

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

JOINT CITY COUNCIL AND
REDEVELOPMENT AGENCY MEETING
MARCH 22, 2004
7:00 P.M.

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

1. **CALL TO ORDER** – 7:00 p.m.

2. **ROLL CALL**

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

Staff Present: City Manager Everett, City Attorney Yamamoto,
Deputy City Clerk Conly, Volunteer Balsamo, Gary Hover,
Chu Chang, Peter Ingram, Susan Moeller, Michael
Church, Debbi Jones-Thomas, Charles Jany, Blake Lyon,
Jill Ekas

3. **PLEDGE OF ALLEGIANCE** - Barbara Pierce, Vice Mayor

4. **INVOCATION** - A moment of silence was observed.

5. **SPECIAL ORDERS OF THE DAY** -

Proclamation In Honor of Former Mayor Daniela Gasparini – Rescheduled per Mayor
Ira to later date due to Ms. Gasparini's illness.

6. ORAL COMMUNICATIONS AND CONSENT CALENDAR – CITY COUNCIL AND REDEVELOPMENT AGENCY

Parks & Recreation Commissioner Jeri Joseph invited the City Council and the community to the 3rd Annual Pet Parade on Saturday April 3, 2004 behind the Community Activities Building at Red Morton Center. The Mayor congratulated her on the parade, and thanked her for appearing at Council.

Rudy Luca stated that he had missed the Council meeting in which the Police Department Lobby remodeling project was approved, and inquired as to what the remodel consisted of and the cost. The Mayor directed City Manager Everett to have Staff forward Mr. Luca that information.

Andy Frisch of Kainos Center wanted Council to know that it is their 30th anniversary, and thanked Redwood City for its support.

Hilary Paulson, Chairperson of the Planning Commission, invited the public to a series of meetings regarding the update of the General Plan. She mentioned that the first meeting, held at Friendly Acres, was a success, and that the next two meetings were to occur on Tuesday, April 6th at the Community Activities Building on Roosevelt Avenue and on Tuesday, May 18th at the Sandpiper Community Center at 797 Redwood Shores Parkway.

Steve Collins started to speak about Item 8.A., but at the request of the Mayor agreed to comment during the Public Hearing.

Jim Peters introduced himself as a resident of the McGarvey Avenue neighborhood, and stated that several residents from the neighborhood were present to discuss the issue of speeding and "jumping" by teenaged drivers. Mr. Peters shared that he has been a resident of the neighborhood for 18 years, and has seen numerous occasions of speeding/jumping. He stated that Redwood City uses radar in the area, but only during the day. Mr. Peters introduced photos of a recent accident that took place in neighbor Kathy Schrenk's front yard, and recounted other occasions when teens caused accidents/near accidents in neighborhood yards. He stated that we must do something before there is a fatality.

Kathy Schrenk shared further details on the recent car accident that occurred in her front yard, and asked that the possibility of installing a speed bump be examined by City Traffic Engineers. She further stated that she has been in contact with the Principal of Sequoia High School to ask for assistance with education on the subject. Ms. Schrenk asked for the Police Department to have a few more passes on McGarvey Street during evening hours, and suggested that the City place one of the innovative Traffic Calming signs that have been used successfully in the past couple

of years on the street to deter potential speeders. She thanked Council for listening to her group of neighbors on this issue.

Nathan Schrenk provided additional details on the accident that occurred in his yard, and shared that a local teen had advised him the next day that McGarvey Street was known by local teenagers as a spot that one could get their car airborne. He asked for the City to consider exploring ways to make the area less attractive to people who want to make their cars airborne.

Doran Donnelly showed a map of the McGarvey neighborhood showing the location of the accident site, and shared his fear of crossing the street with his child in a stroller at one particularly dangerous crosswalk. He commented that the school has a traffic problem, and asked for consideration of several possible improvements such as a speed bump, more aggressive enforcement, and use of photo radar. He concluded with a request to the City to consider painting curbs red in front of neighborhood houses so that people cannot block residents' driveways.

Council thanked Mr. Donnelly and the other neighbors for calling this issue to the Council's attention, and inquired which direction the traffic is primarily coming from. Mr. Donnelly responded that it was coming from both directions, but was a bit worse from the West because drivers were entering from the hill.

David Chow added that the Canyon Road neighborhood doesn't have McGarvey Avenue's jumping problem, but does have a considerable speed issue. He mentioned numerous spinouts on Canyon Road, and asked what the proper steps were to take to pursue this matter with the City.

Dr. Gregory Smith that McGarvey Avenue is frequently utilized as a shortcut to Farm Hill Road by commuters seeking to get to I-280. He advocated that the ideal situation for the neighborhood would be a radar camera. Dr. Smith stated that he didn't want to inconvenience law-abiding citizens who weren't speeding with additional stop signs or speed bumps.

Roman Soshan said that he felt that added stop signs would not help the McGarvey speeding situation, that he is not in favor of speed bumps, but that he felt that photo radar would be the best way to pursue the situation. He commented that his family is regularly awakened by the sound of loud motorcycles and trucks that throttle to speed up as they go by.

Council comment:

The Mayor/Council thanked the residents for their comments, and requested that the Police Chief and Traffic Engineers follow up with residents of McGarvey and Canyon. Due to the number of citizens pursuing this topic, the request was made for Staff to respond to Mr. Peters for the McGarvey Avenue matter and to Mr. Chow for the Canyon Road matter.

City Manager Everett stated that he had heard of the speeding on Canyon Road, and that officers are already listed to be pursuing speed infractions there. He stated that the City would pursue ticketing and would follow up with radar trailers in the area.

M/S Ruskin/Hartnett 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.**

6.1 Section - Motions

A. Approve the Regular City Council meeting minutes of March 8, 2004, as submitted; (301) **MINUTE ORDER 04-42**

B. Award of Contract – 2003-2004 Storm Drain Improvements Project (304)

Recommendation

Approve the Contract Documents and award the contract for the 2003-2004 Storm Drain Improvements Project to the lowest responsible bidder, JMB Construction Inc. of San Francisco, California, for their bid of \$448,930.00.

MINUTE ORDER 04-43

C. Property Dedication Agreement and Acceptance of Easement and Right-of-Way associated with the Ralston Avenue/Marine Parkway/Route 101 Interchange Improvement Project (304)

Recommendation

1. Authorize the City Manager to execute a Property Dedication Agreement;
2. Authorize the City Manager to execute a Property Access Agreement, and
3. Direct the City Clerk, by motion, to accept on behalf of the City, the Public Service Easement and Public Street Right-of-Way offered by the Oracle Corporation (current land owner), and record the two associated Quit claim Deeds, in the office of the County Recorder of San Mateo County.

MINUTE ORDER 04-44

D. Community Development Block Grant (CDBG) Funding Agreements for FY 2003-2004 (405)

Recommendation

Approve operating agreements for public service and capital projects for Caminar, Second Harvest Food Bank and Kainos Home & Training Center

MINUTE ORDER 04-45

6.2 Section – Resolutions

- A. Annexation to the Emerald Lake Heights Sewer Maintenance District (ELHSMD) Supplemental Agreement No. 32 (802)

Recommendation

Adopt a resolution approving and authorizing execution of Supplemental Agreement no. 32 with the County of San Mateo, and consenting to the annexation of Assessor's Parcel Nos. 068-262-170 to the Emerald Lake Heights Sewer Maintenance District (ELHSMD), subject to the following conditions:

1. Property owners pay a Wastewater Treatment Capacity Fee of \$715.50
2. Property owners pay a Sewer System Capital Facilities Fee of \$960.00
3. An annexation agreement between the City and County be executed.

ADOPT RESOLUTION 14575, RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF SUPPLEMENTAL AGREEMENT NO. 32 TO AGREEMENT RELATING TO SEWAGE TRANSMISSION, TREATMENT AND DISPOSAL; AND CONSENTING TO ANNEXATION OF CERTAIN TERRITORY TO THE EMERALD LAKE HEIGHTS SEWER MAINTENANCE DISTRICT

6.3 Section – Warrants

- A. Approve warrants dated through March 22, 2004 and usual and necessary payments through April 5, 2004; (301)

MINUTE ORDER 04-46

7. STAFF REPORTS -

- A. Recycled Water Task Force Report (802)

Recycled Water Task Force Staff Liasion Chu Chang described the history and process of the Recycled Water Task Force using a Powerpoint presentation (on file), and introduced Task Force members Mark McLaren and Derby Davidson, who presented the findings. According to Mr. McLaren and Mr. Davidson, the goal

of the Task Force was to find 2000 acre feet-per-year of recycled and/or conserved water in a financially feasible manner by utilizing alternative sites other than schools, parks, and playgrounds. Mr. McLaren and Mr. Davidson identified and described the three primary recommendations of the Task Force, which were: 1. Implement Alternative TF (Task Force), 2. Investigate and implement Other Potential Measures (OPM's) in addition to Alternative TF, and 3. Have the City prepare Annual Reports for the City Council and public review.

Council Members congratulated the committee on a brilliant job, suggested that they be introduced, and voiced various questions to Gary Hover about Alternative TF's use of synthetic turf on playing fields. City Manager Everett asked for those Task Force members present to stand as a group and be congratulated.

Gary Hover spoke of the history of synthetic turf use at Hoover Field, and noted its popularity in California and around the country.

Public comment:

Rudy Luca said he was against synthetic turf and voiced concern over the costs of implementing the turf on local playing fields. City Manager Everett asked for Gary Hover to speak further to address this question by contrasting the difference between Astroturf and the newer synthetic turf.

Gary Hover described the differences and spoke of the improved safety record of new-style synthetic turf.

Christina Lai of the Safewater Coalition recalled the past two years of the Safewater Coalition, congratulated the Recycled Water Task Force on their work in finding ways to keep recycled water away from schools and playgrounds, and thanked Council for their actions in responding to Safewater's concerns.

Alan Bygdnes suggested encouraging homeowners in Redwood City to construct shallow wells in their yards as a way of saving water at no cost to the City.

Greg Greenway, member of the Task Force, stated that the Task Force was a team effort and thanked all involved.

David Valkenaar of the Task Force commented on the good safety record of the new synthetic turf.

Various Council comments were made complimenting the Task Force, noting that the idea of involving the Cinema project needed to be followed up on in an urgent fashion to determine feasibility, and voicing encouragement of the Pride and

Beautification Committee to follow the Task Force's suggestion to include water conservation as part of the awards criteria. Special thanks were expressed to Task Force facilitator Cecil Reeves.

Recommendation

M/S Ruskin/Howard to accept the Recycled Water Task Force Report, and direct City staff to return to City Council with implementation actions for consideration.
The motion passed by a unanimous voice vote.

MINUTE ORDER 04-47

**B. El Camino/ Vera Street Affordable Housing Project - CITY COUNCIL/
REDEVELOPMENT AGENCY (304 & 405)**

Susan Moeller used a Powerpoint presentation (on file) to convey the recommendation from the Housing and Human Concerns committee for Council to direct Staff to enter negotiations in relation to the project. She spoke of the challenges in developing a project that combines rental and ownership and how to achieve that goal. Ms. Moeller introduced Jeff Oberdoeffer, the Executive Director of First Community Housing and J.P. Garcia, the Chair of the Housing and Human Concerns Committee. Mr. Oberdoeffer introduced Mark Molton and Ed Hayes of Peninsula Habitat for Humanity, and noted Habitat for Humanity's connection in helping the development of the project. Mr. Oberdoeffer explained the concept of green sustainable buildings, and showed examples of other developments that First Community Housing has created in the Bay Area.

Council Members expressed various concerns, such as the need to make sure that any structures to be developed on the site fit in with the surrounding buildings on El Camino Real, whether the property qualified for transit-related funds from CCAG, the need for affordable housing in Redwood City, the demographics of who would be served, whether retail was required to be part of the mix, and whether the sale of the property was to be included as part of the negotiating process.

Susan Moeller stated that retail was not a requirement, and that they will study it. She noted that the project may require an amendment to the General Plan and a Zoning Amendment, and that consideration is being given to doing a Precise Plan for the proposed project. She went on to state that during the negotiation process, the land and cash from the City would be part of the financial package to be developed over the next few months (90-120 days).

Public comment:

Betty Moran of the Senior Affairs Committee spoke of the need to increase affordable housing for seniors in Redwood City.

Rudy Luca commended trying to develop affordable housing and inquired about parking plans for the units and what the 1-room units would be designated for as far as use. He expressed concern over it potentially being a five-story building.

Mr. Oberdoeffer responded that parking met requirements, and per Council Member Howard's request, Susan Moeller confirmed that the Franklin Irvine Apartment building is five stories.

Recommendation

M/S Bain/Howard that the City Council/Redevelopment Agency Board direct staff to enter into negotiations with First community Housing for an Exclusive right to Negotiate on the El Camino Real/Vera Street site for an affordable housing project, pursuant to the recommendation of the Housing and Human Concerns Committee. **The motion passed by a unanimous voice vote.**

MINUTE ORDER 04-51

RD MINUTE ORDER 04-04

8. PUBLIC HEARINGS

- A.** Appeal of the Zoning Administrator's approval of a Planned Development Amendment at 2 Dillon Lane to allow for a second story balcony addition to an existing two-story single family residence located in the Valota Place Planned Development. (602)

Blake Lyon of the Planning Department utilized a Powerpoint presentation (on file) to explain the nature of a zoning appeal of a proposed construction project that would entail the building of a balcony on the property at 2 Dillon Lane. Mr. Lyon concluded that Staff approved the request to go forward on a permit because the proposed balcony meets the requirements of the Redwood City Zoning Ordinance and because the City received written consent from the Valota Place Home Owners Association.

Council Members asked various questions to determine the nature of the appellant's concern for privacy and the impact on the planned development. Concern was expressed that the City might be able to issue a permit but that the resulting permit might not be viable within the constraints of a private CCNR.

Mayor Ira opened the Public Hearing.

Yuen Yeh, the appellant, stated that the Homeowner's Association did not handle the approval properly and presented a letter (on file) signed by several neighbors within the HOA protesting the proposed balcony construction and stating that they had not been given appropriate time to respond to the Homeowner's Association notice.

Mark Murdich, the applicant, thanked City Council for the process and explained that he had taken great trouble to improve his property. He noted that the bylaws of the Homeowners Association are written and that procedure was followed when they approved his change proposal. He further stated that he could not see into the appellant's house.

Several neighbors from both the Dillon Lane development and the adjacent Goodwin Avenue neighborhood spoke about the history of the Dillon Lane development and the care taken during development to protect the privacy of residents of both neighborhoods through placement/design of the houses. Neighbors recollected both the developer and City Staff member Tom Passanisi examining their yards on several occasions to examine the properties in relation to privacy concerns.

Eugene Gershtein stated that he had been President of the Valota Place Homeowner's Association at the time of Mr. Murdich's request for permission to pursue building a balcony. Mr. Gershtein emphasized that the CCNR specifies a procedure for getting changes approved, not blocking any change from occurring.

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

Council comment:

Council Members expressed concern over the history of the development, the homeowners' expectations of privacy, and the planning put into it. Concern was voiced that while the change might be within the context of the Redwood City Zoning Ordinance but not within the context of the planned development.

Blake Lyon explained the Planning Department's process in approving the action, determining and making the finding that the modifications are in keeping with the City's Zoning Code. Jill Ekas commented on the process, and read out loud Article 46, the Planned Development section of the Zoning Code.

Vice Mayor Pierce suggested that research should be done to uncover the historical record of how the development was planned.

Recommendation

M/S Hartnett/Pierce to continue the topic until a date no later than 60 days past March 22, 2004. **The motion passed by a unanimous voice vote.**

MINUTE ORDER 04-48

B. Proposed amendments to the Zoning Ordinance related to Nonconforming Lots, Uses, Structures, and Parking. (602)

Charles Jany utilized Powerpoint slides (on file) to present a brief overview of non-conforming uses; he stated that it is important to emphasize that non-conforming use does not mean illegal. He called upon Curtis Williams to help discuss the purpose of the proposed zoning amendment.

Council Member Howard noted that the Planning Commission minutes addressed all issues.

Mayor Ira opened the Public Hearing. There was no Public Comment.

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

Recommendation

M/S Ruskin/Bain to find that the proposed Zoning Ordinance amendments detailed in the Ordinance attached to this report as Attachment 2 are in the public interest and are consistent with the General Plan, and introduce the Ordinance. **The motion passed by a unanimous voice vote.**

MINUTE ORDER 04-49

INTRODUCTION OF AN ORDINANCE:

ORDINANCE AMENDING ARTICLES 2, 31, 32, 33 AND 36 RELATED TO NON-CONFORMING USES AND STRUCTURES; AND DELETING SECTIONS 5.11, 6.11, 8.12, 9.12, 10.12, 11.10, 12.10, 13.11, 15.11 RELATED TO LOT SIZE EXCEPTIONS; AND DELETING SECTION 31.8 RELATED TO FENCES AND WALLS AND AMENDING SECTION 32.10 RELATED TO ACCESSORY BUILDINGS OF THE REDWOOD CITY ZONING CODE (602)

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. 9-2004 and No. 10-2004. 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.)
- B. Boards, Committees/Commissions Selection Process Request for Comments and Concerns (209)**

Staff Contact: Vice Mayor Barbara Pierce 368-6246 bpierce@redwoodcity.org

Vice Mayor Pierce discussed the process for selecting the Council-appointed Boards, Committees, and Commissions members. She stated that last year's process included a written application, 3 minute presentation, and a later face-to-face interview with a short list of applicants. She proposed for this year's selection process, that the Council Members each recommend no less than 3 and no more than 25% of applicants to move forward to a second round of interviews, with the final decision on candidates to be made at a City Council meeting as in the past.

Council Comments included that the idea of hearing the applicants' vision for Redwood City and making the selection based on the interviews is good, and that in the next Mayor's letter to solicit for applicants more emphasis should be placed on people following an area of interest when applying.

Recommendation

M/S Foust/Ruskin that Council accept the changes to the process for choosing the Council-appointed Boards, Committees, and Commissions.
The motion passed by a unanimous voice vote.

MINUTE ORDER 04-50

10. ADJOURNMENT: 11:10 p.m.

M/S Ruskin/Hartnett to adjourn until the next City Council meeting of April 12, 2004. **The motion passed by a unanimous voice vote.**

Respectfully submitted,



Barbara Conly
Deputy City Clerk