

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
APRIL 28, 2003
7:00 P.M.

1. CALL TO ORDER – 7:02 p.m.

2. ROLL CALL

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

Council Members Absent: Mayor Claire

Staff Present: City Manager Everett, Financial Services
Director/Assistant City Manager Ponty, City Clerk Howe,
City Attorney Yamamoto, Assistant City Attorney
Brower, Community Development Services Manager
Patterson, Downtown Manager Moeller, Volunteer
Balsamo

3. PLEDGE OF ALLEGIANCE - Colleen Jordan, Council Member

4. INVOCATION - Dennis Logie, Pastor Sequoia Christian Church

5. SPECIAL ORDERS OF THE DAY – Proclamations – Redwood City Fire Department

- a. Firefighter Steve Martin - Exceptional off-duty service
- b. Captain Bruce Meisenbach - Exemplary off-duty service
- c. Battalion Chief James Varner – Thirty-three years of service

Vice Mayor Ira read the proclamations and Interim Fire Chief Bolanos assisted in presenting the proclamations to the honorees. (207)

6. ORAL COMMUNICATIONS

Andy Frisch announced the Redwood City International "Cinco de Mayo" event to be held on Thursday, May 1 from 5-8 p.m. at the Veterans Memorial Senior Center. There will be performances by Ballet Folklorico and Los Romanticos with dinner tickets at \$25.00 per person. The telephone number is 363-2423.

Keith Bautista stated that several weeks ago he had presented Council with a progress update on fundraising for the construction of Carrington Hall. At that time, in conjunction with the Sequoia Alumni Association, a check for \$44,000.00 was presented.

Steve Penna continued the presentation adding that approximately 1-1/2 years ago, he came before Council at the beginning of the fundraising process for Carrington Hall. He stated that completion of the fundraising is approaching with community support, organizations throughout San Mateo County and the voters having raised over \$7M. At this time, he presented the Packard Foundation check for \$150,000.00 of which Council has voted to match. He further announced upcoming fundraisers such as a Cherokee brick project and the grand opening for Carrington Hall to take place in late January 2004. He thanked Council for its support from both the Sequoia High School and the community at large.

Roxanne Dragon thanked Council for support of the instrumental music program in the Redwood City School District. She stated that the program will continue as is serving 5th-8th grades. She invited Council to the next festival on May 27; the two performances are at 6:30 and 8:00 p.m. at the Canada College main theatre.

Jeff Filippi stated that the goal is to minimize taxpayer dollars to fund the program. He further stated that the Optimists have donated approximately \$20,000.00 in four years and 800 children in the music program. Strategizing for outside source funding is occurring to reduce the burden on the school budget. He stated the current goals are to obtain 50 more instruments with 1,000 children in the music program.

Rudy Luca asked what the Council and staff will be doing about the water problem and who will pay the bill in relation to Kaiser Hospital, the marina project, 600 apartments to be located in the Century 12 location and Sequoia Hospital. He stated that before approving projects we should determine whether we can supply water and that he is against using recycled water for hospital public use. He further mentioned that it appears the Council is not doing a great job relative to behavioral

practice. He further stated that when Council Members have a conflict it should be dealt with in person rather than in the newspaper.

Margie Rocha thanked the Council for recognizing April as Fair Housing Month and the City's efforts in furthering fair housing.

Glenna Vaskelis, Administrator of Sequoia Hospital stated she was present to inform the City Council and members of the community. She explained and made a PowerPoint presentation on their plan to respond to a law passed by the State Legislature in 1994 requiring all acute care hospitals to meet certain seismic standards. The first fairly stringent seismic requirements are due in 2008 with an extension granted until 2013 to those hospitals that plan to rebuild all or most of the hospital. Sequoia Hospital has been granted that extension. She spoke of the options and the decision to build a new hospital on a new campus somewhere within the Redwood City limits. She further explained the decision making process, vision for the future, exploration of whether to retrofit or build on existing site, site criteria, plans for current site, key milestones and action to be requested. She stated there would be future community meetings scheduled and publicized for the community to comment.

Kathleen Kane, a member of both the Sequoia Health Services Board and the Sequoia Healthcare District Board, stated that Sequoia Health Services Board has unanimously approved going forward in looking at various sites and what to do for the hospital. She stated that the majority of the District Board recommended going forward as well.

Bob Dooley stated that it is extremely important to the community that Sequoia Hospital be maintained whether it be retrofitted and refurbished, remodeled or a new one built. Sequoia Hospital staff of doctors has a high rating in the cardiac care facility and that higher than average levels exist in the other departments as well. He cited his own personal experiences at Sequoia Hospital have been successful. He stated his personal bias of giving serious consideration to building a new "state of the art" hospital in the community and urged support as the project moves ahead.

Keith Bautista, stated he is current Co-Chair of the Sequoia Community Advisory Council, a licensed architect and licensed structural engineer, but most importantly is a resident of the Sequoia Hospital District along with his wife, children and grandchildren. He stated that, architecturally, the ability exists to obtain a modern medical facility and that a ground up design is much more effective than any renovation project. Structurally, it is an opportunity to obtain a hospital with the latest "state of the art" earthquake resisting system for the building that will result in a higher safety factor for patients, visitors and staff. The structural design will address any soil issues and a new facility will cost less than a renovation project. A smaller

facility will be less costly and design features for energy conservation will further reduce costs. He recommended support for a new facility.

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. The Consent Calendar category is limited to 15 minutes of comment to be allocated as determined by the Mayor.

M/S Ruskin/Pierce to waive reading of the Consent Calendar except the ordinances by title, adopt the resolutions and the ordinances, and approve other items. Item 7.1.E was removed from the Consent Calendar for separate consideration. **The motion passed by a unanimous roll call vote by those present with Mayor Claire absent.**

7.1 Section - Motions

- A. Motion to approve the Minutes of April 14, 2003 as submitted; (301)
MINUTE ORDER 03-88
- B. Motion for Final Acceptance of the Red Morton Skate/Restroom/Concession Facilities Project, and authorize the release of bonds.(304) **MINUTE ORDER 03-89**
- C. Motion to Approve the Contract Documents and authorize the award of contract for the Municipal Services Center Replacement of the Men's Toilet/Shower Area Ceramic Tile Floors Project to the lowest bidder, Tinney Construction Corp. of Redwood City, California, for their low bid of \$18,000.00 and reject all other bids.
(304) MINUTE ORDER 03-90
- D. Motion to Approve the Contract Documents and award the contract for the City Hall Computer Room – HVAC Replacement Project to the lowest responsible bidder, A & A Construction of Los Gatos, California, for their low bid of \$59,000.00, and reject all other bids. **(304) MINUTE ORDER 03-91**

7.2 Section - Resolutions

- A. Adopt a Resolution approving and authorizing the installation of stop signs on Stambaugh Street at its intersection with Buckeye Street, and on Pine Street at its intersection with Stambaugh Street **(701)**

RESOLUTION 14524 OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY ESTABLISHING AND DECLARING STAMBAUGH STREET AND BUCKEYE STREET AT

STAMBAUGH STREET; AND STAMBAUGH STREET AND PINE STREET AT PINE STREET TO BE STOP ENTRANCES

7.3 Section – Warrants

- A. Approve warrants dated through April 28, 2003 and usual and necessary payments through May 5, 2003; (301) **MINUTE ORDER 03-92**

7.4 Section – Ordinances - Introductions

A. Fiscal Year 2002/2003 Budget Reductions (301)

Introduce an ordinance adopting, by a five-sevenths affirmative vote, the budget reductions that were approved by Council on March 10, 2003 for the fiscal year 2002/2003 totaling \$1.32 million.

ORDINANCE AMENDING ORDINANCE NO. 2232 THEREBY REDUCING AMOUNT FROM SPECIFIED APPROPRIATIONS FOR FISCAL YEAR 2002-2003

MINUTE ORDER 03-93

B. Fiscal Year 2002/2003 Appropriations Revisions (301)

Introduce an ordinance appropriating and transferring certain funds for specified purposes in order to conform budgeted amounts to actual expenditures approved for transactions, which occurred during fiscal year 2002/2003.

ORDINANCE AMENDING ORDINANCE NO. 2232 THEREBY APPROPRIATING SPECIFIED AMOUNTS FROM DESIGNATED UNAPPROPRIATED FUND BALANCES TO SPECIFIED APPROPRIATIONS, CANCELING CERTAIN APPROPRIATIONS, AND TRANSFERRING SPECIFIED AMOUNTS FROM DESIGNATED APPROPRIATIONS TO OTHER SPECIFIED APPROPRIATIONS.

MINUTE ORDER 03-94

- C. **Introduction of Ordinance approving and authorizing execution of the amendment to the contract with the Public Employees Retirement System (PERS) to provide Government Code 21362.2 and 21548, "3%@ 50 Full Formula" and Pre-Retirement Optional Settlement 2 Death Benefit for Local 2400, I.A.F.F members. (301)**

Introduce an ordinance approving and authorizing a Contract amendment with the Public employees Retirement System (PERS) to Provide Government Code 21362.2 and 21548, "3%@ 50 Full Formula" and Pre-Retirement Optional Settlement 2 Death Benefit for Local 2400, I.A.F.F members.

ORDINANCE AMENDING CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF REDWOOD CITY TO PROVIDE GOVERNMENT CODE SECTIONS 21362.2 AND 21548, 3% @ 50 RETIREMENT FORMULA AND PRE-RETIREMENT OPTIONAL SETTLEMENT 2 DEATH BENEFITS. **MINUTE ORDER 03-95**

7.1 Section – Motions (continued) (304)

- E. Motion to Award bid to the Redwood City Daily News for annual legal publishing services in the amount of \$8.95 per column inch for the calendar year 2003.

Council Member Hartnett stated that in January, the Council discussed the flexibility in approaching the legal advertising bids based upon the City Charter. At that time the City Attorney was directed to provide an opinion and options on proceeding with respect to criteria changes, if any, on bidding for the advertising in order to maximize the distribution of advertising throughout the city. He further stated that the City Attorney response indicates there is some degree of flexibility; however, the placement on the Consent Calendar does not fit with what Council was discussing at that time. His recommendation and request was to not discuss the topic at this time, and ask the Vice Mayor to assign the legal advertising issue to a Council sub-committee for recommendations to the full Council. He further stated that the sub-committee recommend several alternatives such as 1) proceeding as indicated on the Consent Calendar and accepting the bid, 2) rejecting the bids and rebidding with different criteria that is legally sound and accomplishes the purpose of maximum distribution of legal advertising, to 3) a Charter amendment that would clarify criteria or eliminate the requirements that the Charter currently imposes. There might also be a combination of those alternatives. Council Member Ruskin supported the request.

Council Member Howard asked if there is flexibility until changing the Charter with the decision before Council at this time.

City Attorney Yamamoto stated that the alternative raised at this time is not whether or not to award the bid. The question is whether or not an ad hoc committee of the Council should be selected to look further into this matter and subsequently, make some type of recommendation. To that extent, that is an appropriate action of the Council.

Public Comment:

Alan Bygdnes stated that it appears the only basis for awarding the contract is on one unit, the cost per inch column. The factor that was submitted and not looked into was the circulation. He further stated and explained how the Independent had

under bid by 40%. He urged Council to remove from consideration and have it re-evaluated.

Tony Gay stated he is a resident of Redwood City, affiliated with the Redwood City Chamber of Commerce, Downtown Business Group and sells advertising for the Redwood City Daily News. He stated that the newspaper is well read and their advertisers get results because of the paper. He further stated that they bring more customers and traffic for the stores and make their phones ring. He stated that there is no better way to reach the people in this town than the Daily News.

Dave Price referred to his letter previously submitted that answered some of the questions raised in the January meeting. He also stated he had submitted the distribution list that shows 700 spots where the distribution crew delivers to six days a week. The circulation is audited, contrary to the statement made in January, and is done by one of the major national newspaper auditing firms. He stated that the newspaper started three years ago with a circulation of 1,000 and has increased as demand has warranted. After the most recent audit, Redwood City circulation was 6,600 with a total circulation in San Mateo County at 20,000. Since that audit, the Redwood City circulation has increased to 7,100. He stated that the last newspaper the City published its legal notices in before the Independent, was the Almanac, with a circulation of 4,000. Relative to the difference in cost between the Independent and the Daily News, he stated that the Independent was actually charging the City more for advertising just a couple of years back, but because of the bidding process they came down in price and within \$.03 of the Daily News per column inch. Mr. Price stated that when rewriting the solicitation process for bids the City should be sure that the policy continues competition between newspapers rather than limiting it to only one newspaper qualifying to bid. The Redwood City Daily News has been adjudicated twice as a newspaper of general circulation, has met the requirements in both the City of Redwood City and the County of San Mateo.

Rudy Luca asked if Council Member Hartnett's motion means that the bid will be reopened.

Vice Mayor Ira stated that an ad hoc committee would be appointed by him to report back to Council with recommendations.

Steve Penna stated that it seems every single year that the legal's bid becomes a lot more political than it should. He stated that the bottom line is that the City is publishing the legal's and going with the lowest possible bid to save the taxpayers in this community money. He further stated that under the current Charter provision, the Daily News is completely the winner and it reeks of politics when the Council wants to go back and redesign the Charter because maybe it didn't work

out the way that somebody may want it to. He stated that the dynamics of the newspaper industry has changed and you cannot depend on circulation figures to be totally accurate anymore. He further stated that if going back to redesign the Charter, the bid should be awarded to the Daily News during that time and have that fair evaluation.

M/S Hartnett/Jordan to request a Council sub-committee (ad hoc committee) be appointed to review the issue and make recommendations to the full Council for discussion, as earlier indicated. **The motion passed by a unanimous voice vote by those present.**

MINUTE ORDER 03-96

Vice Mayor Ira stated that the sub-committee (ad hoc committee) will consist of Council Members Hartnett, Howard and Jordan.

8. PUBLIC HEARING

A. Annual Action Plan to the Consolidated Plan for FY 2003-2004 Community Development Block Grant (CDBG) Funding Recommendation (404)

Housing Coordinator Jones-Thomas stated that the fourth Action Plan of the Five Year Consolidated Plan is before Council. This year the City will receive \$910,000.00 in Community Development Block Grant Funds, a reduction of \$47,000.00 from last year. The City will receive \$462,873.00 in HOME Funds which is approximately a \$20,000.00 increase. The Housing and Human Concerns Committee (HHCC) has been carrying out a process to review these proposals and receive citizen input since January and bringing forth their funding recommendations. She gave a brief overview of the proposal and introduced HHCC Chairperson Charlie Greer.

HHCC Chairperson Greer highlighted some specific agencies and programs such as land banking, Caminor Kitchen Project, Heron Court Network Program, the Ombudsman Program, PAL Activities League, Redwood Parents Nursery School Program and the Redwood Family House.

Vice Mayor Ira opened the public hearing.

Public Comment:

Kevin Bondonno, HHCC Member, stated that there is a much greater need than resources and with the balancing of a limited budget; much consideration was put into the recommendations. He urged acceptance of the HHCC recommendations and thanked Council in advance for supporting the recommendations and the agencies and the needs represented by those recommendations.

Rebecca Amado Sprigg, representing Shelter Network as Director of the Redwood Family House Program, thanked Council for the past support. She stated that Shelter Network continues to provide comprehensive services to families and individuals in our community. So far, this fiscal year, Redwood Family House has provided 7,200 nights of shelter with 52 of those served being children. There is also collaboration with several community agencies such as Maple Street where the current collaboration with Project Hope has graduated 26 individuals. Although funding is limited, Ms. Sprigg stated that they look forward to the continued funding of Maple Street and Redwood Family House as they continue to partner with the City to provide homeless families and individuals with the opportunity to return to homes of their own.

M/S Ruskin/Hartnett to close the public hearing. **The motion passed by a unanimous roll vote by those present.**

Council Members complimented the HHCC on their work and dedication.

M/S Ruskin/Howard to adopt the Annual Action Plan and authorize the City Manager to execute documents related to the Annual Action Plan to be submitted to U. S. Department of Housing and Urban Development.

RESOLUTION 14525 APPROVING ANNUAL ACTION PLAN OF THE CONSOLIDATED PLAN (2000-2005) AND APPLICATION FOR FEDERAL ASSISTANCE (COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP FUNDS); CERTIFYING THAT THE CITY HAS FOLLOWED ITS ADOPTED CITIZEN PARTICIPATION PLAN; AND AUTHORIZING EXECUTION AND FILING OF ALL DOCUMENTS PERTAINING THERETO (FISCAL YEAR 2003-2004)

The motion passed by a unanimous roll call vote by those present.

Recess: 8:20-8:35 p.m.

9. MATTERS OF COUNCIL INTEREST

- 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. 14-2003 and 15-2003. 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).

B. Appreciation for the Armed Forces of the United States, declaration of "Yellow Ribbon Month," City display of yellow ribbons, and encouragement of the community to honor our armed forces. (203)

Council Member Hartnett stated that the report came from a subcommittee consisting of him and Council Member Pierce charged with a recommendation for appropriate recognition for the U.S. armed forces and particularly, those who live or work in Redwood City. The recommendation is that the City declares "Yellow Ribbon Month", that it be in May and that the City display in public buildings and places in the Downtown area, yellow ribbons, and encourage the community to honor the men and women serving around the world.

Council Member Pierce stated that the yellow ribbons will be placed in downtown by the Public Works Services Department and asked that when those serving return home to wish them well and treat them kindly.

Public Comment:

James O. Clifford, Sr. stated his son, Andrew, is in the Marines in Iraq and thanked the Council for taking this action and doing it with a minimum of controversy.

Keith Bautista stated his pride that on his 17th birthday, he joined the U.S. Marines and later on, he was prouder still that his younger son also joined the U.S. Marines. Although neither one had to risk their lives for our country, he stated that had they done so, both would have appreciated the yellow ribbons being displayed in their town. The ribbons would have provided comfort that the display would be reminders of the risks being taken on behalf of the country and citizens of Redwood City. He stated that the ribbons would be a reminder that those serving need prayers and well wishes, that there are more things to think about than the State budget, the traffic or the amount of rain in April. He stated that tremendous pride would have been felt that their city, Redwood City, was displaying yellow ribbons in their support.

M/S Hartnett/Pierce to ADOPT **RESOLUTION 14526** OF THE COUNCIL OF REDWOOD CITY DECLARING REDWOOD CITY'S APPRECIATION TO THE MEN AND WOMEN OF THE UNITED STATES ARMED FORCES SERVING THROUGHOUT THE WORLD, PROCLAIMING IN THEIR HONOR THE MONTH OF MAY, 2003 AS "YELLOW RIBBON MONTH," DIRECTING THE CITY MANAGER TO PLACE YELLOW RIBBONS ON CITY PROPERTY IN THE CENTRAL BUSINESS RETAIL DISTRICT OF THE CITY OF REDWOOD CITY FOR THE DURATION OF "YELLOW RIBBON MONTH," AND ENCOURAGING THE RESIDENTS AND BUSINESSES IN REDWOOD CITY TO SUPPORT OUR ARMED FORCES.

The motion passed by a unanimous roll call vote by those present.

C. Proposed resolution encouraging the prevention of abuse, neglect and abandonment of senior citizens within Redwood City (203)

Council Member Ruskin stated his reason for bringing this resolution before Council is to help prevent elder abuse in the community. He stated that it is generally agreed by health care authorities that senior citizens at the greatest risk of abuse and neglect can suffer physical impairments and other poor health while they are in dependent and vulnerable positions. Preventing such abuse or neglect is one of our City's most important duties and senior citizens deserve to live free of elder abuse or the threat of it and we have a responsibility to take steps to prevent elder abuse or investigate complaints. He further stated that the proposed resolution will allow the City to increase and augment the protection of elders from abuse in a cost effective way at a time when budget cuts at the State and County level will probably reduce such protection. He explained the two key components of the resolution to be walk through visits and accompanying of the San Mateo Ombudsman to inspect the elder care facility in response to any complaints of elder abuse. He further stated that the Police Chief has assured him that this will cause no undue burden on the City budget or Police Department.

Marie Walsh, representing the Senior Affairs Commission, stated that the issue was thoroughly discussed and that the Commission agreed that the resolution is necessary, unanimously supporting it. She stated that there is no nursing home that cannot stand some scrutiny and she highly recommended adopting the resolution.

Yolanda Kohnert, regional Ombudsman, thanked Council for continued support and stated that Ombudsman Services of San Mateo, Inc. would like to enthusiastically endorse the resolution. She stated the belief that this would provide a win-win situation for the nursing home residents, their families and friends, the police and ombudsman. She stated that the goal is to be accountable and come into compliance and explained the unfortunate situation where a nursing home was closed in Redwood City almost three years ago. She further stated full support in assisting with the visits.

Council asked some questions related to the role of the Ombudsman and why the City might get involved in the proposed program.

Council Member Ruskin stated the background leading up to the proposal and his discussion with the various stakeholders.

M/S Ruskin/Hartnett to **ADOPT RESOLUTION 14527 ENCOURAGING THE PREVENTION OF ABUSE, NEGLECT, AND ABANDONMENT OF SENIOR CITIZENS**

WITHIN REDWOOD CITY. The motion passed by a unanimous roll call vote by those present.

D. Letter in Support of Senate Bill 915 and Senate Bill 916, approving the Water Transit Authority's implementation and operations plan and providing for a special election for a public vote on a proposed bridge toll increase. (214)

Council Member Howard stated that legislation is being proposed by Senator Perata and would be presented to the Senate Transportation Committee on April 29 in Sacramento. If successful, it will approve the Water Transit Authority's (WTA) Operation and Implementation Plan and specify that the WTA will submit a final plan to the legislature after completion of the EIR and provide for a public vote on a proposed increase to State owned bridge tolls. The WTA's ferry plan is one of the proposed projects to be funded by the proceeds. She further stated that the Council had previously adopted resolutions in support of various aspects of the WTA's new plan and expansion for ferry service in the Bay Area.

M/S Hartnett/Pierce to authorize the Mayor to sign the attached letter in support of Senate Bill 915 and Senate Bill 916. **The motion passed by a unanimous voice vote by those present.**

MINUTE ORDER 03-97

E. Boards, Committees and Commissions Interview Process (203)

Vice Mayor Ira stated that Mayor Claire had proposed a screening of applications by Council subcommittees. Council discussion occurred and Vice Mayor appointed Council Members Jordan and Pierce to a subcommittee that will bring recommendations back to the Council for consideration.

Public Comment:

Rudy Luca suggested that if the number of applicants is low, the subcommittees can screen the applicants, report back to Council and then decide amongst Council.

CONVENE THE REDEVELOPMENT AGENCY MEETING

(SEE SEPARATE MINUTES)

RECONVENE THE REGULAR SESSION OF THE CITY COUNCIL

10. ADJOURNMENT – 10:05 P.M.

M/S Howard/Hartnett to adjourn until the next City Council meeting of May 5, 2003 in memory of Leo Walsh who died on April 19, 2003. Mr. Walsh was a parishioner of Our Lady of Mount Carmel Church, who worked as a health care administrator for the City and County of San Francisco for 34 years and was active in many organizations. He served on the Redwood City Senior Affairs Commission. His smile and humor brought joy to thousands. **The motion passed by a unanimous voice vote by those present.**

Respectfully submitted,

A handwritten signature in black ink that reads "Patricia S. Howe". The signature is written in a cursive style with a large initial "P".

Patricia S. Howe, CMC
City Clerk