

CALL TO ORDER

The meeting was called to order at 7:05 p.m. with Councilmembers DeLaney, Menesini, Ross, and Vice Mayor Kennedy present. Mayor Schroder was excused.

PRESENTATION(S)/PROCLAMATION(S)

Presentation by Kaiser Permanente. [06.03.01]

Ronald A. Wetter, Community Relations Manager for Kaiser Permanente directed the presentation. He reviewed the boundaries of the Diablo Service Area, and introduced Dana Simenson, Assistant Medical Group Administrator. Mr. Wetter discussed proposed changes to the medical services at the Kaiser Martinez Facility and other facilities in Contra Costa County, noting that 80% of the members currently served will not be affected by the changes. He also discussed the rationale for the changes, in order that Kaiser's resources will be deployed to maximum benefit for all concerned. He reviewed which services will remain in Martinez, as well as the primary services that will be moving from the Martinez Facility to Antioch or Walnut Creek (Orthopedics, Ophthalmology, Podiatry, minor injury clinic, general surgery physicians and staff, overnight hospital stays and neurology). He noted that Kaiser's labor organizations had given input as well to ensure that the needs of the employees were considered as well. He addressed concerns from the public regarding changes to the blood draw and analysis facilities and parking/driving challenges.

Councilmember Menesini commented that Kaiser has been a part of the Martinez community for a long time, and Martinez and Walnut Creek have contributed to Kaiser's growth as well. He questioned whether the population growth in the east County could really be considered a population shift, and Mr. Wetter agreed. Councilmember Menesini encouraged Kaiser to consider the large population in the central County that will still need Kaiser services in the future.

Councilmember DeLaney expressed concern whether potential growth in the central County area (such as at the Concord Naval Weapons Station) had been considered. She also questioned the necessity of moving some services from Martinez to Walnut Creek. Mr. Wetter noted that other new services might be shifted to Martinez in the future, after the initial shift to Walnut Creek. He acknowledged that the potential population growth in Concord should be considered by the planning team as well.

Councilmember Ross acknowledged the difficult challenges faced by Kaiser, although he noted that governments must necessarily be concerned with the health of the citizenry also. He commented on the accommodation and resources made by the community to facilitate the medical venue for Kaiser (and its predecessor).

Vice Mayor Kennedy opened public comment on the item.

Val Chappel asked whether some of the services could be timeshared between locations. She was concerned about the moving of the minor injury and illness office. She noted that the population is also increasing in the central County.

Kelan Dennis, Kaiser employee, commented on the large senior citizen community served by Martinez Kaiser, and their need for continued medical care.

Ted Radke presented a petition collected by the senior center. He noted that he has been a Kaiser member since 1971, and that 2/3 of the East Bay Regional Park District employees are also Kaiser members. He expressed concern about the lack of information given thus far and asked that any decision be delayed until Kaiser members served in Martinez can be surveyed. He discussed current difficulties with parking and transit to/from Walnut Creek facility, questioning whether Antioch facility would be accessible for Martinez residents. He asked that Kaiser listen to their employees, patients and the community at large. He submitted a letter which he read for the record.

Jerry Telles, retired county employee and Kaiser health plan member, spoke on behalf of other retirees. He listed several objections to the proposed clinic closure, including traffic impacts to highway 4, and the fact that Kaiser's motto (providing service) is not reflected in the proposed changes. He noted that 30-40% of Kaiser members are retirees, who obviously were not considered in the planning.

Ann Scott asked Kaiser to remember that Martinez is a union town, which has supported Kaiser for many years.

Jose Luis Preciado questioned how accessible Antioch or Walnut Creek Kaiser will be to residents of Martinez who do not drive.

Mike Alford commented on traffic problems with Highway 4 and Walnut Creek, hardship on seniors in the community who have supported Kaiser over the years, and Kaiser's focus on the financial bottom line.

Jerri Williams expressed concern about future cuts in service, once the precedent has been set.

Dick Hay asked that the minor injury clinic stay in Martinez, since there is no emergency room.

Joan Navarro-Prentice, Kaiser employee, commented on the gradual closing of each of the departments at Martinez Kaiser.

Barbara Morrow questioned Kaiser's basis for the statistics and data quoted. She also noted that ABAG projections show that the population for this part of the county will have more seniors than the east County.

Harriett Burt agreed that the demographic information was too narrowly focused, noting that the increasing senior population is everywhere. She noted that the inconvenience of using the Walnut Creek facility will reduce necessary preventive care. She also commented on negative health impacts to the members as a result of moving services further away, and she added that the minor illness and injury clinic would be vital should there be an outbreak of bird flu.

Gayle Garrison, Pleasant Hill resident, commented on the convenience of the Martinez facility as opposed to the Walnut Creek one. As many services as possible should be kept in Martinez

Roger Goodwin agreed that potential population increases justify keeping services here. He also noted that shifting employees will have further traffic and parking problems, and he expressed concern about impacts from a major disaster.

Bob Frazier asked what the residents and Council can do if the decisions have already been made.

Gina Garski commented on the need for continued care for senior members, and she asked whether Kaiser is proposing the changes to lessen the number of Kaiser members who use the services offered.

Barbara Barry noted that Kaiser's philosophy has been, "follow the babies", but they should not forget the seniors either.

An unidentified speaker, a Kaiser employee, expressed appreciation for the support from the public. He suggested that Walnut Creek would be a better place to make cuts, since Walnut Creek has fewer Kaiser patients than Martinez does.

Senior no further speakers, Vice Mayor Kennedy closed public discussion and allowed Mr. Wetter to answer any concerns.

Mr. Wetter thanked the audience for their comments and valid points made. He noted that Kaiser is fully committed to staying in Martinez. He indicated willingness to sit down and discuss the issues with members of City staff, and he noted that the issues raised would be passed on to the planning committee. He also acknowledged the public for their support of Kaiser over the years.

Councilmember Ross requested a group made up of two members of the Council and two members of the community be appointed to sit down with Kaiser's leadership team to go over these plans and to discuss the covenant between Kaiser and the community.

Councilmember Menesini requested that a copy of the minutes from tonight's presentation be sent to Kaiser.

Councilmember DeLaney asked for clarification on the decision-making process, which Mr. Wetter reviewed.

Councilmember Menesini also requested that 1) a resolution be placed on the next Council agenda supporting the continued full operation of the Martinez Kaiser Facility, 2) this item be proposed for consideration for the Mayor's Conference to support; and that 3) letters be sent to special districts, Contra Costa Water District, Central Sanitary District, EBRPD, requesting that they join with us in addressing this issue. Councilmember Menesini further requested that letters of concern be sent to Assemblyman Mark DeSaulnier and Senator Tom Torlakson addressing Kaiser's State hospital operating license with regards to the new hospital in Antioch.

Councilmember Ross asked that Mr. Wetter also convey to Kaiser the City's strong desire for them to continue to work in Martinez. Mr. Wetter agreed to provide more information on the State licensing process.

The Council recessed briefly.

PUBLIC COMMENT (COMPLETE SPEAKER CARD AND GIVE TO CLERK)

Thelma Everett commented on parking issues caused by Public Works Department employees parking on neighborhood streets. She asked that residential parking signs be placed. Vice Mayor Kennedy noted that perhaps the neighborhood could be considered for a residential parking program. Councilmember DeLaney suggested that the City County liaison subcommittee consider the issue as well, in an effort to be better neighbors.

Councilmember Menesini explained the residential parking permit program in greater detail, suggesting Ms. Everett contact City Engineer Tim Tucker.

Mike Alford thanked the Historical Society for helping to make the Sharkey Building an historic site. He also commented on homelessness in the City. At the request of Vice Mayor Kennedy, Chief Cutaia discussed police response to homeless encampments. Mr. Alford questioned the statistics reported for homeless counts, suggesting the numbers have been inflated to qualify for federal assistance.

Ken Kaine expressed his appreciation to the Council for their stand on Kaiser. He also expressed his concern about the possibility of the Council creating a redevelopment agency, in spite of public opposition. He suggested that other solutions could be found to revitalize the City. He also discussed the effects of redevelopment on other cities, making comparisons with those that have not used redevelopment.

CONSENT CALENDAR

1. *Motion approving City Council Minutes of January 16, January 17, January 19, January 24, and January 31, 2007. [M.Cabral]*
2. *Motion rejecting claim(s) against the City by Ninette Stevens, #06-41. [M.Cabral]*
3. *Motion approving Check Reconciliation Register(s) dated 01/11/07, 01/18/07, and 01/25/07. [C.Heater/2.1.0]*
4. *Motion adopting Ordinance 1333 C.S. amending designated chapters of Title 2, Administration and Personnel, of the Martinez Municipal Code to conform to current practice with respect to City Manager appointment of department heads. [D.Blubaugh/04.01.00&43.02.00]*
6. *Motion adopting Capital Improvement Program Policy. [02.14.00]*
7. *Resolution No. 006-07 approving revised Standard Trench Backfill Detail and Utility Trench Master Permit Conditions. [T.Tucker/10.01.00&12.19.01]*

8. *Resolution No. 007-07 decertifying Public Employees Union, Local One as the Majority Representative for Miscellaneous Employees of the City of Martinez, as provided for in the Employer-Employee Relations Rules and Regulations, Resolution No. 43-71, Section 3(B)(2) and Resolution No. 42-71, Section 11(A)(2). [L.Marshall/04.05.00]*
9. *Resolution No. 008-07 approving an agreement with Contra Costa County for right-of-way oversight activities related to Phase 3 of the Intermodal Project. [R.Pearson/06.01.10&06.07.00]*

There was no public comment on Items #1-4 and #6-9.
Item #5 was pulled for discussion.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember to Approve Items 1-4 and 6-9 of the Consent Calendar. Motion unanimously passed 4 - 0.

5. *Motion adopting Ordinance 1334 C.S. Repealing Ordinance No. 1311 C.S. Determining and Declaring the Need for a Redevelopment Agency. [J.Walter/23.01.00]*

Councilmember Ross noted that the proposed repeal of this ordinance was an example of the Council listening to the citizens, and that when a new ordinance is proposed it will not include the use of eminent domain.

Vice Mayor Kennedy opened public comment on the item.

Tim Platt expressed concern about the divisiveness of the issue. He acknowledged the need for improvement of the downtown, but he urged the Council to find a more unifying way to accomplish the revitalization, such as a Citywide bond issue. He cautioned the Council against passing another redevelopment ordinance before the one-year moratorium is complete. Councilmember Ross said the Council could pass another ordinance if it is substantially different from the earlier one. In response to a further question from Mr. Platt, Councilmember Ross noted it was a matter for further consideration and discussion by the Council, not to be decided tonight.

Mike Alford urged the Council to let the citizens vote on the issue. He cautioned them not to violate the law, and he was concerned about the loss of citizen rights that will result if a redevelopment agency is established.

Marlene Hass expressed concern about the possibility of eminent domain being used to take private property. She was not convinced that adequate protections could be written into the ordinance. Councilmember DeLaney commented that there are hundreds of redevelopment agencies in California that have successfully excluded the use of eminent domain. She also discussed other steps the Council has taken to bring as much economic vitality to the City as possible.

There being no further speakers, Vice Mayor Kennedy closed public comment.

Councilmember Ross added that the Council is listening to the majority of citizens who voted in favor of redevelopment in the earlier advisory vote, as well as listening to those who referended the redevelopment ordinance because of eminent domain concerns. He also noted that an earlier bond measure did not pass, and he discussed other options the Council has proposed. He further clarified that the Council currently has eminent domain powers already, by State law.

On motion by Mark Ross, Councilmember, seconded by Lara DeLaney, Councilmember adopting Ord. 1334 repealling. Motion unanimously passed 4 - 0.

PUBLIC HEARING(S)

10. *Public hearing to introduce an ordinance proposing zoning text amendments to the Martinez Municipal Code Chapter 22.12.240; Accessory Structures in R-Residential Zoning Districts and Chapter 22.12.085; Secondary Housing Units as Permitted Uses in R- Residential Zoning Districts. Proposed changes include: establishing a maximum single story height and 1,000 sq. ft. size limit for any one accessory structure, and a maximum total area limit for all accessory structures on a lot, and clarifications that the proposed new regulations will apply to those Secondary Housing Units built as Accessory Structures; and that exceptions to both Secondary Housing Unit and Accessory Structure size limitations may be permitted on a case-by-case basis subject to Use Permit approval. [C.Simon/09.04.04.02]*

Deputy Director of Community Development Albert Lopez presented the staff report, briefly discussing the background and need for the proposed text amendments.

Vice Mayor Kennedy asked whether the 1,000 s.f. limitation included garage area, and Mr. Lopez indicated that it did.

Councilmember Ross asked how the slope density overlay would apply. Mr. Lopez discussed State regulations that would require the City to allow a secondary unit by right if a primary residence is proposed. He noted, however, that the City could apply height restrictions to minimize view and privacy impacts.

Vice Mayor Kennedy opened and closed public comment with no speakers coming forward.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember to approve introduction of an ordinance proposing zoning text amendments to the Martinez Municipal Code Chapter 22.12.240; Accessory Structures in R-Residential Zoning Districts and Chapter 22.12.085; Secondary Housing Units as Permitted Uses in R- Residential Zoning Districts. Motion unanimously passed 4 - 0.

CITY COUNCIL

11. *Motion directing staff to research utilization of cameras for traffic signals enforcement. [D.Cutaia/04.08.13]*

Police Chief David Cutaia presented the staff report, discussing the broad use of such equipment in many cities, how the equipment works, cost considerations, the RFP process, and possible locations where the cameras could be installed.

Councilmember Menesini said he had helped implement such a program in San Francisco, which works very well and enhances public safety. Councilmember Ross mentioned one location in San Francisco where it seems to be successful.

Councilmember DeLaney asked what the timetable might be for implementation. Chief Cutaia said it should be possible to have the RFP out within a month.

Vice Mayor Kennedy opened public comment.

Mike Alford commented that it would be good to have similar equipment at the parks, to discourage illegal activity.

Roger Goodwin noted that some cities even put videos of the intersections online. He also asked whether additional intersections could be included beyond those mentioned by Chief Cutaia. Chief Cutaia said the bid process would allow those bidding to propose which intersections should be included.

On motion by Michael Menesini, Councilmember, seconded by Lara DeLaney, Councilmember to approve staff to research utilization of cameras for traffic signals enforcement. Motion unanimously passed 4 - 0.

12. *City Council Comments.*

Councilmember DeLaney announced that she has been appointed to the League of California's Cities' Environmental Quality Policy Committee. She gave a report on the first meeting on January 12, particularly mentioning things that the City can do to implement more environmentally-friendly policies.

Councilmember Ross said he would like to see a presentation on how the cities can reduce their greenhouse gases. He announced the Martinez Bike Criterium, Saturday, February 10th. He also announced that tonight is the 30th Spare the Air night, and the Air District will be discussing ways to reduce woodburning on nights like this.

Councilmember Menesini asked if it would be possible for the Police Department to use its GPS system to track children voluntarily carrying microchips. Chief Cutaia said it was likely, but the current system would need to be upgraded to include more than just roadways. He agreed to research the idea further. Chief Cutaia also noted that the City is able to track the locations of cellphone users making 9-1-1 calls.

Vice Mayor Kennedy announced the Bike Rodeo and Wellness program activities that will be held through the Martinez Celebrates Cycling event, and she indicated that volunteers are still needed. She also congratulated newly-appointed City Manager Don Blubaugh.

CITY MANAGER

13. *A. Resolution No. 009-07 adopting a Five Year Capital Improvement Program for fiscal years 2006/07 to 2010/11; and B. amending the current year budget. [T.Tucker/02.14.00]*

City Manager Don Blubaugh presented the staff report, noting that City Engineer Tim Tucker was available to answer questions.

Councilmember DeLaney expressed appreciation for the hard work and excellent report. The other Councilmembers echoed her comments.

Councilmember Menesini said the citizenry is anxious about the pavement management program. He expressed optimism that the program will be more aggressive in the future.

Councilmember DeLaney was grateful for the information about additional funding necessary to finish the pier removal.

There was no public comment on the item.

On motion by Lara DeLaney, Councilmember, seconded by Mark Ross, Councilmember to approve Resolution No. 009-07 adopting a Five Year Capital Improvement Program for fiscal years 2006/07 to 2010/11; and amending the current year budget.

Motion unanimously passed 4 - 0.

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

City Manager Don Blubaugh stated that he was happy to be here, and he appreciated the Council's confidence in him. He was optimistic about the possibilities for the future.

Councilmember Menesini commented on Mr. Blubaugh's experience and abilities that will greatly benefit the City.

APPOINTMENTS TO COMMISSIONS AND/OR AGENCIES

ADJOURNMENT

Adjourned at 9:41 p.m. to a Regular City Council Meeting on February 21, 2007, at 7:00 p.m. in the Council Chambers, 525 Henrietta Street, Martinez, California.

Approved by the City Council,

Janet Kennedy, Vice Mayor

Mercy G. Cabral, Deputy City Clerk – 2/21/07