

MAYOR JEFF IRA
VICE MAYOR BARBARA PIERCE

MINUTES

1017 MIDDLEFIELD ROAD
REDWOOD CITY, CA

COUNCIL MEMBER IAN BAIN
COUNCIL MEMBER ROSANNE FOUST
COUNCIL MEMBER JIM HARTNETT
COUNCIL MEMBER DIANE HOWARD
COUNCIL MEMBER IRA RUSKIN

CITY COUNCIL AND
REDEVELOPMENT AGENCY
JOINT MEETING
JANUARY 26, 2004
7:00 P.M.

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

1. CALL TO ORDER – 7:03 p.m.

2. ROLL CALL

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

Staff Present: City Manager Everett, City Clerk Howe, Deputy City Clerk Conly, City Attorney Yamamoto, Assistant City Attorney Brower, Captain Cesena, Volunteer Balsamo

3. PLEDGE OF ALLEGIANCE - Rosanne Foust, Council Member

4. INVOCATION - A moment of silence was observed

5. ORAL COMMUNICATIONS AND CONSENT CALENDAR

Steve Penna invited City Council and the community to a dedication ceremony of Carrington Hall at Sequoia High School, 1201 Brewster on Friday, January 31 at 5:30 p.m. thanking Council for their contribution. Council Members acknowledged the fundraising for the project and congratulated all those who worked on this project.

M/S Ruskin/Foust 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.**

5.1 Section - Motions

- A. Approve the Special Joint City Council and Redevelopment Agency minutes of December 15, 2003, the Joint City Council and Redevelopment Agency minutes of January 5, 2004, the Special City Council minutes of January 10, 2004, and the City Council minutes of January 12, 2004 as submitted; **MINUTE ORDER 04-11**

- B. Surplus Property (609)

Recommendation:

Declare the Neopost folding/inserting machine surplus and authorize the transfer of this machine to the Redwood City 2020 program. **MINUTE ORDER 04-12**

- C. Water Supply Assessment for the proposed Bayside Gardens Project (802)

Recommendation:

By motion, approve the Water Supply Assessment for the proposed Bayside Gardens project pursuant to State of California Water Code § 10910(g)(1).

MINUTE ORDER 04-13

- D. Antenna Site License Agreement with the Oracle Corporation (304)

Recommendation:

Authorize the Police Chief to sign the Antenna Site License Agreement with Oracle Corporation that allows the police department to install a Mobile Data Base Station at 400 Oracle Parkway, Redwood City, CA 94065 **MINUTE ORDER 04-14**

- E. Disposal of Surplus Property (609)

Recommendation:

Declare Police Department and Public Works Services Department radio equipment as surplus property.

MINUTE ORDER 04-15

- F. Joint Use Agreement between the Redwood City School District and the City of Redwood City for use of School Facilities (304)

Recommendation:

It is recommended that Council, by motion, authorize the City Manager to enter into the subject agreement with the Redwood City School District

MINUTE ORDER 04-16

- G. Assignment and Assumption Agreement for Amended and Restated Disposition and Development Agreement for Downtown Retail-Cinema and Parking Project – CITY COUNCIL AND REDEVELOPMENT AGENCY (301 &100)**

Mayor stated that he will be voting on this item based on the recent Fair Political Practices Commission decision that as it relates to implementation of a Council decision, there is no longer a conflict of interest.

Recommendation:

Approve an Assignment and Assumption Agreement (Assignment Agreement) with the City of Redwood City, the Redevelopment Agency, BHV Innisfree Ventures I, LLC, and On Broadway Redwood City, LLC, (an entity comprised of BHV Innisfree Ventures I, LLC, developers of the project, and Buchanan Urban Investors, LLC) 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.

**MINUTE ORDER 04-17
RD MINUTE ORDER 04-02**

ADJOURN THE REDEVELOPMENT AGENCY MEETING

5.2 Section – Claims and Warrants (301)

- A. Approve warrants dated through January 26, 2004 and usual and necessary payments through February 2, 2004;**

MINUTE ORDER 04-18

6. 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. 1-2004 and No. 2-2004. 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 referred to page 6.A-2 regarding the December 22, 2003 Paso Robles earthquake having placed extra burdens on city staff and asking other cities if they are willing to send staff to offer services to assist. She asked about any progress having been made on this subject and thanked staff for pursuing these opportunities.

City Manager Everett stated that contact had been made with Paso Robles and that he did not know if a response or agreement had been received.

- B. Regional Measure "2" – Regional Traffic Relief Plan (209)**

Council Member Howard introduced Autumn Bernstein from the Regional Measure2 campaign, Steve Morrison from the Water Transit Authority, and Christine Maley-Grubl, Executive Director of the Peninsula Traffic Congestion Relief Alliance.

Ms. Bernstein presented the basics of the plan utilizing a PowerPoint presentation. She stated that Measure2 will be on the March 2 ballot in San Mateo County and six other Bay Area counties. The measure was placed on the ballot by a coalition of Bay Area commuters, business leaders, environmentalists and transportation planners with the goal of building a world class transit system for the Bay Area. The measure was designed to address traffic on Bay Area bridges and the highways that serve them. It proposes a \$1.00 fee increase to State owned bridges, except the Golden Gate to be used exclusively for the transportation projects as specified in the plan. The new total revenues will generate \$125 million annually for new transportation projects. She further explained the new transit options throughout the Bay Area, improved transit access, and safe and convenient connections.

Council asked various questions.

M/S Howard/Bain to endorse Regional Measure "2". The motion passed by a unanimous voice vote. **The motion passed by a unanimous voice vote. MINUTE ORDER 04-19**

7. COMMITTEE REPORTS

A. Redwood Shores Levee Access and Protecting/Enhancing Endangered Species Habitat (304)

Council Member Foust, Public Land Access Committee Member, stated the report involves whether to continue the services of consultant Buzz Fawcett to look into the possibility of opening up the Redwood Shores levees. She explained that she, Vice Mayor Pierce, Public Land Access Committee Chair, and City Manager Everett had consulted with Mr. Fawcett in various forms of communication on the topic. She referenced the enclosed letter of January 22, 2004 and stated that the discussion and concerns by Council in December are, specifically, addressed in the letter. This is an opportunity for Redwood City to be a part of a larger scope of an urban wildlife conservation program because adjacent to the levees is the Bair Island habitat which is part of the Don Edwards Wildlife Refuge. She further explained that she found it is very difficult to develop a specific timeline and milestones when working with Federal dollars. She stated there are budget cycles and time must be allowed for connections to be made with U.S. Fish and Wildlife. Additionally, there is more data available where we could ask for a re-opening of the biological opinion being reviewed in terms of mean tide data. She cited figures of available funding for restoration of Bair Island and the habitat of the species

Additionally, there is more data available where we could ask for a re-opening of the biological opinion being reviewed in terms of mean tide data. She cited figures of available funding for restoration of Bair Island and the habitat of the species that could be used in an active position on conservation. She further explained the North American Wetlands Conservation Act of 1989. She summarized that she thinks it is in the best interest of the City to extend the contract based on the \$7,500.00 per month retainer fee coming from the GID 1-64 fund.

Vice Mayor Member Pierce, Public Land Access Committee Chair, stated her reasons for supporting the restoration, conservation and stewardship. She stated that there has not been a great history in terms of the levees and opening them and caring for species and this is an opportunity to help develop the relationships with good science. We can help expand Bair Island and preservation for the species, help improve access and develop the stewardship of our residents and the greater Bay Area.

Council comments and questions were stated regarding where the percentages of time will be spent in making connections and grant writing as well as past experience that will guarantee success.

Mr. Fawcett stated that in looking at the question of the levees, it becomes obvious that there is a larger opportunity for this community and that is to actively participate in conservation and restoration, making real strides to solve this problem completely. He explained his ten years experience on Capitol Hill seeking and obtaining funds for members of Congress, and ten years experience since then working in private industry getting funds for municipalities. He further explained various mechanisms for funding that are available and that he has experience in. He stated that his charge is to find a way to make this an attractive project for policy makers in Washington D.C. to know that they have a program that is politically palatable and has a reasonable opportunity for success. He stated that the majority of his time would be in defining the four squares of the project, determining the cost of the project, obtaining agreements from the various agencies of the Federal Government in order to go forward to the local delegation and administration to come to some agreement on the initial funding and out year funding for this project.

Public Comment:

Ralph Nobles stated that the Bair Island acquisition had nothing whatsoever to do with the Cargill Salt purchase. He stated that he does not support keeping the levees closed but he also opposes using political pressure to force their opening. He stated his understanding that the barriers in place are not maintained and are easily allowing access citing two examples. He expressed appreciation for the efforts to obtain funding for the restoration of Bair Island.

Nita Spangler stated that she has been interested in the bay front area since July of 1944 when it was a beautiful untouched waterfront. She gave a history of development since then that has led to deterioration. She stated that there has been a tremendous amount of work done by volunteers and that she would like a conference involving the volunteers prior to hiring anyone. She stated that the Council might better support the fact that the area cannot support foot pounding on the soft soil.

Robin Smith, Sequoia Audubon Society, reminded Council that the birds out by the levees are still endangered, and according to the latest report from U.S. Fish and Wildlife report on mercury, they are even more endangered due to eggshell thinning. She agreed that the City has not been properly monitoring the levee access. She stated that anything the City could do to help the project along would be much appreciated.

Council Members thanked the Committee for the work and stated their reasons for supporting the recommendation such as approval of the contract being a continuum of the attempt to restore Bair Island. Agreement that positive results cannot and should not be attained by political pressure but that those results must come from someone seeking funding for what does make sense was expressed. Agreement to listening and involving members of community who support restoration and endangered species protection was mentioned. In regards to the City's track record, the work with Aqua Terra in cleaning tons of debris, the CityTrees organization, citywide clean-ups and recycling projects should be recognized. Several Council Members stated that there is a risk, but also an opportunity to obtain Federal dollars available.

Council Member Ruskin stated his concern with the monitoring of the access to the levees. He expressed his dissatisfaction and concern with the report stating that the language is not frank and straightforward, and that he would oppose the recommendation. Council Member Bain had asked specific questions during both discussions of the topic and stated that he is still not satisfied and would be voting no.

Recommendation:

M/S Foust/Hartnett to approve, and authorize the City Manager to sign the letter agreement amending the agreement dated March 27, 2003 with Mr. W.H. Fawcett in a joint effort to open access to Redwood Shores Levees and to enhance/expand endangered species habitat. **The motion passed by a majority roll call vote with Council Members Bain and Ruskin voting no.**

MINUTE ORDER 04-20

8. **ADJOURNMENT** – 8:22 p.m.

M/S Howard/Pierce to adjourn until the next City Council meeting of February 2, 2004. Council Member Foust requested adjournment in memory of Bruce E. Woolpert, President of Granite Rock Company for 36 years passed away on January 22. She explained that he had initiated and supported the clean-up of Steinberger Creek through the Aqua Terra project. Council Member Bain requested adjournment in the memory of Lois Eaton, his grandmother who passed away the previous week. **The motion passed by a unanimous voice vote.**

Respectfully submitted,



Patricia S. Howe
City Clerk