

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
JOINT WITH PUBLIC FINANCING AUTHORITY
AND REDEVELOPMENT AGENCY
SEPTEMBER 8, 2003
7:00 P.M.

Mayor/Chairman Claire convened the City Council, Public Financing Authority, and Redevelopment Agency meetings to order concurrently.

1. CALL TO ORDER – 7:02 p.m.

2. ROLL CALL

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

Staff Present: PRCS Director/Assistant City Manager Centeno, City Clerk Howe, Assistant City Attorney Brower, Financial Services Director Ponty, Interim Community Development Services Director Liedstrand, Housing & Economic Development Manager Moeller, Senior Civil Engineer Vorametsanti, Public Works Superintendent Barwacz, Volunteer Balsamo

3. PLEDGE OF ALLEGIANCE - Barbara Pierce, Council Member

4. INVOCATION - Pastor Gary Gaddini, Peninsula Covenant Church

5. SPECIAL ORDERS OF THE DAY -

A. Proclamation: Declaring September 2003 as Elder and Dependent Adult Abuse Prevention Awareness Month (207)

Mayor Claire explained his personal experience and challenges in finding good senior care and a safe environment for his great aunt and then his grandmother. He stated that the proclamation is in honor of individuals such as Lisa Mancini, Director of Aging and Adult Services for San Mateo County and Marlene Annuzzi of the Veterans Memorial Senior Center that work to ensure the environments are safe.

Ms. Mancini stated she is honored that her hometown city made this month the awareness month. She stated that her agency works collaboratively and will hold a fair on Saturday, September 13 at the Redwood City center from 10-3 p.m. and invited the community.

B. Introduction of Interns from Zhuhai, China: Vincent Qiu and Della Lin

Council Member Howard introduced the Mr. Qiu and Ms. Lin visiting from Redwood City Sister City Zhuhai, China, stating that they are members of the Zhuhai Friendship Federation chosen as delegates. They will be working, learning and sharing cultural experiences over the next several months.

Ms. Lin stated her and Mr. Qiu's pleasure at the opportunity to better their understanding of American society and life and improve their English. She thanked the City for providing the opportunity that assists Zhuhai professional translators improve their English and experience American life in Redwood City. She stated her hope that more residents of Redwood City and Zhuhai will get to know each other better.

C. Employee Service Awards

Mayor Claire thanked and gave out plaques to the following employees for years of service:

Twenty-year Award: David Davinroy, Police Department
Twenty-five Years Award: Albert Johnson of Parks, Recreation and Community Services
Twenty-five Years Award: Mary Spore-Alhadeh, Library
Thirty Years Award: Lupe De Prado, Library

6. ORAL COMMUNICATIONS

Jeri Joseph, Director of Communications for the San Mateo County History Museum, announced the 5th Annual American Heritage Celebration on October 11

from 12-3 p.m. She stated that the day begins at Red Morton Park with bocce ball and a tournament at the Museum along with exhibits, music and other activities.

Linda Craig representing the League of Women Voters of South San Mateo County announced that a City Council candidates' forum is scheduled for September 30, 2003 from 7-9 p.m. at the First Congregational Church at Euclid and McGarvey. She invited the Council and community to come out and stated if unable to attend, the event will be videotaped and rebroadcast many times prior to the November 4 General Municipal Election.

Bernard Peradotto asked the Council if his name was associated with an issue brought before the Council. He stated he had made five attempts to contact Mayor Claire and three attempts to reach Vice Mayor Ira after speaking with the other Council Members. He submitted a document to Council from San Mateo County.

Assistant City Attorney Brower stated his belief that the matter is related to a claim filed with the City and is a matter of potential litigation, thereby, making it inappropriate to discuss at this time.

Mayor Claire stated that any complaints directed to City Council are referred through the City Manager to the pertinent department for response.

Ted Hannig stated that he represents the Celotti family who has owned property on Jefferson for over 65 years and is now the subject of a condemnation action by the City. He referred to the City having taken possession, built lots and his clients no longer receiving income from that property. He stated the family is in litigation with the City. He stated his request is to ask the City to allow the family to withdraw funds from the deposit the City has already made so that they can receive the rental income being denied by the order of possession. Without the City's consent, under law, they would forfeit their right to challenge the process by which the City has exercised eminent domain power. He submitted a letter of explanation.

Susan Moeller, Redevelopment Manager, introduced the new Downtown Development Coordinator Dan Zack. She announced the work on the design for the Courthouse Plaza where there will be a series of public meetings over the next 6-8 months with the first meeting, Thursday, September 25 from 7-10 p.m. in the Council Chambers. Michael Freedman will be making a presentation on public spaces and getting input from the community. All interested residents and citizens are invited to participate.

Dan Zack stated his pleasure in being a part of the community and a part of doing great things in Redwood City.

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.

M/S Hartnett/Ira to waive reading of the Consent Calendar except the ordinances by title, adopt the resolutions and the ordinances, and approve other items. Typographical revisions to be made on Items 7.1.A and 7.2.A. **The motion passed by a unanimous roll call vote.**

7.1 Section - Motions

- A. Approve the City Council minutes of August 11, 2003 and Redevelopment Agency minutes of August 11, 2003, as submitted; **(301)** **MINUTE ORDER 03-211**
- B. Approval of Task Order No. 5 and Task Order No. 6 to the professional consulting engineering services agreement with Kennedy/Jenks Consultants **(304)**

Recommendation:

By motion, approve Task Order No. 5 and Task Order No. 6 to the professional consulting engineering services agreement with Kennedy/Jenks Consultants

MINUTE ORDER 03-212

- C. Water Supply Assessment for the proposed Abbott Laboratories West Coast Research Center Project **(802)**

Recommendation:

By motion, approve the Water Supply Assessment for the proposed Abbott Laboratories West Coast Research Center Project pursuant to State of California Water Code § 10910(g)(1)

MINUTE ORDER 03-213

- D. Amendment to FY 03-04 HSFA Program Agreement for Human Investment Project (HIP/Housing) **(304)**

Recommendation:

Amend FY 03-04 HSFA Program Agreement for Human Investment Project (HIP/Housing)

MINUTE ORDER 03-214

- E. Amendment to the Agreement between the City of Redwood City and the City of Burlingame for Information Technology Support Services **(304)**

Recommendation:

It is recommended that the City Council approve the amendment to the Information Technology support services agreement which describes the services provided by the City of Redwood City to the City of Burlingame.

MINUTE ORDER 03-215

F. Joint Use of the San Mateo County's Parking Garage (304)

Council Member Howard stated that this agreement will add an additional 646 parking spaces to downtown available evenings and weekends.

Recommendation:

It is recommended that the Council approve the attached Cooperative Agreement by motion.

MINUTE ORDER 03-216

7.2 Section - Resolutions

A. Order the Levy of Benefit Assessments for FY 2003-2004 for the Seaport Centre Maintenance District, Seaport Boulevard Landscape Maintenance District, and Redwood Shores Landscape Maintenance District 1995-1. (507)

Recommendation:

1. Adopt a Resolution ordering the Levy of Benefit Assessments for FY 2003-2004 for the Seaport Centre Maintenance District

RESOLUTION 14550 OF THE COUNCIL OF THE CITY OF REDWOOD CITY, REQUESTING AND AUTHORIZING THE COUNTY CONTROLLER TO LEVY THE BENEFIT ASSESSMENTS FOR FY 2003-2004 FOR THE SEAPORT CENTRE MAINTENANCE DISTRICT AND AUTHORIZING THE COUNTY TAX COLLECTOR TO COLLECT SUCH ASSESSMENTS

2. Adopt a Resolution ordering the Levy of Benefit Assessments for FY 2003-2004 for the Seaport Boulevard Landscape Maintenance District, and (507)

RESOLUTION 14551 OF THE COUNCIL OF THE CITY OF REDWOOD CITY, REQUESTING AND AUTHORIZING THE COUNTY CONTROLLER TO LEVY THE BENEFIT ASSESSMENTS FOR FY 2003-2004 FOR THE SEAPORT BOULEVARD LANDSCAPE MAINTENANCE DISTRICT AND AUTHORIZING THE COUNTY TAX COLLECTOR TO COLLECT SUCH ASSESSMENTS

3. Adopt a Resolution ordering the Levy of Benefit Assessments for FY 2003-2004 for the Redwood Shores Landscape Maintenance District 1995-1 (507)

RESOLUTION 14552 OF THE COUNCIL OF THE CITY OF REDWOOD CITY, REQUESTING AND AUTHORIZING THE COUNTY CONTROLLER TO LEVY THE BENEFIT ASSESSMENTS FOR FY 2003-2004 FOR THE REDWOOD SHORES

LANDSCAPE MAINTENANCE DISTRICT NO. 1995-1 AND AUTHORIZING THE COUNTY TAX COLLECTOR TO COLLECT SUCH ASSESSMENTS

B. Disposal of Surplus Property (609)

Recommendation:

Approve a resolution declaring various vehicles and equipment surplus.

RESOLUTION 14553 DECLARING CERTAIN DESCRIBED CITY-OWNED PROPERTY SURPLUS AND AUTHORIZING SALE THEREOF

7.3 Section – Claims and Warrants (301)

- A.** Approve warrants dated through September 8, 2003 and usual and necessary payments through September 22, 2003; **MINUTE ORDER 03-217**

7.4 Section – Ordinances (2nd Reading and Adoption)

- A.** Kaiser Permanente Master Plan – Precise Plan and New Planned Community Zoning District

I.

ORDINANCE 1130-323 AMENDING ARTICLE 60, ZONING MAP NO. 1 (DOWNTOWN NEIGHBORHOOD), OF ORDINANCE NO. 1130, THE REDWOOD CITY ZONING ORDINANCE, AS AMENDED, TO REZONE PROPERTY AT THE KAISER PERMANENTE DOWNTOWN MEDICAL CAMPUS FROM THE CENTRAL BUSINESS AND COMMERCIAL ADMINISTRATIVE ZONING DISTRICTS TO THE PLANNED COMMUNITY ZONING DISTRICT (*introduced on August 25, 2003*)

II.

ORDINANCE 2257 OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY, ADOPTING THE DOWNTOWN MEDICAL CAMPUS PRECISE PLAN (*introduced on August 25, 2003*)

8. 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 Bulletins No. 33 -2003 and No. 34-2003. 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. Appointments to the City Boards, Committees, and Commissions (209)**

1. Library Board (Two three-year terms, expiring June, 2006). Applicants (in alphabetical order) for Library Board are:

- Rudy Madrigal – **Council Members Hartnett, Ruskin, Vice Mayor Ira, Mayor Claire**
- Zachary Sweeney – **Council Members Hartnett, Howard, Jordan, Pierce, Ruskin, Vice Mayor Ira, Mayor Claire**
- Patricia Taviss – **Council Members Howard, Jordan, Pierce**

The two successful applicants were Rudy Madrigal and Zachary Sweeney to serve a three-year term ending in June of 2006.

2. Port Commission (One five-year term, expiring July, 2008). Applicants (in alphabetical order) for Port Commission are:

- Mike Bursak – **Council Members Jordan, Pierce, Mayor Claire**
- Lew Miller – **Council Members Hartnett, Howard, Ruskin, Vice Mayor Ira**

The successful applicant was Lew Miller to serve a five-year term ending in July of 2008.

MINUTE ORDER 03-218

C. Recycled Water Subcommittee Report (802)

Council subcommittee member Vice Mayor Ira stated that he and Council Member Pierce had met with Dr. Cecil Reeves and developed guidelines for creating a successful task force. The working group will consist of 20 individuals with representation from all those with interest in the project and asking specific organizations to provide twice as many names to the subcommittee. The at large positions would be chosen from the submittal of up to 6 names from each Council Member. The original composition would be three from Safewater Coalition, two from the business community, one from the Shores, one from Seaport Industrial, one from the Chamber, two from the School Districts (Sandpiper), one representing child care, three recycled water proponents, three parks related such as AYSO and Little League, the 5 remaining would be at-large representatives. He stated that the goal is to achieve a 50-50 component, half being proponents of the project and half being against the project. The deadline for submittal of names to the City Clerk would be September 17 at 5:00 p.m. with all names submitted to the subcommittee that would meet on September 19 in order to bring a recommendation to Council. He further stated that the timeline and questionnaire is enclosed with the report.

Council Member Pierce concurred with Vice Mayor adding that the letter to the applicant addresses the purpose of the task force and outlines the pertinent commitment dates.

Public Comment:

Marge Parkhurst asked why the composition should be 50-50 because she thinks it will be a difficult problem to solve and people who really do not want recycled water on children's playgrounds would work much harder to find a solution than people who say if we say what we already have it will go back to Alternative "E".

Rudy Luca asked about the composition of the task force and whether the City Manager would be involved in the process or the choice with his recommendation.

Vice Mayor Ira stated that there would not be a majority of either proponents or opponents and that the subcommittee feels strongly that it is the Council's responsibility to appoint the task force. As a matter of practicality, the subcommittee will filter through the applications and make a recommendation to the Council.

Rudy Luca stated he would like the Council to appoint an ad hoc committee to recommend the task force members to the Council.

Kate Eckhardt stated her desire that there not be a stacked deck, that in order to not fail, it must be truly representative of the people that live in Redwood Shores and would be affected by the decision. She stated she will watch closely and if it is a stacked deck and intended to fail, they will come back to the City with a rejection of the entire decision and task force.

Chet Yee stated that his recent involvement in this issue, as a trustee of the California Pharmacists Association, is around the concern about some of the elements that have not been clearly defined. He stated that he thinks it would be fair to have representation of the Safewater Coalition due to the enormous amount of time devoted in studying and calling upon experts to make presentations and educate Redwood Shores residents.

Christina Lai stated that it disappoints or saddens the members of the Safewater Coalition that only three representatives would be appointed to the task force. She stated that once again the Coalition is asking for balance in representative make up of the task force. She asked for half of the representation to come from the Coalition and that she trusts Council will do the right thing and come to a good consensus.

Carol Shelton read a speech by Karen Pace who was unable to attend the meeting and submitted the letter for Council. The statement requested greater representation from the Safewater Coalition citing the diversity of categories that it would represent. She commended Dr. Reeves on his facilitation abilities and lastly, stated that parks users are not Redwood Shores residents.

Council discussion ensued with comments that included there having been a good effort made to include representation. Council Member Jordan requested greater representation to 50% from the Safewater Coalition and cited various reasons. Vice Mayor Ira suggested increasing the Safewater Coalition representation up to 5 and reducing the "other" category to 3 to demonstrate that the city is seeking community input, response and involvement.

M/S Hartnett/Howard to endorse the attachments, which deal with the composition of the Community Task Force, increasing the Safewater Coalition representation from 3 to 5 members, decreasing the "others" category by 2 and revising it to 3, approve the timeline, and the application. **The motion passed by a unanimous voice vote.**

MINUTE ORDER 03-219

8:45 p.m. – Vice Mayor Ira left the dais due to a conflict of interest with a client owning property adjacent to the retail/cinema project.

Recess: 8:45 – 9:05 p.m.

9. STAFF REPORTS

- A. Approval of bond financing documents in connection with the issuance of Redevelopment Agency tax allocation bonds (the "2003 Bonds"). (404)
--REDEVELOPMENT AGENCY**

Financial Services Director Ponty explained that three separate actions are being considered convening the Redevelopment Agency, City Council and Public Financing Authority that will enable the Redevelopment Agency to issue up to \$34 million in bonds to finance the downtown area improvements. These improvements were approved as part of the Redevelopment Agency budget last month. He further explained the financing plan and stated that this approval is not to formally approve the 1991 bonds but staff will return with legal documents in approximately two months if this item receives conceptual approval.

Public Comment:

Rudy Luca asked for clarification on the bonds involved with the Redevelopment Agency as to the cost of floating or getting the bonds.

Mayor Claire responded that the bonds will be paid through a tax increment that will occur on the properties redeveloped in that area. *Financial Services Director Ponty* explained that the cost to issue the bonds is approximately \$540,000.00 out of net proceeds of \$32 million.

Brent Britschgi stated that this is probably the most important vote to be taken on the retail/cinema project and the most complicated. He stated that the roadblocks futures Councils will face have been laid out such as the use of the utility users tax.

John Anagnostou stated that the future Councils will enjoy the fruits and benefits of the wise investment in this bond when Redwood City is the most active town in the Peninsula. He stated that the investment chosen will make the city be what it has not been for 50 years. He submitted and read a letter, speaking as the President of the Downtown Business Group. The letter stated that by unanimous vote of those present, the Downtown Business Group voted to support the Redevelopment funding package scheduled for consideration on Monday, August 11, 2003.

M/S Hartnett/Howard in connection with the sale of bonds to fund various downtown improvements and to repay a loan from the City to the Redevelopment Agency, adopt a resolution approving, in substantially final form:

- The first and second amendments to the Indenture of Trust pertaining to the Agency's outstanding 1997 tax allocation bonds;
 - A continuing disclosure agreement with the trustee for the 2003 Bonds;
 - A bond purchase contract with the underwriter of the 2003 Bonds;
 - A preliminary official statement and its distribution; and,
- Authorizing all actions specified in the resolution in connection with the issuance of the 2003 Bonds including the authorization to issue not more than \$34 million in bonds.

RESOLUTION RDA 03-82 OF THE REDEVELOPMENT AGENCY OF THE CITY OF REDWOOD CITY APPROVING A FIRST SUPPLEMENTAL INDENTURE OF TRUST, A SECOND SUPPLEMENTAL INDENTURE OF TRUST, A CONTINUING DISCLOSURE AGREEMENT, A PURCHASE CONTRACT AND AN OFFICIAL STATEMENT; MAKING CERTAIN DETERMINATIONS RELATING THERETO; AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE AGENCY'S REDEVELOPMENT PROJECT AREA NO. 2, TAX ALLOCATION BONDS, SERIES 2003A

The motion passed by a majority roll call vote with Council Member Jordan voting no and Vice Mayor Ira abstaining.

- B. Approval of the Redevelopment Agency's issuance of tax allocation bonds (the "2003 Bonds") -- CITY COUNCIL (404)**

Financial Services Director Ponty explained that this is a companion item and that under State Law, the City Council must approve any bonds being

issued by the Agency despite the fact that they are not obligations of the City.

Public Comment:

Rudy Luca stated asked who will pay for issuance of the allocation of the bonds.

Financial Services Director Ponty stated the cost would come from the gross proceeds of the bond issue.

M/S Hartnett/Pierce to approve a resolution approving the financing and refinancing of various projects in the Redevelopment Project Area No. 2 by the Redevelopment Agency of the City of Redwood City

RESOLUTION 14554 OF THE COUNCIL OF THE CITY OF REDWOOD CITY APPROVING THE FINANCING AND REFINANCING OF THE REDEVELOPMENT PROJECT AREA NO. 2 BY THE REDEVELOPMENT AGENCY OF THE CITY OF REDWOOD CITY

The motion passed by a majority roll call vote with Council Member Jordan voting no and Vice Mayor Ira abstaining.

- C. Authorization of the Redwood City Public Financing Authority to purchase tax allocation bonds from the Redwood City Redevelopment Agency and re-sell such bonds to an underwriter for distribution to the Public – **PUBLIC FINANCING AUTHORITY (508)**

Financial Services Director Ponty stated this is the final item for approval and seeking authority to purchase bonds from the Redevelopment Agency and sell them on a negotiated basis to Stone and Youngberg, the underwriter. Due to the nature of bonds being issued, the financing team believes that a negotiated sale in this instance is the most effective way for the Agency to sell the bonds.

M/S Ruskin/Howard to approve a resolution authorizing and directing the execution of a bond purchase contract and directing related action in connection therewith:

RESOLUTION PFA-03-02 OF THE GOVERNING BOARD OF THE CITY OF REDWOOD CITY PUBLIC FINANCING AUTHORITY AUTHORIZING AND DIRECTING THE EXECUTION OF A PURCHASE CONTRACT AND DIRECTING CERTAIN RELATED ACTIONS IN CONNECTION THEREWITH

The motion passed by a majority roll call vote with Council Member Jordan voting no and Vice Mayor Ira abstaining.

10. **ADJOURNMENT** – 9:50 p.m.

M/S Howard/Hartnett to adjourn until the regular City Council meeting of September 22, 2003 in memory of the thousands of people who died on September 11. She asked that their memory and courage not be forgotten and extended prayers and best wishes to family and friends who lost loved ones. **The motion passed by a unanimous voice vote by those present.**

Respectfully submitted,

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

Patricia S. Howe, CMC
City Clerk/Redevelopment Agency Secretary