

MAYOR RICHARD S. CLAIRE  
VICE MAYOR JEFF IRA

M I N U T E S  
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 REDEVELOPMENT AGENCY  
SEPTEMBER 22, 2003  
7:00 P.M.

*A reception in honor of the Mayor's Beautification Awards nominees took place in the City Hall Lobby at 6:15 p.m.*

**Mayor/Chairman Claire convened the City Council and Redevelopment Agency meetings to order concurrently.**

**1. CALL TO ORDER – 7:02 p.m.**

**2. ROLL CALL**

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

Council Members Absent: Jordan

Staff Present: City Manager Everett, City Clerk Howe, Deputy City Clerk Conly, Executive Assistant to the City Manager La Croix, City Attorney Yamamoto, Assistant City Attorney Brower, Community Development Services Manager Patterson, Economic Development Coordinator Webb, Housing & Economic Development Manager Moeller, Housing Coordinator Jones-Thomas, Police Sergeant Cesena, Administrative Sergeant Harper, Interim Library Director Kramer, Volunteer Balsamo

**3. PLEDGE OF ALLEGIANCE - Barbara Pierce, Council Member**

**4. INVOCATION - Reverend Brian Rhen, Peninsula Covenant Church**

## 5. SPECIAL ORDERS OF THE DAY -

### A. Mayor's Beautification Awards Presentation

Council Member Howard introduced and explained the concept behind the awards, asking the Pride and Beautification Committee Members to be acknowledged and thanking the judges, particularly Gino Gasparini and BFI for providing the evening's refreshments. Mayor Claire and Council Member Howard announced and handed out the awards as follows:

#### **MOST BEAUTIFUL GARDEN/LANDSCAPE**

Winner: Ken & Lucy Brock

Honorable Mentions:

Walter Nieder

George Marquis

Tom Huff

#### **BEST REMODEL - RESIDENTIAL**

Winner: Mike Spence

Honorable Mentions:

Robert Wellins

Scott & Linda Morton

#### **BEST MAINTAINED GARDEN/LANDSCAPE - RESIDENTIAL**

Winner: Javier & Lourdes Patino

Honorable Mentions:

Sebastiano Sebastiani

Kent Muhlker

Lisa Browne & Joanne Browne

Robert & Margaret Mitchell

#### **BEST UPGRADE FOR NEIGHBORHOOD IMPROVEMENT**

Winner: Maria Jara

Honorable Mention: Jeff & Danielle Hamel

#### **BEST HISTORICAL RESTORATION/RENOVATION**

Winner: Pio Rueda

Honorable Mention: Randy & Melanie Tabin

#### **BEST RURAL LAYOUT**

Winner: Pamela & Jim Everett

Honorable Mention: Terry Chesler

#### **BEST COMPATIBLE BUILDING & GARDEN/LANDSCAPE**

Winner: Carmen & Michel Lateur

Honorable Mentions:

Gary Favian & Tony Mrsich

Fred Schuckert  
Kristin & Richard Bright

**BEST MAINTAINED GARDEN LANDSCAPE: MULTI - FAMILY**

Winner: Joanne Gallagher, The Enclave  
Honorable Mention: Florence Tiedemann

**MOST IMPROVED GARDEN/LANDSCAPE**

Winner: Carin & Tim Berg  
Honorable Mention: John & Denise Anagnostou

**BEST INTERIOR REMODEL**

Winner: Afshin Partovi  
Honorable Mention: Jeff Hu & Josephine Pai

**MOST BEAUTIFUL BACKYARD GARDEN/LANDSCAPE**

Winner: Father Vern Jones  
Honorable Mention: Mr. & Mrs. John Younan

**BEST COURTYARD DESIGN**

Winner: Jinny & Dan Morrow

**MOST BEAUTIFUL DROUGHT-TOLERANT LANDSCAPE**

Winner: Diane & Alex Wassman

**BEST LANDSCAPE OF A PUBLIC UTILITY BUILDING**

Winner: SBC/Birt Johnson

**BEST ARCHITECTURAL DESIGN - RESIDENTIAL**

Winner: Michael & Julie Markwith

**BEST ARTISTIC ENHANCEMENT - RESIDENTIAL**

Winner: Guadalupe Ruiz

**BEST HISTORICAL RESTORATION - COMMERCIAL**

Winner: Rick Ross

**BEST RENOVATION OF A BACKYARD**

Winner: Joseph & Virginia Balsama

**BEST MEMORIAL GARDEN**

Winner: Rayona Sharpnack

**BEST NEW COMMERCIAL BUILDING**

Winner: Starbucks

**MOST IMPROVED PROPERTY**

Winner: Alfredo Martinez

## 6. ORAL COMMUNICATIONS

Elaine Korn, resident of East Oakwood Boulevard at the intersection of Oakwood Drive, showed some photos of her home and explained an automobile accident that occurred at 1:00 a.m. the previous morning. She stated that a vehicle had traveled on Oakwood Drive at an estimated speed of 60 mph, struck her Volvo, pushed the vehicle into the garage where the support beams collapsed. She stated the concern is with the safety of the neighborhood streets and cars are speeding down Oakwood Drive every single day. She asked for assistance in the issue and proposed three solutions for consideration toward traffic calming: increase the size of the speed bumps; block off the intersection at the end of Oakwood Drive; traffic cameras with radar detection devices.

Ted Hannig spoke on behalf of six individuals as on September 8 when he requested compassion and justice relating to property and income being taken from them. He related a telephone call, meeting and conversation involving Mr. Celotti and the City's consultant. He stated that there is a problem as either a tremendous failure of communication with the consultant or a lack of being forthright. He further explained the financial implications of the situation urging the use of extreme caution in the power of eminent domain.

Mike Kastrop, principal architect of Kastrop Architects and Vice President of the Downtown Business Group, requested Council focus attention on downtown pedestrian safety. He stated that with the hope of attracting thousands of people to the downtown area with the retail/cinema project, there is a serious pedestrian safety issues, particularly, along intersections on Broadway. He stated that the Downtown Business Group requests that the City Council proactively focus on controlling downtown intersections. A list of suggestions includes decorative planters anchored in the ground and red light cameras. The Group is willing to work with the City to ensure that safety is the number one priority.

## 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. **The motion passed by a unanimous roll call vote by those present with Council Member Jordan absent.**

### 7.1 Section - Motions

- A. Approve the City Council minutes of August 25, 2003 and the Joint City Council, Public Financing Authority, and Redevelopment Agency minutes of September 8, 2003, as submitted; (301) **MINUTE ORDER 03-220**

- B. Final Acceptance – Regional Traffic Signalization/Operation Program (RTSOP II) – Arterial Traffic Signal Interconnect Project (304)

**Recommendation:**

Accept the Regional Traffic Signalization/Operation Program (RTSOP II) – Arterial Traffic Signal Interconnect Project, and authorize the release of bonds and retention; **MINUTE ORDER 03-221**

- C. Final Acceptance – Municipal Services Center Replacement of the Men's Toilet/Shower Area Ceramic Tile Floors Project (304)

**Recommendation:**

Accept the improvements for the Municipal Services Center Replacement of the Men's Toilet/Shower Area Ceramic Tile Floors Project, and authorize the release of bonds. **MINUTE ORDER 03-222**

- D. Final Acceptance – 2002/2003 Sewer Main Replacement Project – Engineering File No. 806-08 (304)

**Recommendation:**

Accept the 2002-2003 Sewer Main Replacement Project, and authorize the release of bonds and retention. **MINUTE ORDER 03-223**

- E. Final Acceptance – City Hall Computer Room – HVAC Replacement Project

**Recommendation:**

Accept the improvements for the City Hall Computer Room – HVAC Replacement Project, and authorize the release of bonds (304) **MINUTE ORDER 03-224**

- F. Hiring of Lateral Police Officer above entry level (901)

**Recommendation:**

That the City Council approve the hiring of Police Officer Aaron Treadway at Step 5 rather than entry level **MINUTE ORDER 03-225**

- G. Acceptance of two Grant Deeds from the United States Postal Service (USPS) for the Reinforced Concrete Box Culvert (608/606)

**Recommendation:**

1. Accept the Grant Deed for a portion of the real property known as 855 Jefferson Avenue.
2. Accept the Deed of Easement for a portion of the real property known as 855 Jefferson Avenue, and
3. Direct the City Clerk, by motion, to accept on behalf of the City, the Grant Deed and the Grant Deed of easement from the United States Postal Service pursuant to Resolution No. 10944, adopted December 5, 1988, and to record a certified copy of the Resolution and Order with the deed in the office of the County Recorder of San Mateo County. **MINUTE ORDER 03-226**

## **7.2 Section - Resolutions**

### **A. Sale of retired Police Canine to Police Handler (609)**

**Recommendation:**

Authorize execution of sale of retired Police Canine Argo to his handler Officer Dan Marshall for \$1.

**ADOPT RESOLUTION 14555 DECLARING CERTAIN CITY-OWNED PERSONAL PROPERTY SURPLUS AND AUTHORIZING SALE THEREOF**

### **B. Resolution to Summarily Vacate a Portion of a Pathway – Woodside Terrace No. 4 Subdivision – Engineering File No. 702-06 (606)**

**Recommendation:**

Adopt a Resolution to summarily vacate a portion of the six-foot wide pathway shown on the attached Map of the Woodside Terrace No. 4 Subdivision, pursuant to Section 8333 of the Streets and Highways Code.

**RESOLUTION 14556 OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY, CALIFORNIA, PROVIDING FOR THE SUMMARY VACATION OF A PEDESTRIAN PATHWAY BETWEEN GOODWIN AVENUE AND OREGON AVENUE AND FINDING THAT THE PUBLIC CONVENIENCE AND NECESSITY REQUIRE THE RESERVATION THEREFROM OF A PERMANENT EASEMENT FOR PUBLIC UTILITIES AND ACCESS THERETO**

## **7.3 Section – Claims and Warrants**

### **A. Approve warrants dated through September 22, 2003 and usual and necessary payments through October 13, 2003; (301) **MINUTE ORDER 03-227****

## **8. PUBLIC HEARING – CITY COUNCIL**

- A. The proposed use of 2003 Local Law Enforcement Block Grant (LLEBG) funds by the Redwood City Police Department. (505)

Administrative Sergeant Harper explained the grant and proposed use of the funds.

Mayor Claire opened the public hearing. No public comment received.

M/S Howard/Ira to close the public hearing. The motion passed by a unanimous voice vote by those present.

Council comments included praise for the Police Department's attainment of this grant along with other grants and that the specialized equipment and training needed for the SWAT team are invaluable not only to our city but to neighboring cities.

M/S Ira/Ruskin to approve the Police Chief's recommendation to dedicate the funds to the procurements of Special Weapons and Tactics (SWAT) team equipment and Emergency Preparedness Training (EPT). **The motion passed by a unanimous voice vote by those present.**

MINUTE ORDER 03-228

## 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. 35-2003 and 36-2003. 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.)

Council Member Howard stated that page 8 of the Priority Focus (9.A-8), AB 1022 (Oropeza) is on the Governor's desk and a signature is requested. She stated that this bill afford local governments the flexibility needed to ensure public safety by improving the operation of red light camera systems, providing greater guidance and public control over the systems' use. The changes will improve motorists' confidence in the camera systems and their use and result in improved driver behavior and traffic safety.

*City Attorney Yamamoto* stated that the City has cancelled its contract with the provider and that there are multiple civil cases that have been filed. Redwood City is not a defendant in those cases.

## B. Appointment of Community Task Force on Recycled Water (802)

Vice Mayor Ira, Subcommittee Member, stated that applications for the Task Force were sent out and 34 applications were returned. He thanked everyone who applied and made the commitment to attend all the meetings, and dedicating the time required. He further stated that the subcommittee met with facilitator Dr. Cecil Reeves, reviewed all applications and selected a list of 20 names, including three alternates, which were submitted to Council for consideration. He stated satisfaction with the mix on the Task Force, nine individuals are opposed, nine are for, and two neutral to the recycled water usage for a total of 20. The Task Force members will provide a tremendous amount of benefit and talent. One recommended revision to the list of 20 individuals is to replace John Scott with William Conklin. Mr. Scott stated to Vice Mayor Ira that if his name is a contentious point, he is more concerned about the integrity and function of the Task Force and asked that his name be removed from consideration.

Council Member Pierce, Subcommittee Member, stated that there is concern about how the Task Force will function within itself and out in the community. She stated that all those chosen are passionate about the City, the community and their homes and that with the guidance of Dr. Reeves, will be able to provide a solution. She thanked all who applied.

M/S Howard/Ruskin to appoint the following applicants to the Community Task Force on Recycled Water:

Pat Becker	Jeffrey Gee	<i>Alternates:</i>	Patricia Dixon
Kevin Bondonno	Greg Greenway		Eric Fischer
Janet Borgens	Kenneth McCoy		Clem Molony
William Conklin	Mark McLaren		Claudia Sarconi
Derby Davidson	Ryan Mikolasik		Shawn White
Pamela Estes	Karen Pace		
Dee Eva	Carol Shelton		
Lee Fernandez	Gail Stebbins		
Camille Fischer	David Valkenaar		
J.P. Garcia	Chet Yee		

**Recommendation:**

M/S Howard/Ruskin to approve appointment of twenty members to the Community Task Force on Recycled Water, as recommended by the Council Subcommittee in September 19 memorandum. Revision to the recommendation to replace John Scott with William Conklin. **The motion passed by a unanimous voice vote by those present.** **MINUTE ORDER 03-229**

**C. Council Member Pierce** – stated that this Thursday, September 25<sup>th</sup>, will be the first Courthouse Square Design meeting from 7-10 p.m. in the Council Chambers. She invited all to hear and participate with Michael Freedman and the community.

## 10. STAFF REPORTS – CITY COUNCIL

- A. Community Development Block Grant (CDBG), Home Investment Partnership Funds (HOME) and City General Fund Funding Agreements for Fiscal Year 2003-2004 (304)

Housing Coordinator Debbi Jones-Thomas explained the background stating that the programs and activities were approved by Council as part of the Annual Action Plan in April of 2003.

Council Member Howard stated that Housing Coordinator Jones-Thomas will be the recipient of the Charlene A. Silva Outstanding Leadership Award. This award will be presented at the People Who Care Awards Dinner on Friday, October 3 at the South San Francisco Conference Center.

**Recommendation:**

M/S Hartnett/Pierce to approve operating agreements for public service and related programs to 27 non-profit organizations, removing the Canada College agreement from this action for a separate vote. **The motion passed by a unanimous voice vote by those present.** MINUTE ORDER 03-230

M/S Hartnett/Howard to approve the agreement with Canada College. **The motion passed by a majority voice vote by those present with Mayor Claire abstaining due to a potential conflict of interest and Council Member Jordan absent.** MINUTE ORDER 03-230

*8:05 P.M – Vice Mayor Ira left the dais due to a conflict of interest related to a client owning property adjacent to the retail/cinema project.*

## 11. STAFF REPORTS – REDEVELOPMENT AGENCY

- A. Agreement for Professional Services with Freedman, Tung, and Bottomley Urban Design (404)

Redevelopment Manager Moeller explained the agreement as the preparation of the actual implementing document which will build upon the policy direction and suggestions contained in the Downtown Area Plan.

**Recommendation:**

M/S Hartnett/Howard to approve an agreement with Freedman, Tung, and Bottomley to prepare a Precise Plan for Downtown Redwood City. **The motion passed by a unanimous voice vote by those present with Vice Chair Ira abstaining and Agency Member Jordan absent.** RD MINUTE ORDER 03-26

## 12. STAFF REPORTS – CITY COUNCIL AND REDEVELOPMENT AGENCY

- A. Amendment to the loan agreement between the City of Redwood City and the Redwood City Redevelopment Agency (304)

Redevelopment Manager Moeller explained the amendment.

**Recommendation:**

M/S Hartnett/Howard to approve the amendment to the loan agreement between the City of Redwood City (City) and the Redwood City Redevelopment Agency (Agency) adjusting the interest rate to an amount equal to the City's actual rate of return. **The motion passed by a majority voice vote by those present with Vice-Mayor/Chairperson Ira abstaining and Council/Agency Member Jordan absent.**

MINUTE ORDER 03-231  
RD MINUTE ORDER 03-27

- B. Construction and Reimbursement Agreement for Underground Public Parking Garage in the Downtown area (100)

Economic Development Coordinator Webb explained the agreement and the minor revisions to the draft agreement

M/S Hartnett/Howard to:

1. Authorize the City Manager and the Redevelopment Agency Executive Director to execute a Construction and Reimbursement Agreement with BHV Innisfree Ventures, I, LLC, developers of the Downtown Retail-Cinema project; for construction of an underground public parking garage. The agreement to be in substantial conformance with the recommendation with any revisions related to schedule, risk or budget impacts to come back for approval. Revisions presented to Council and approved at this time consist of Section D.4. – substitution of dollar amount (\$102,000.00) with 3% of fee for services performed; Section H.2. – blank to be filled with "20" days; Section H.2.C. – 50% to be revised to 90%.
2. Appropriate \$18.2M for the above from the \$20M loan from the City to the Agency which will be paid back to the City from the Redevelopment Agency's bond as part of the Downtown Funding Plan.

**The motion passed by a majority voice vote by those present with Vice-Mayor/Chairperson Ira abstaining and Council/Agency Member Jordan absent.**

MINUTE ORDER 03-232  
RD MINUTE ORDER 03-28

C. Second Implementation Agreement for Amended and Restated Disposition and Development Agreement for Downtown Retail-Cinema and Parking Project (100)

Economic Development Coordinator Webb explained the second implementation agreement that deals with two separate issues: the \$7.5 million developer payment for the air rights and when the developer should repay to the City the cost of abatement and demolition of buildings on the site.

**Recommendation:**

M/S Howard/Ruskin to approve a Second Implementation Agreement with the City of Redwood City, the Redevelopment Agency and BHV Innisfree Ventures, I, LLC, developers of the project, for the Amended and Restated Disposition and Development Agreement for the Downtown Retail-Cinema and Parking Project and authorize the City Manager and the Redevelopment Agency Executive Director to execute same. **The motion passed by a majority voice vote by those present with Vice-Mayor/Chairperson Ira abstaining and Council/Agency Member Jordan absent.**

MINUTE ORDER 03-233  
RD MINUTE ORDER 03-29

13. ADJOURNMENT – 8:35 P.M.

M/S Ruskin/Hartnett to adjourn until the next regular City Council meeting of October 13, 2003 in memory of Murdo Donald Morrison, AIA, who served on the Redwood City Architectural Review Committee and generously contributed his training and talents through public service in many ways.

Respectfully submitted,



Patricia S. Howe, CMC  
City Clerk