

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  
JOINT WITH REDEVELOPMENT AGENCY  
REGULAR MEETING  
OCTOBER 27, 2003  
7:00 P.M.

**The Mayor/Chairman 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, Jordan, Pierce, Ruskin, Vice Mayor Ira, Mayor Claire

Staff Present: City Manager Everett, City Clerk Howe, City Attorney Yamamoto, Assistant City Attorney Brower, Deputy City Clerk Conly, Community Development Services Manager Patterson, Community Development Services Manager Passanisi, Volunteer Balsamo

**3. PLEDGE OF ALLEGIANCE - Jim Hartnett, Council Member**

**4. INVOCATION - Pastor Jeff Henderson, Believers in Christ Church of God**

**5. SPECIAL ORDERS OF THE DAY –**

**A. Proclamation in Honor of Perfect Attendance – Michael Wise (207)**

Mayor Claire read the proclamation acknowledging various achievements. Michael Wise thanked Mayor Claire and the Council for the proclamation.

**B. Swearing-in of Newly Council-appointed Members of the City Boards, Committees, and Commissions**

City Clerk Howe administered the Oath of Office to the members present at the meeting: Tom Cronin and Rosanne Foust, Planning Commission; Rudy Madrigal, Library Board, and Vincent Truscelli, Senior Affairs Commission.

**6. ORAL COMMUNICATIONS**

Rudy Luca stated that he has had 10-12 of his political signs removed from private property. He asked for support and assistance from the Council with this issue.

*Mayor Claire* supported Mr. Luca's concern and encouraged anyone who witnesses removal of political signs to obtain a vehicle license number.

Betty Moran, representing the Senior Affairs Commission, announced that Congresswoman Anna Eshoo will be the guest speaker on November 13, consisting of a lunch between 12 and 1:00 p.m. with the program to follow in the theatre.

**7. CONSENT CALENDAR**

Items on the Consent Calendar are considered to be routine by the City Council and will be 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.**

**7.1 Section - Motions**

**A.** Approve the City Council minutes and Redevelopment Agency minutes of October 13, 2003, as submitted; (301) **MINUTE ORDER 03-254**

**B.** Final Acceptance –Twin Dolphin Drive Bridge (304)

**Recommendation:**

Accept the construction of the Twin Dolphin Drive Bridge, and authorize the release of the bonds following the submission of a Maintenance Bond in the amount of \$60,000.00, in accordance with Section 8 of the Construction Agreement. **MINUTE ORDER 03-255**

**C.** Final Acceptance – Wellesley Crescent Landscape/Traffic Improvements Project

**Recommendation: (304)**

Accept the Wellesley Crescent Landscape/Traffic Improvements, approve change order, and authorize the release of bonds and retention. **MINUTE ORDER 03-256**

- D. Amendment No. 1 to the Consultant Agreement with Beals Sport Relating to the Fair Oaks Elementary School Sport Field Improvement Project (304)

**Recommendation:**

Approve Amendment No. 1 to the agreement with Beals Sport for providing professional design consulting services for the Fair Oaks Elementary School Sport Field Improvement Project, for additional amount of \$29,638.00.

**MINUTE ORDER 03-257**

- E. Agreement between the Cities of Redwood City and San Carlos for the Disposition and Improvement of Unused City Parcels (608)

**Recommendation:**

Approve and authorize execution of agreement between the City of Redwood City and the City of San Carlos providing for the improvements of Skyway Road and Airport Way, installation of landscaping and signage, and the detachment, annexation, and quit claim of certain territory to the City of San Carlos.

**MINUTE ORDER 03-258**

- F. Fair Housing Settlement Agreement (304)

**Recommendation:**

(1) Approve settlement agreement between Christine Walters, et al, Peninsula Habitat for Humanity and City of Redwood City and (2) Authorize solicitation of bids.

**MINUTE ORDER 03-259**

## 7.2 Section - Resolutions

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

**Recommendation:**

Adopt a resolution granting a four month extension to Comcast to operate a cable television system in Redwood City during franchise renewal negotiations.

**RESOLUTION 14559 GRANTING COMCAST OF CALIFORNIA IX, INC. AN EXTENSION OF THEIR CABLE TELEVISION FRANCHISE**

## 7.3 Section – Claims and Warrants

- A. Approve warrants dated through October 27, 2003 and usual and necessary payments through November 3, 2003; (301) **MINUTE ORDER 03-260**

## **7.4 Section – Ordinances (2<sup>nd</sup> Reading and Adoption)**

### **A. Zoning Text Amendments (602)**

I.  
**ORDINANCE 1130-324** AMENDING ARTICLE 32 SUPPLEMENTAL PROVISIONS OF THE REDWOOD CITY ZONING CODE RELATED TO DENSITY BONUSES (*Introduced on October 13, 2003*)

II.  
**ORDINANCE 1130-325** AMENDING ARTICLE 37 (ACCESSORY DWELLINGS) OF THE REDWOOD CITY ZONING CODE (*Introduced on October 13, 2003*)

III.  
**ORDINANCE 1130-326** AMENDING ARTICLE 41 (AMENDMENTS) OF THE REDWOOD CITY ZONING CODE (*Introduced on October 13, 2003*)

***Vice Mayor Ira abstained on the following Consent Calendar items due to a potential conflict of interest with a client owning property adjacent to the retail/cinema project.***

## **8. CONSENT CALENDAR– CITY COUNCIL AND REDEVELOPMENT AGENCY**

Items on the Consent Calendar are considered to be routine by the City Council/Redevelopment Agency and will be enacted by one motion and one vote.

M/S Howard/Pierce 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 majority roll call vote with Council Member Jordan voting no and Vice Mayor Ira abstaining.**

### **A. Amendment No. 3 to Construction and Reimbursement Agreement for Relocation of Reinforced Concrete Box Culvert (100)**

#### **Recommendation:**

City Council and Redevelopment Agency to approve Amendment No. 3 to the Reimbursement Agreement for additional work for the Relocation of Reinforced Concrete Box Culvert, in the not to exceed amount of \$300,000.00.

**MINUTE ORDER 03-261  
RD MINUTE ORDER 03-31**

- B. Amendment No. 1 to Agreement for Demolition, Utility Relocation, and Reimbursement for Underground Public Parking Facility (100)

**Recommendation:**

City Council and Redevelopment Agency to approve Amendment No. 1 to Agreement for Demolition, Utility Relocation, and Reimbursement for Underground Public Parking Facility, for additional work relating to utility relocation, in the not to exceed amount of \$150,000.00.

**MINUTE ORDER 03-262  
RD MINUTE ORDER 03-32**

## **ADJOURNED THE REDEVELOPMENT AGENCY MEETING**

### **9. PUBLIC HEARING**

- A. Amendments to the Zoning Ordinance Relating to Provisions of Child Care Facilities (602)

Principal Planner Passanisi explained that stated that at the Council, on August 25, staff drafted the ordinance to reflect Option 3 of State Law, namely that large family child care providers must apply for a use permit. The City will give notice to property owners within 100 feet. The Zoning Administrator would hold a public hearing only if requested by an affected party and the decision of the Zoning Administrator could be appealed to the City Council by an affected party. The proposed ordinance includes standard conditions that only relate to parking, noise, traffic, space and concentration. The Zoning Administrator can add more conditions but most pertain to these factors.

Passanisi explained the sample notice that outlines large family child care and the use permit process that would be sent out to neighbors of pending applications. He also explained a document entitled, "Being a Good Neighbor – Tips for Family Child Care Providers", that will be sent to existing and future child care providers.

Council made comments related to the notices and asked questions related to the use permit process. Consensus was that the notice should be revised to be more user and neighbor friendly in order to easily be aware of the main points. Concern for assistance with the use permit fee was discussed and the desire to explore that at a later date.

*Mayor Claire* opened the public hearing.

Rudy Luca asked for clarification on the limitation of the number of children to be cared for and it discussed the hearing process. He asked how the people in the neighborhood could go about obtaining a hearing to discuss the matter.

*Passanisi* stated that the public is notified of their right to a public hearing if requested in writing to the Planning Department, within 7 days of the decision. That hearing is before the Zoning Administrator and if the desire is to appeal that decision, it would go before the City Council. That information is provided in the public hearing notice.

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

M/S Ruskin/Pierce to introduce the attached ordinance.

ORDINANCE AMENDING ARTICLES 2, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24, 26, 29, 39 OF THE REDWOOD CITY ZONING CODE RELATED TO PROVISIONS OF CHILD CARE FACILITIES

The motion passed by a majority roll call vote with Mayor Claire voting no.

**MINUTE ORDER 03-263**

## **10. 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. 40-2003 and No. 41-2003. 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. Council Member Pierce** – in regards to Consent Calendar Item 7.2.A, requested that in negotiations with Comcast, staff includes the idea of additional public access channels and potentially increasing the number of packages available so that there might be a package that would include public access channels at a lower cost.
- C. Council Member Jordan** – distributed to Council and read into the record, a letter dated October 26, 2003 from Dr. Martin Atkinson-Barr, CPhys PhD. She stated that for every item highlighted in the letter, attached is back-up material and that can be provided to the City Manager and Public Works Director. She stated that the information in the letter is very serious and that all should be thinking about action taken by Council stating that recycled water is safe in areas where children play. She further stated that boundaries of knowledge have been overstepped, that this information trumps those conclusions made and that morally and ethically, Council should revisit the issue. She further stated that she has a 63 page Santa Rosa environmental impact report and will forward that to the City Manager and staff.

*City Attorney Yamamoto* stated that because this item is not agendaized, it is not a matter that the public is aware of nor do they have copies of the documentation. He stated that if this is a topic that Council desires to discuss, it should be placed on a future agenda and not discussed at this time.

- D. Council Member Howard** – thanked staff, particularly, Charles Jany and Gary Kelly, who compiled the Community Development Services PACT booklet. She stated that it is a history of Redwood City, then and now, and how City has progressed. It was designed for the PACT program and she stated her recent experience at the PACT session was extremely positive.
- E. Mayor Claire** – referred to a topic in the Priority Focus from the League of California Cities involving the Vehicle In-lieu Tax. He stated that Governor-elect Schwarzenegger plans to withhold that tax and, in some way, still make the cities whole. He further stated his concern with Senator John Burton's statement that should that happen, the Legislature would not be willing to backfill local government, leaving cities and counties on their own. Mayor Claire further stated that action means \$4.5 million in revenues to Redwood City, equal to 27 police officers or 50% of the fire department. He stated that if that money does not come back to this city it means severe budget cuts. Mayor Claire stated he would send a letter to Senator Burton.

**11. ADJOURNMENT** – 8:50 p.m.

M/S Jordan/Hartnett to adjourn until the next regular City Council meeting of November 3, 2003. The motion passed by a unanimous voice vote.

Respectfully submitted,



Patricia S. Howe, CMC  
City Clerk