

MAYOR RICHARD S. CLAIRE
VICE MAYOR JEFF IRA

MINUTES
1017 MIDDLEFIELD RD

COUNCIL MEMBER JIM HARTNETT
COUNCIL MEMBER DIANE HOWARD
COUNCIL MEMBER COLLEEN M. JORDAN
COUNCIL MEMBER BARBARA PIERCE
COUNCIL MEMBER IRA RUSKIN

REDWOOD CITY, CA

CITY COUNCIL
REGULAR MEETING
FEBRUARY 10, 2003
7:00 P.M.

The City Council Meeting and Redevelopment Agency Meeting were called to order simultaneously. The Redevelopment Agency Meeting began immediately following the Public Hearing (Section 10) of the Regular Agenda.

1. **CALL TO ORDER** – 7:01 p.m.

2. **ROLL CALL** -

Council Members Present: Hartnett, Howard, Jordan, Pierce, Ruskin, Vice Mayor Ira, Mayor Claire

Staff Present: City Manager Everett, Financial Services Director/Assistant City Manager Ponty, City Clerk Howe, City Attorney Yamamoto, Assistant City Attorney Brower, Deputy City Clerk Ponte, Administrative Secretary Dale, Administrative Clerk Ill Yoshida, Interim Community Development Services Director Liedstrand, Community Development Services Manager Patterson, Associate Planner Ekas, Principal Planner Jany, Downtown Manager Moeller, Planning and Redevelopment Manager Church, Community Development Services Manager Passanisi, Housing Coordinator Jones-Thomas, Housing Coordinator Jones-Thomas, Police Chief/Interim Fire Chief Bolanos, Volunteer Balsamo

3. **PLEDGE OF ALLEGIANCE** - Colleen Jordan, Council Member

4. **INVOCATION** - Dennis Logie, Pastor Sequoia Christian Church

5. **SPECIAL ORDERS OF THE DAY** –

- **Historic Restoration Certificates, presented by Kenneth Rolandelli, Chair of the Historic Resources Advisory Committee;**

6. ORAL COMMUNICATIONS

Robert Escobedo spoke of the incident of November 17, 2002 involving his brother and the Police Department where he believes excessive force was used and led to his death. He stated that he has e-mailed the City Manager and Police Chief, spoken to the Assistant to the City Manager and to date has not received a response. He further read an article from a local newspaper on the subject and questioned numerous policies of the Police Department pertaining to officer conduct. He read excerpts from a published response from City Manager Everett.

City Manager Everett stated that he had sent an e-mail response to Mr. Escobedo later in the day. He stated that although it does not compare to the Escobedo family's grief, the incident has stunned the Police Department and the City. As with the Escobedo's, the City wants the facts, is frustrated with the pace of the investigation and the Police Department has done everything possible up until this point on the internal investigation. The hope is that the findings will be released later in the week.

Council Member Ruskin stated his concern that there may be people in the community perceiving that Council is not concerned. He stated that at least on three occasions, he and Council have expressed condolences to Mr. Escobedo. He stated he had already responded to all questions in the recent e-mail. He further stated that he has spoken with members of the community that includes members of the minority community and many expressed their support for the Police Department. He stated that nothing can be done until the Coroner's report is released.

Carol Cross stated she is the Co-Chair of the Social Action Committee of the Unitarian Universalist Fellowship, the group spearheading the request that Council hold a hearing on opposing a war in Iraq. She stated that although she understands the sentiment of some that it is not a local issue, the truth is that if the Federal Government attacks Iraq, it will have a large impact at the local level. She stated that every dollar that comes out of our local pocket cannot be spent to enhance the quality of life in our community. She submitted approximately 600 signatures of those who oppose a war in Iraq and asked that the Council set a hearing to consider formally opposing the war.

Julia Bernd speaking in support of an anti-war resolution asked those present in the audience who support the resolution to raise their hands. She stated there are various philosophical reasons to oppose the war as well as practical issues. She further pointed out that starting an unnecessary pre-emptive war against another country is more likely to promote terrorism, fear and anger to arise, alienating many allies and take away energies toward identifying actual perpetrators of terrorist acts. At the local level, it actually takes financial support away from protecting against local terrorist acts as was promised to be part of Federal and State budgets.

Howard Johnson stated these are extraordinary times and requesting a hearing on this issue is extraordinary and gave his impression of the anti-war marches occurring in San Francisco and Palo Alto. He summarized with a popular signer's quote, "all bombing is terrorism".

Alfredo Chorro stated his opposition to war and interest in children's education. He stating that coming from El Salvador, he asks that people place themselves in the shoes of an Iraqi person having nothing to do with what is going on. He requested that the Council represent the citizens of Redwood City and stated that if the humanitarian reasons do not move one, than to think of the economic reasons. He asked that there be a hearing and that he thinks many people would support the Council and that the Latino community is very concerned because most of the military is comprised of minorities.

George Johnson stated his support for the anti-war resolution citing that 90% of casualties in any war are civilian, two thirds being women and children. He stated it is time to state, "not our name". He further stated he was brought up to believe that every issue is a local issue.

Bill Enroe encouraged the City Council to join over 73 different cities, State and local governments in the country who have passed anti-war resolutions. He stated that on the issue of the war in Iraq, you are either against it or for it, and this is the opportunity for the City of Redwood City to state that we do not support this war and that there are better things to do with our resources.

Jonelle Preisser stated she would like to see the City take a stand for non-violent ways of solving our problems. She stated that because it seems to not work to go through the White House, she thinks that it may be more successful if all cities adopt the resolution.

Keith Bautista stated that the last time he spoke was to praise the Council on its vision and leadership regarding the efforts to revitalize the downtown. He stated he is once again praising the vision and leadership regarding the support for education. He further stated that sometime ago the Council challenged the community with a \$250,000.00 matching grant to help improve Sequoia High School's Carrington Hall. The Sequoia High School Alumni Association, one which accepted the challenge, brought before the Council the result of its efforts.

Ken Rolandelli, President of the Alumni Association, stated the Alumni's pleasure in announcing the contribution of \$44,000.00 toward the restoration of Carrington Hall. He stated it represents close to 700 individual contributions and the understanding that the City will match the contribution. He further stated that this marks the second installment of funds toward the restoration effort and the second time to partner with the City on the project. The first was a contribution in 1995 of \$13,500.00 toward a

structural and architectural study of Carrington Hall that was also matched by the City. After years of discussion, planning and fundraising, he stated that it is exciting to know that the dream of someday restoring the beautiful auditorium is now becoming a reality.

Morgan Marchbanks, Principal of Sequoia High School, stated her pride and desirous of the opportunity to thank the Sequoia Alumni Foundation which has been extremely supportive of the school continuing to show that education is the primary mission of our society and city. She further stated that the check is proof tangible of the support of Sequoia High School and encouraged the community to do the same because Carrington Hall will certainly benefit the school but definitely, the community of Redwood City.

Council Member Ruskin stated his opposition to war and that he would welcome an opportunity to discuss such a resolution and agendize that discussion for a future meeting.

Mayor Claire stated that because he opposes war and lost a brother in Vietnam, he will look forward to discussion should the issue come before the City Council.

Jeri Joseph stated that at this time the community does need to come together and the San Mateo County Historical Museum does bring the Redwood City community together. She invited the community to join in the events celebrating the 135th birthday of the City where many events are planned. She stated that the first event takes place at the Courthouse on February 11 at 7:00 p.m. where Council Member Ruskin will be the moderator and former Mayors of Redwood City will share there experience while serving in office.

Kate Eckardt stated that San Diego has been using recycled water for the last six years. She encouraged the City Council to go county wide and make it a State mandate to look into desalinization plants now. She asked to keep the discussions going and learn what we really have at stake.

7. CONSENT CALENDAR –

Items on the Consent Calendar are considered to be routine by the City Council and are enacted by one motion and one vote. There is no separate discussion of these items unless a Council Member or Citizen so requests, in which event the item will be removed from the consent and considered in its normal sequence on the agenda.

M/S Howard/Ira to waive reading of the Consent Calendar except the ordinances by title adopt the resolutions and the ordinances, and approve other items. Items 7.1.B, 7.1.C and 7.2.B. were removed from the Consent Calendar. **The motion passed by a unanimous roll call vote.**

7.1 Section – Motions

- A. Motion to approve the minutes of January 13, 2003 and the minutes of the regular joint meeting of January 27, 2003; (301) **MINUTE ORDER 03-30**

7.2 Section - Resolutions

- A. Requests for short-term parking zones at 820 Woodside Road and 1503 Woodside Road, and for a no stopping zone at 1745 El Camino Real; (703)

RESOLUTION 14499 IN SUPPORT OF DESIGNATING CURB PARKING SPACES FRONTING 820 WOODSIDE ROAD AND 1503 WOODSIDE ROAD AS 20-MINUTE TIME LIMIT STALLS, AND CURB PARKING SPACES FRONTING 1745 EL CAMINO REAL AS A NO STOPPING ZONE;

- C. Stop signs on Northumberland Avenue at Cypress Street; (701)

RESOLUTION 14500 ESTABLISHING AND DECLARING DESIGNATED ENTRANCES TO CERTAIN HEREIN SPECIFIED INTERSECTION TO BE STOP ENTRANCES;

- D. Resolution granting a six month extension to Comcast (formerly AT & T Broadband) to operate a cable television system in Redwood City during franchise renewal negotiations; (304)

RESOLUTION 14501 GRANTING COMCAST OF CALIFORNIA IX, INC. A FRANCHISE EXTENSION;

7.3 Section - Claims and Warrants

- A. Reject the claims: of Howard Kamimoto, claim no. 2096 and the claim of Helen Carlson, claim no. 2097 as submitted; (303) **MINUTE ORDER 03-31**
- B. Approve warrants dated through February 10, 2003 and usual and necessary payments through February 24, 2003; (301) **MINUTE ORDER 03-32**

7.4 Section – Ordinances

A. INTRODUCTIONS

i) **Ordinance Amending Municipal Code Sections 20.95.1C., 20.95.2B, 20.127, and 20.190, to provide for an increase in the parking bail schedule from \$15.00 to \$20.00, effective April 1, 2003; (301)**

INTRODUCE AN ORDINANCE AMENDING SECTIONS 20.95.1.C, 20.95.2.B, 20.127 AND 20.190 OF THE MUNICIPAL CODE OF THE CITY OF REDWOOD CITY, RELATING TO MAXIMUM PARKING PERIODS AND METER RATES ON VARIOUS PUBLIC STREETS AND PENALTIES AND BAIL SCHEDULES PERTAINING THERETO;

Council Member Ruskin explained that while in the past he has opposed this approval; his vote in favor of this ordinance at this time is due to the dramatic worsening of the economic condition leaving no choice in the matter.

MINUTE ORDER 03-33

B. ADOPTIONS (second reading)

i) Ordinance on Traffic Impact Fees, amendment of ordinance; (301)

ADOPTION OF **ORDINANCE 2243** AMENDING ARTICLE XV, SECTION 18.253 TO CHAPTER 18 OF THE CODE OF THE CITY OF REDWOOD CITY RELATING TO EXEMPTIONS AND CREDITS TO THE TRANSPORTATION IMPACT FEES FOR USES EXCEPT PROFESSIONAL, MEDICAL, BUSINESS AND ADMINISTRATIVE OFFICE USES WITHIN A CERTAIN DEFINED DOWNTOWN AREA (first reading on 1/27/03);

7.1 Section – Motions (continued) – Removed from Consent Calendar (304)

- B. M/S Ruskin/Howard** to approve and authorize execution of an agreement with Winzler & Kelly Consulting Engineers of San Francisco, California, for providing consultant services for the Preliminary Design of the Bayfront Canal Improvement Project, in an amount not to exceed \$210,062.00.

Council Member Ruskin stated that both this item and item 7.1.C did not provide enough information for him to vote for approval. The recommendation stated the company and amount of the contract in each case, but not a clearly stated reason for choosing that particular company. He stated that there were no figures of comparison provided.

Senior Civil Engineer Chang explained that when selecting a consultant service for professional engineering, depending on the specialty of the project, 4-6 companies are invited to submit proposals. The scope of work required is identified in the Request for Proposals process and the proposals submitted detail the company's approach to the project and the amount of staff hours to be used. The fee schedule of each company is available to staff when evaluating the proposals and at that time 3-4 companies are chosen to be interviewed. After the interviews, the ranking of first, second and third are given to the top three most qualified companies. The first ranked company submits a detailed proposal of the scope of work and fee schedule. After detailed review, staff then negotiates costs and if agreement is reached with the first ranked there is no further negotiation with the

other two companies. At that point the proposal will go to the City Council for consideration.

The motion passed by a unanimous voice vote.

MINUTE ORDER 03-34

- C. M/S Ruskin/Howard to approve an agreement with BKF Engineers of Redwood City, California, for providing consultant services for the Final Design of the 5th Avenue Storm Drainage Pump Station, in an amount not to exceed \$265,867.00.

The motion passed by a unanimous voice vote.

MINUTE ORDER 03-35

Council Member Hartnett left the dais due to conflict of interest (residence location)

7.2 Section – Resolutions (continued) – Removed from Consent Calendar

- B. Stop sign installation on Grand Street at Harrison Avenue; (702)

Public Comment:

Daniel Paley stated the residents in the area are requesting the stop sign installation. The reasons are that routinely, there are children entering the neighborhood and using the intersection for four different schools in the neighborhood. He cited various speeding situations and double car collisions and an individual were actually struck at that intersection. He stated that the study had been going on since September of 2002 and requested that the Council adopt the resolution.

Rev. Dr. Harold Draeger commended the report presented and the argument laid out in that while the statistics may not bear out the erection of a stop sign, sensitivity to the neighborhood is reflected.

M/S Ruskin/Pierce to adopt **RESOLUTION 14502 ESTABLISHING AND DECLARING DESIGNATED ENTRANCES TO CERTAIN HEREIN SPECIFIED INTERSECTION TO BE STOP ENTRANCES;**

The motion passed by a unanimous roll call vote by those present with Council Member Hartnett abstaining.

Council Member Hartnett returned to the dais

8. STAFF REPORTS-

- A. Establishing a voluntary contribution check-off program for City management and employees (Program sponsored by the League of California Cities – Action for Better Cities);**

RESOLUTION ESTABLISHING A VOLUNTARY CONTRIBUTION CHECK-OFF PROGRAM FOR CITY MANAGEMENT AND EMPLOYEES;

This item was removed from consideration at this time. MINUTE ORDER 03-36

9. WRITTEN COMMUNICATIONS - None

10. PUBLIC HEARING - (603)

- A. A public hearing on Appeal of the Zoning Administrator's denial of a Use Permit for "Innovations – Successful Salon Services, Inc." to allow the sale of beauty products only to licensed cosmetologists in conjunction with a 180 sq. ft. art gallery;**

Zoning Administrator Ekas gave an overview of the new proposal, a review of the permit history of the site, an evaluation focusing on the Zoning Ordinance, the staff recommended findings made in the denial decision, as well as a review of consistency that this decision represents.

Council Members asked various questions of staff.

Recess: 8:50-9:05 p.m.

Robert Roth, Corporate Counsel for Innovations, explained the various steps taken by Innovations up to this point and summarizing the letter submitted on February 3, 2003 requesting the granting of a conditional use permit. Mr. Roth submitted several letters of support to the City Clerk.

Council Members asked various questions of staff.

Mayor Claire opened the public hearing.

Public Comment:

Greg St. Claire stated that the change in economy is the reason the situation has arisen because Class A property is so cheap now. He stated that the use does not make sense for the long-term prosperity of the Downtown. He encouraged the Council to draw the line now and make smart decisions on what goes into the Downtown.

M/S Ruskin/Howard to close the public hearing. **The motion passed by a unanimous voice vote.**

Vic Cochran stated that the whole process has been a nightmare and that they are just a beauty supply that has done this in 80 other cities.

Council continued with questions of both staff and the appellant.

M/S Ruskin/Hartnett to uphold the decision of the Zoning Administrator to deny the Use Permit for Innovations – Successful Salon Services, Inc. Although the art gallery is a permitted use in the Central Business Retail (CBR) Zoning District (Article 26 of the Zoning Ordinance), the professional beauty supply store is not of the same general character as the permitted or conditionally allowed uses in the CBR Zoning District and is inconsistent with the purpose of Article 26 of Zoning Ordinance;

The motion passed by a unanimous voice vote.

MINUTE ORDER 03-37

M/S Ruskin/Hartnett to extend the meeting to 11:15 p.m. **The motion passed by a unanimous voice vote.**

CONVENE THE REDEVELOPMENT AGENCY MEETING (See separate minutes)

RECONVENE THE REGULAR SESSION OF THE CITY COUNCIL

11. MATTERS OF COUNCIL INTEREST -

11.A. Legislation (information only) - This sub-section involves possible discussion of City Position on Proposed Legislation Described in the League of California Cities Priority Focus Bulletin No. 4 -2003. Council may direct staff to act on positions taken by Council. (Copies of League of California Cities Priority Focus available in City Clerk's Department).

10:15 p.m. – Vice Mayor Ira left the dais due to conflict of interest

11.B Parking Structure Storm Water Culvert Relocation (information only);

Manager, Engineering and Construction Patterson explained the underground culvert.

The Cinema Committee discussed the issue with staff members and recommended that the Engineering design proceed on the culvert relocation;

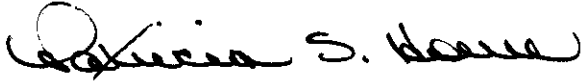
12. BOARDS, COMMISSIONS AND COMMITTEES - None

13. CLOSED SESSION - No Action to Report

14. ADJOURNMENT – 11:00 p.m.

M/S Ruskin/Jordan to adjourn until the next City Council meeting of February 24, 2003. **The motion passed by a unanimous voice vote.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Patricia S. Howe". The signature is written in a cursive style with a large initial "P".

Patricia S. Howe, CMC
City Clerk