alford expressed concern that actual numbers have not been specified, in spite of all the discussion of high density. He was also worried about potential ghetto developments.

Paul Wilson asked when the EIR from the Shell incident on November 8 would be released. He mentioned that he received a letter from Municipal Audit Service (MAS) in Fresno and asked

who they are and who empowered them to require a business license from him, when he does not operate a business. He also asked where high density housing would be built and why.

Mayor Schroder clarified that no EIR was being prepared on the Shell incident, but a root cause analysis has been done, as well as some soils sampling. Police Chief Dave Cutaia said he would have to get the information from City Engineer Tim Tucker. Councilmember Ross added that the citizens committee working with Tim Tucker is close to completing its report.

Mayor Schroder acknowledged that the City had authorized MAS to do an audit of business licenses in the City, to ensure compliance by those doing business in the City. Those who received a letter that are not doing business just need to tell them that.

Sara Companes expressed support for new high density development, to revitalize the City. She felt confident that the quaint areas can survive while still making progress.

Mayor Schroder commented on a recent experience he had with a group of teenagers trying to decide what to do for the weekend, who concluded there is nothing for teens to do in the downtown. He thanked Ms. Companes for her comments.

Roger Goodwin recommended that the City put a play structure at the park area near the Amtrak Station.

Steve Young commented on the poor condition of Lafayette Street. Community Development Director Richard Pearson said he thought it was on the list for repairs for this year.

CONSENT CALENDAR

MOTION WAIVING READING OF TEXT OF ALL RESOLUTIONS AND ORDINANCES.

Councilmember Wainwright asked that Item 1 be pulled for discussion. Councilmember Kennedy said she had a comment on Item 4. Chief Cutaia said he would like to comment on Item 2.

1. *Motion approving City Council Minutes May 3, 2006. [M.Cabral]*

Councilmember Wainwright corrected the spelling of Robert Rayburn's name and John Hoffer's name in the minutes. He also questioned the accuracy of comments attributed to Mr. Hoffer that the building in question should be torn down. He corrected the spelling of the words "versus" and "since" as well as "Ms. Ross" to "Mr. Ross" on page 14.

Mayor Schroder said he thought Mr. Hoffer said he had not studied the building as closely as the other engineer, but had indicated he thought the building could be retrofitted and saved.

Councilmember Wainwright said that it was also stated several times at the meeting that the building had a retrofit and renovation to its facade at some time in the 1960s, which was actually not true. He felt the statements should be reflected in the minutes, since it speaks to the credibility of the analysis done by the applicant. Vice Mayor DeLaney said she thought the

minutes should also reflect that the applicant acknowledged they had not yet finished their studies of the building.

Councilmember Ross asked how much time was spent transcribing the verbatim section of the minutes, in response to a request by Councilmember Wainwright. The clerk said it took about 7 hours. The Council discussed the additional verbatim section and decided it should be added into the minutes.

2. [Motion rejecting claim\(s\) against the City by Maria Swoboda, #06-16. \[J.Catalano\]](#)

Chief Cutaia explained that the claim was related to a defective stretch of Interstate 680, which actually falls under the jurisdiction of the California Department of Transportation, even though it is within City limits.

3. [Motion approving Check Reconciliation Register dated 05/18/06, 05/22/06, and 05/25/06. \[C.Heater/2.1.0\]](#)

4. [Motion supporting Senator Torlakson's Bill, SB521, establishing a countywide Housing Trust Fund funding method with a \\$1 per page document recording fee \(Councilmember Kennedy\). \[41.01.01\]](#)

Councilmember Kennedy explained her request that the Council consider supporting this bill, which will contribute to funding for affordable housing projects, including formation of a representative citizens' authority to designate how the funds will be used.

Vice Mayor DeLaney asked the status of the bill. Councilmember Kennedy said she thought it would be going to a vote soon. Councilmember Ross noted it was now out of the Appropriations Committee and headed for a vote on the floor.

Councilmember Ross indicated he supported the bill as well, even though his real estate business would be affected. Vice Mayor DeLaney said she thought it was a creative financing measure and the cost would hardly be felt in the price of a home.

Mayor Schroder opened public comment on the Consent Calendar.

Regarding Item 4, Ann Mobley said she was opposed to the additional tax proposed by the Senate bill. She commented on the extent of the revisions made to the bill, and questioned the reference in the bill to the "necessity of a special statute." She asked the Council not to support the bill, as it would place an unfair burden on property owners.

Paul Wilson commented on the original purpose of the bill, to establish a transit village in every City with a train station or BART station. He was opposed to Senator Torlakson's bill, especially in view of the specific provisions of the bill applicable to Contra Costa County only. He urged the Council not to support the bill.

Mike Alford expressed concern about impacts on the people that live near transit places, if the bill is passed. He also objected to the narrow focus of the bill, and the effect on Martinez.

AnaMarie Avila-Farias urged the Council to approve Item #4, as a reasonable tool to help solve the critical regional housing crisis throughout Contra Costa County.

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

Councilmember Kennedy explained why Senator Torlakson had been asked by the members of the broad Contra Costa County community to present the bill as a special statute applicable to the county, noting that it is not a tax but a fee. She also discussed the evolution of the bill from its original purpose to its current form.

Councilmember Wainwright asked how much of the proposed fee would go directly to funding housing, and how much would be absorbed in the administration of the fund. Councilmember Kennedy clarified that the authority representatives would not be paid, but would be set up and operated similarly to the Housing Finance Committee, that allocates funds from the federal government. She indicated that the fees collected should go directly to funding housing, and in fact, would likely be leveraged with grants, etc. by as much as 8 times.

Councilmember Wainwright asked how long the Housing Trust Fund had been in existence, and Councilmember Kennedy noted that although Martinez and other cities in the county had already contributed money towards its establishment, the Fund itself had not been formed yet, because there has been no mechanism to collect or allocate funds. Councilmember Wainwright confirmed that passing the legislation would create the funding process. Councilmember Kennedy explained that there have also been contributions from private individuals and organizations.

Councilmember Wainwright said he would like a broader presentation to assess the merits and potential of the Housing Trust fund.

On motion of Lara DeLaney, Vice Mayor, seconded by Janet Kennedy, Councilmember, the Council voted unanimously to Motion approving Items 2-4.

It was moved by Councilmember Wainwright, that the Council postpone approval of the minutes of May 3, 2006, until the proposed amendments are added. Motion died for lack of second.

On motion of Lara DeLaney, Vice Mayor, seconded by Mark Ross, Councilmember, the Council voted to Approve City Council minutes of May 3, 2006, as amended by the inclusion of the verbatim section on the Hirahara presentation by the following vote: Bill Wainwright, Councilmember, No; Rest; Ayes.

Councilmember Wainwright noted that there were other changes he had recommended that were not incorporated.

Mayor Schroder asked Vice Mayor DeLaney for clarification on why Item #7, to discuss and consider a proposed bond measure, was carried forward from the last meeting. Vice Mayor DeLaney said the Council felt further discussion was warranted. Mayor Schroder said consideration of that item could come after the Specific Plan public hearing.

Item #12 taken out of order.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

12. *Consider possible creation of a Historic Preservation Standing Subcommittee and approval of Council appointments to the Subcommittee (Continued from the April 19th meeting). [M.Cabral/41.06.01]*

Mayor Schroder discussed the realization by Council and the Planning Commission that some type of process is needed for designation of historic structures. He also discussed his desire to include members of the public on the subcommittee, and mentioned some examples.

Mayor Schroder opened public comment.

Kristin Henderson expressed support for the subcommittee and the ordinance. She noted that there are tax incentives for people whose property is on the National Historic Registry. She also noted that historic preservation actually saves properties for the owners, as opposed to eminent domain, which takes it.

Paul Wilson agreed with the concept, suggesting that there should be several historic districts, especially since there's no going back once a structure has been torn down. He discussed the impact of "slumlords" that buy up rental properties and let them deteriorate. He said that code enforcement should act more promptly to prevent the deterioration. He commented on the fact that Martinez is one of the few cities left in Contra Costa that has a historic character to be preserved.

Mike Alford agreed that the owners should be held responsible for maintaining and improving their properties, rather than being allowed to tear them down. He noted that there are many long-time residents who should be consulted about the history, and creation of a historic preservation subcommittee is long overdue.

There being no further speaker, Mayor Schroder closed public comment.

Councilmember Wainwright clarified that this subcommittee will be a standing committee, since it will include members of the public.

Councilmember Ross noted that the committee could work with the Historic Overlay District in the Downtown Specific Plan and the Unreinforced Masonry Ordinance as well. He was in favor of the committee, and he indicated that financial and economic feasibility would be another consideration. He expressed confidence that the committee would not be used for the taking of property by eminent domain in the name of historic preservation.

Mayor Schroder recommended and the Council unanimously approved the creation of a Historic Preservation Subcommittee.

Mayor Schroder recommended and the Council unanimously approved appointment of himself and Councilmember Wainwright to serve on the subcommittee.

PUBLIC HEARING(S)

5. *Public hearing to consider the following: [R.Pearson/9.3.11]*

Community Development Director Richard Pearson presented a staff report, beginning with background information on the process, including community meetings, public hearings, and Planning Commission recommendations and changes. He also reviewed corrections made in response to comments from Councilmember Wainwright and Vice Mayor DeLaney. He briefly discussed the addendum to the environmental impact report (EIR) that summarizes changes to the Plan that do not change the impacts.

Vice Mayor DeLaney asked for clarification on the number of housing units. Mr. Pearson reviewed the actual proposed - 25 single family, 586 multiple family and 93 townhomes, totaling 694, which is fewer than was analyzed in the EIR.

Vice Mayor DeLaney asked if it would be possible to tell how many of those units would require a subdivision map. Mr. Pearson said it would depend on whether the properties were in the Downtown Shoreline District or the Downtown Core District. He indicated he could provide the information at a later time. Vice Mayor DeLaney asked if there was a letter from the school district discussing the impacts of adding 694 housing units. Mr. Pearson said he believed it was discussed in the EIR.

Vice Mayor DeLaney asked for confirmation that the Downtown Overlay District currently allows up to 35 units per acre. Mr. Pearson said that would be the maximum allowed under R-1.5 zoning, combined with the Downtown Overlay District. Vice Mayor DeLaney noted that there is no proposed increase in density for that particular type of property. Mr. Pearson agreed.

Vice Mayor DeLaney also asked for clarification on the maximum number of units allowed in the Grandview District, since there seemed to be conflicting information. Regarding the Downtown Core summary table, she questioned whether there would be residential uses north of Marina Vista. Mr. Pearson explained that the table refers to areas where the zoning is changing, and the current Central Commercial zoning, Professional Administrative zoning, and Service Commercial zoning all allow for residential uses, up to 29 units per acre. Vice Mayor DeLaney asked whether residential should be listed in the table. Mr. Pearson said it might be possible to rename the districts to more accurately reflect the permitted uses.

Vice Mayor DeLaney asked why the General Plan is being amended for the entire City, rather than just the downtown area. Mr. Pearson said the 29 units per acre are currently allowed in various areas of town, which shows a discrepancy between the current zoning ordinance and the Citywide General Plan. Assistant City Attorney Veronica Nebb suggested alternative language that would make the General Plan changes only applicable in Specific or Area Plan areas that have that zoning.

Councilmember Wainwright asked where the 43 units per acre densities would be allowed. Mr. Pearson said it would only apply in the Downtown Core area, where the proposed density range would be 29-43.

Regarding the earlier question about the school district, Mr. Pearson said the information in the EIR was based on a letter from Dan White to LSA Associates, in 2003.

Councilmember Kennedy asked about permitted uses in the Downtown Shoreline District since neither retail nor mixed use developments were discussed in the text. Mr. Pearson said it was proposed as a purely residential district. The area north of the tracks had been proposed for a wide range of uses.

Councilmember Kennedy noted that coin-operated laundries were listed. Mr. Pearson said it should be struck. Councilmember Wainwright said it was allowed with a conditional use permit. Councilmember Kennedy questioned how live-work uses would fit. Vice Mayor DeLaney also asked about light industrial uses, which were listed as permitted.

Councilmember Kennedy asked whether the work of the Flood Committee should be included on page 16-1, under Implementation. Mr. Pearson said the section was focused on the downtown area, and no additional flood control measures were proposed for the downtown.

The Council recessed at 9:23 p.m. and reconvened at 9:38 p.m.

Mayor Schroder opened the public hearing.

Mike Alford commented on the confusing answers given regarding the densities and zone changes. He also expressed concern about the amount of Section 8 housing already in the City, and suggested a study be done on the amount of crime that results.

Paul Wilson asked for clarification on how much of the City will be changed to R-2.5 General Plan designation. He commented on the confusion and inconsistency as to what areas will be rezoned, and warned that the Downtown Specific Plan itself could be subject to a referendum if the people don't like the outcome. He also asked where the Central Martinez Specific Plan area was, saying residents should have been notified that the densities are being changed.

Mayor Schroder asked for clarification from staff that no properties in the Talbart area were being rezoned, but that owners would be free to individually request a zone change later. Mr. Pearson said yes, but the City is proposing a change to the allowable densities in the Specific Plan, which will allow property owners to apply for zoning changes, subject to Planning Commission review on a case-by-case basis.

Councilmember Wainwright asked if that provision was unique to the Downtown Specific Plan area, or if it was applicable in other areas. Mr. Pearson said anywhere a range of densities is allowed, a property owner can request a zone change to a higher number of units. Councilmember Wainwright asked why include it in this plan. Mr. Pearson said it was included to be open and honest about what is possible for the area, under the new Specific Plan.

Vice Mayor DeLaney clarified that the existing Downtown Overlay District already allows that density in some parts of the downtown, and no further increases are proposed.

Kristen Henderson asked whether the base district or the overlay district regulations would have priority. Mr. Pearson explained that sometimes an overlay district adds design review guidelines, and sometimes it adds a layer of regulations. She indicated that she may be pursuing a lawsuit regarding the loss of protection for historic resources in the City.

Mr. Barker reiterated his previous remarks about the difficulty in understanding the impacts of the numbers that are being mentioned, particularly the impacts on the infrastructure of the City. He suggested more study should be done. He also asked how the extra density will benefit the City and how will the extra services be paid for.

Mayor Schroder discussed economic studies that have been done on the economics of the downtown. He stated that adding more housing is one tool in the revitalization process. Mr. Barker asked what guarantees the City has that additional housing will improve the economic situation. Mayor Schroder acknowledged there are no guarantees, but studies have been done that indicate it should help. Mr. Barker commented on the adversarial position the Council seems to have taken in favor of redevelopment and increased density, when the people in the community don't want it. He urged the Council to start listening and responding to the public.

Bob Bruskett expressed concern about the character and esthetics of the neighborhood in the downtown, as well as the fact that the desires of the people were not given greater consideration by the consultant. Vice Mayor DeLaney said protection of the character of the neighborhoods is included in the Plan.

Tim Platt referred to a 6-page letter he sent to the Council on the community's suggestions for the downtown, as well as areas of the plan he felt should be changed. He commented on the community's desire for 350-400 more housing units, moderate in density and height, and family-oriented. He noted that what is proposed by the Specific Plan is much greater density and height which are out of character for Martinez. He also discussed the impacts on the City as a whole from increased development. He suggested that the Council deal with the area north of the tracks now, respecting the community's will, rather than postponing the decision until later, and he discussed why housing would not work in that area. He urged the Council again to consider traffic, parking, density and height issues carefully, and lead in the direction the community supports.

Roger Goodwin commented on the extensive studies that have been done, and the need for the City to continue to grow and progress. He said he felt most of the community does support the direction that is proposed. He expressed appreciation for the Council's efforts to consider all the input given.

Nancy Rowe discussed changes made to Pleasant Hill and the loss of the historic character there. She questioned whether those that would live in high-density development will have much time or money to spend in Martinez. She agreed with Mr. Platt that the consultant did not listen to the people.

Nancy Flynn expressed appreciation for and agreement with Tim Platt's comments, especially about the direction the Council should take.

Maury Huguet noted that the Planning Commission had unanimously recommended various possible uses for the area north of the tracks. He clarified that since it was removed from the Plan by the Council, it would not be changed through a "secret" process, but would be subject to the same review that any other development project undergoes, including public hearings and environmental review. He complimented the Council, staff and the consultants for their patience, consideration and due diligence through the process. He expressed confidence that the Council would continue to seek quality projects to contribute to revitalization of the downtown. He specifically commented on the analysis that had been done in the EIR of traffic, police, utility and school district impacts.

Mayor Schroder read a letter from Dana Guzzetti, expressing agreement with the letter from Mr. Platt.

There being no further speakers, Mayor Schroder closed the public hearing.

A) *Consideration of the certified Environmental Impact Report for the Downtown Specific Plan and related actions.*

Councilmember Wainwright commented on the various districts in the Plan area, questioning whether there should be more distinction between the densities of the districts, in view of the differing infrastructure needs. He was particularly concerned about the density of the Shoreline District. Mr. Pearson discussed the potential densities for the area. Councilmember Wainwright was concerned that the infrastructure needed would take too much area, resulting in tight, congested development. Mr. Pearson said he did not think the infrastructure improvements would take that much space, noting that condominium or townhouse developments have different roadway designs than traditional single-family homes. Councilmember Wainwright asked, and Mr. Pearson confirmed that consideration was given to emergency access needs. Councilmember Kennedy clarified that the reason for a range of units (17-35) allows for provision of emergency access and public spaces as well. Mr. Pearson discussed his vision for the area – extending Alhambra Avenue along the creek, with the area next to the creek open to the public, and all development west of the street extension.

Vice Mayor DeLaney noted that the open space and infrastructure section of the Plan discusses studies done to assess the need and ability of the current infrastructure. She asked whether the police staff would need to be increased based on the increased development. Mr. Pearson said the EIR assessment was that additional police service would not be necessary.

Vice Mayor DeLaney asked if there were any other overlay districts in the downtown that would increase the densities beyond what is discussed in the Plan. Mr. Pearson said no. Vice Mayor DeLaney confirmed that the EIR considered the allowable development under the current standards, as well as that for the opportunity sites in the Downtown Specific Plan area.

Mr. Pearson agreed that the EIR analyzes the impacts of additional development that is "likely to occur" as opposed to the maximum possible.

Mr. Platt asked to clarify his comments, and Mayor Schroder said it was not possible, since public comment was over.

Councilmember Wainwright said he thought Mr. Platt should be given the opportunity, since he felt he was being misquoted. Mayor Schroder said it was time for Council discussion, not more public comment.

Councilmember Wainwright asked if the Downtown Overlay District covers the Downtown Shoreline District at all. Mr. Pearson said that is what is proposed. Councilmember Wainwright clarified the boundaries of the districts. He questioned the proposed densities, and Mr. Pearson explained that the Downtown Shoreline District is proposed to be in a density range from 17-35. He clarified that while the Downtown Shoreline District is not proposed to be in the Downtown Overlay District, it is intended to have an equivalent density range. He confirmed that the maximum density for the Downtown Shoreline would be 35 units.

Councilmember Wainwright asked about the possibility of a theatre use in the Shoreline District. Mr. Pearson said it was taken out when nonresidential uses were removed.

Councilmember Wainwright suggested new wording for the first paragraph of Chapter 22.23 of the new zoning code, regarding the Downtown Shoreline District, "Purpose: the standards and guidelines for this district are intended to protect and enhance the environmentally-sensitive areas of the shoreline, *and respect and complement the largely single-family home neighborhood immediately to the south, ...*" He explained that there would then be a buffer between the two types of uses.

Mayor Schroder asked, and Assistant City Attorney Veronica Nebb agreed it might be best for the Council to vote on the item first, and then add whatever amendments that are suggested and agreed on by consensus of the Council. Ms. Nebb also suggested discussing and voting on each item (A, B, C, and D) separately.

Vice Mayor DeLaney mentioned needed corrections to the number of housing units, as well as the date the Plan was certified by the Planning Commission.

On motion of Lara DeLaney, Vice Mayor, seconded by Janet Kennedy, Councilmember, the Council voted unanimously to direct staff to prepare a resolution related to findings to the certified Environmental Impact Report and addendum subject to corrections that staff has identified.

Councilmember Wainwright said that changes he had proposed regarding the importance of quality of life considerations were not included on page 3 of the EIR Addendum. He specifically requested that "quality of life for Martinez residents" be added to the first bullet under text changes for Chapter 1. The Council agreed by consensus to make the addition.

Councilmember Kennedy noted that the first page and first sentence of the addendum referred to the "Final Environment Impact Report" and should actually read, "Final Environmental Impact Report."

Councilmember Wainwright expressed concern that elements related to Transportation that were moved from the appendix to the body of the Specific Plan (Chapter 13) could have substantial impacts on the EIR.

Mr. Pearson said the ferry service is already in the City's General Plan as part of the Circulation Element in 1992, and a full EIR was done on the Intermodal project in 1994, which included ferry service and the ferry terminal. He noted that the overpass has been a consideration in various plans, but no environmental review has been done as yet. If a project is ever proposed that includes an overpass, full environmental review will need to be done. Councilmember Wainwright confirmed that that information was included in the EIR and the Plan.

Vice Mayor DeLaney corrected some of the section titles to say "Area" rather than "District."

There were no other amendments proposed to the EIR Addendum.

- B) *Consideration and possible action relating to text and map amendments to the Martinez General Plan (including the Central Martinez Specific Area Plan) related to the proposed Downtown Specific Plan.*

On motion of Janet Kennedy, Councilmember, seconded by Lara DeLaney, Vice Mayor, the council voted unanimously to direct staff to prepare a resolution relating to text and map amendments to the Martinez General Plan (including the Central Martinez Specific Area Plan) related to the proposed Downtown Specific Plan with amendments.

Vice Mayor DeLaney suggested an amendment to the language of the General Plan, "The primary purpose is provision for ~~condominium and apartment types~~ of housing accommodations to serve the needs of single persons, smaller households, small families, senior citizens and childless households..." Councilmember Wainwright questioned the description of the types of households, and Vice Mayor DeLaney suggested instead "to serve the needs of Martinez residents..." The Council agreed by consensus.

Vice Mayor DeLaney suggested striking "high-density" from the first sentence, and say "residential development of up to 43 dwelling units per gross acre should be permitted in appropriate areas close to shopping, transportation and other public services." Mr. Pearson noted that the Planning Commission had recommended the density of up to 43 units be applicable only to the downtown area, with the balance of the City being only up to 29 units. The Council agreed by consensus. Ms. Nebb clarified that the density change then would only apply to the Specific Plan area.

Vice Mayor DeLaney indicated that the maximum units per acre in the Grandview area needs to be clarified, whether it is 12 or 17. Mr. Pearson said the Planning Commission recommendation is for 17, but it may not be consistent with the General Plan range of 6-12 units. He recommended the General Plan be amended to match the Specific Plan, with a range of 6-17 units. The Council agreed by consensus.

- C) *Consideration and possible action relating to the final adoption of the proposed Downtown Specific Plan.*

On motion of Janet Kennedy, Councilmember, seconded by Lara DeLaney, Vice Mayor, the Council voted unanimously to direct staff to develop the resolutions and bring them back for

Council consideration on the Downtown Specific Plan as recommended by the Planning Commission on April 26, 2006; subject to amendments made by the Council.

Councilmember Wainwright suggested an in-lieu fee of 1 1/2 times the cost of a parking space in a parking structure, for conversion of nonresidential uses into residential, in the Downtown Core District. Mr. Pearson said the Planning Commission had recommended that the City consider an ordinance setting that fee. Ms. Nebb agreed that an analysis should be done before setting the fee, to be sure that State law is met. She indicated that a policy or a program could be added to the Specific Plan that says "Consider establishing an in-lieu fee program for parking waivers related to parking in the Downtown Specific Plan Area."

Vice Mayor DeLaney and Mr. Pearson noted that there was a provision already in the Plan. Councilmember Wainwright wanted stronger wording.

Councilmember Kennedy asked for clarification on the wording on page 12-1, where it says "nor an in-lieu fee." Mr. Pearson explained that was a statement of how things are currently.

In response to a question from Mayor Schroder, Mr. Pearson explained that the Planning Commission wanted to encourage the conversion of some upper floors in downtown buildings to housing use, with a waiver of any parking requirements. In addition, an in-lieu parking fee was proposed for when a new building is proposed, without including parking. He suggested that the Specific Plan should just mention consideration of the fee establishment without specifying the parameters at this time. Ms. Nebb agreed it would not typically be part of a specific plan, but usually is part of the Zoning ordinance.

Mr. Pearson referred to page 2-7, policy P-1.5, as an example of the wording. Ms. Nebb said the other two references could cite that policy also. Councilmember Wainwright suggested that p. 4-7 say, "~~and~~ or require the payment of in-lieu fees" and similar wording on p. 12-1.

Councilmember Wainwright suggested that the Grandview district include a requirement of 2 new parking spaces (rather than 1.5) for every new residential unit constructed. Mr. Pearson noted that for the Grandview area, parking requirements depend on the zoning of the property; single-family requires two spaces. Ms. Nebb also commented on recent State law related to affordable housing and limits to parking requirements.

Councilmember Wainwright suggested that the Downtown Shoreline District include a requirement for adequate on-street parking for visitors. Mr. Pearson said the current statement is for two spaces per unit plus an additional 1/4 space for visitors. Councilmember Wainwright said that was acceptable to him.

Councilmember Wainwright suggested that the Plan include a requirement for all new units in the Downtown Specific Plan area pay an affordable housing trust fund fee of \$x per 1000 square feet. Councilmember Kennedy said she thought that would be similar to the parking in-lieu fee and would need to be set apart from the Specific Plan. Councilmember Wainwright asked if it could be included as a principle. Mr. Pearson agreed it could be done similarly.

Vice Mayor DeLaney suggested it be included under Housing Goals and Policies on page 2-4, but questioned how detailed it should be. Ms. Nebb suggested, "Consider the adoption of an affordable housing program ordinance applicable to the Specific Plan Area.

After further questions and comments from the Council, Ms. Nebb discussed possible legal ways that an affordable housing fee could be structured - either as a mitigation fee, for which a nexus study would be necessary; or an inclusionary ordinance that requires a portion of all new housing be affordable (with or without an in-lieu fee). She indicated that a policy could be included in the Plan, such as "Consider the adoption of an affordable housing ordinance for all new construction in the Specific Plan area." The Council agreed by consensus.

Councilmember Wainwright suggested that heights in the Downtown Shoreline district transition areas be lower than in the rest of the district. Vice Mayor DeLaney noted that page 9-4 already establishes that.

Councilmember Wainwright suggested a similar provision in terms of density in the Downtown Shoreline district. The rest of the Council was not supportive. Vice Mayor DeLaney noted there were criteria that must be met in order to get the higher density projects. After further discussion, Mr. Pearson indicated an additional criterion could be added to address density issues, although he acknowledged that it is really a site design issue.

Mayor Schroder asked, and the Assistant City Attorney agreed the Council could pause the discussion of this item and go on to other items on the agenda, then come back to this one if the Council desires.

D) *Consideration and possible action relating to text and map amendments to the Martinez Zoning Ordinance to add three new zoning districts: Downtown Shoreline; Civic; and Historic Overlay.*

Continue items C and D to an Adjourned Regular Meeting on Wednesday, June 14, 2006 at 6:00 p.m.

CITY COUNCIL

6. *Railroad Quiet Zones Update. [T.Tucker/6.7.6&10.17.00]*

Item continued to next meeting.

7. *Discuss and consider proposed bond measure. [J.Tool/40.20.00]*

Councilmember Ross returned to the meeting.

Deputy Director of Parks and Recreation Joann Tool introduced the item, discussing timing and financial considerations to get the bond on the ballot in November, including possible special meetings of the Council.

Mayor Schroder asked what was discussed at the last meeting, in terms of uses for the bond. Vice Mayor DeLaney said the previous bond measure was essentially an infrastructure bond,

including improvements for the library, pool, marina, park, and paving. She felt that the Council should decide which projects to keep and whether additional projects should be added. She said there was general support among the Council at the last meeting. Mayor Schroder agreed another bond measure should be considered.

The Council agreed by consensus to discuss the item at this meeting, even though it was past 10:30 p.m.

Councilmember Ross expressed support for the concept, although he commented on the need to consider the results of bond measures in the recent election. He cautioned against making a decision on the item at such a late hour.

Police Chief Dave Cutaia noted that staff was primarily looking for direction from Council whether to research the matter further. Councilmember Wainwright expressed concern that not making a decision at this meeting might not allow adequate time to sufficiently research and prepare a measure that could pass.

Mayor Schroder opened public comment.

Roger Goodwin expressed support for the Council moving forward with further research on the issue.

Paul Wilson commented on the survey that was done prior to the last bond measure, to gain public consensus on what should be included. He questioned whether there would be enough public support, but asked the Council to consult the public on their desires.

Mike Alford said he wasn't sure whether the public would want to have more consultants hired and more studies done, in that answers have not been forthcoming from past studies. He commented on the patience that the public has shown over the last 6 years watching the Council's treatment of City issues.

There being no further speakers, Mayor Schroder closed public comment.

On motion of Lara DeLaney, Vice Mayor, seconded by Janet Kennedy, Councilmember, to direct staff to move forward with bond counsel and perhaps schedule a special meeting by the following vote: Bill Wainwright, Councilmember, No; Rest; Ayes.

8. *City Council Comments.*

No comments made.

CITY MANAGER

Mayor Schroder asked the Council for consensus on whether to continue the remaining items, due to the lateness of the hour.

9. *Marina Agreement Progress Report (standing).*

No progress report given.

Assistant City Attorney Veronica Nebb asked on what date the Council wanted to schedule the special meeting for the Marina agreement.

Mayor Schroder commented on the upcoming DBAW deadline. After brief discussion, a tentative meeting was set for Saturday, June 17, no earlier than 10:00 a.m.

10. *Redevelopment Financial Feasibility Study Progress Report (standing).*

No report given.

11. *Comment(s)/Update(s)/Report(s).*

No comments made.

ADJOURNMENT

Adjourned in memory of Rose Sparacino, at 12:10 p.m. to an Adjourned Regular Meeting on Wednesday, June 14th at 6:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez CA 94553.

Approved by the City Council,

Rob Schroder, Mayor
Mercy G. Cabral, Deputy City Clerk – 7/19/06