

MAYOR JEFF IRA  
VICE MAYOR BARBARA PIERCE

MINUTES

COUNCIL MEMBER ALICIA C. AGUIRRE  
COUNCIL MEMBER IAN BAIN  
COUNCIL MEMBER ROSANNE FOUST  
COUNCIL MEMBER JIM HARTNETT  
COUNCIL MEMBER DIANE HOWARD

1017 MIDDLEFIELD ROAD  
REDWOOD CITY, CA

REGULAR MEETING  
CITY COUNCIL  
MAY 23, 2005  
7:00 P.M.

1. **CALL TO ORDER** – 7:05 p.m.

2. **ROLL CALL**

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

Staff Present: City Manager Everett, Deputy City Clerk Conly, City Attorney  
Yamamoto, Assistant City Attorney Brower, Public Works Services Director Ingram,  
Public Works Superintendent Rosas, Planning Manager Church, Senior Planner  
Ekas, Manager of Engineering and Construction Chang, Volunteer Balsamo

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

4. **INVOCATION** - Father Vern Jones, Episcopal Diocese of California

## 5. ORAL COMMUNICATIONS AND CONSENT CALENDAR

Mayor Ira noted that this week marked Council Volunteer Art Balsamo's 59<sup>th</sup> year working with Redwood City and that the June 6, 2005 would be the beginning of his 60<sup>th</sup> year. He mentioned that Art started with 32 years as an employee and then went on to another 27 years as a volunteer. Mayor Ira thanked Art Balsamo for everything he has done for the City.

Dee Eva announced on behalf of the Sequoia High School Alumni Association that the dedication ceremony for the Sequoia Veterans Memorial will take place on Saturday, September 17, 2005 at 11:00 a.m. She noted the various community groups who have supported the project, including the Redwood City Civic Cultural Commission. Ms. Eva invited City Council members, City staff, and citizens to attend the ceremony, which will take place at the monument location across from Carrington Hall.

M/S Pierce/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.**

### 5.1 Section – Motions

- A. Approve the minutes of the May 9, 2005 City Council meeting as submitted;  
(301) **MINUTE ORDER 05-87**

B. Investment Policy

**Recommendation:**

It is recommended that the City Council approve the existing City of Redwood City Investment Policy without changes. (501) **MINUTE ORDER 05-88**

- C. Amendment of By-laws to Home Improvement Loan Committee

**Recommendation:**

Approve, by motion, an amendment to Section 2.1 (Membership) of Article II of the By-laws of the Home Improvement Loan Committee of the City of Redwood City. (209) **MINUTE ORDER 05-89**

**D. Temporary Labor Services**

**Recommendation:**

By motion, approve amendment to the agreement with Bay Span, Inc., of Vallejo, CA to extend the agreement through December 31, 2005 and increase the not-to-exceed amount of the agreement to \$190,000.00. **(304) MINUTE ORDER 05-90**

**E. Amendment No. 2 to the Agreement with DES Architects and Engineers for the Restoration of the Historic San Mateo County Courthouse.**

**Recommendation:**

Approve Amendment No. 2 to the Agreement with DES Architects and Engineers for the Restoration of the Historic San Mateo County Courthouse. **(304) MINUTE ORDER 05-91**

**F. Approval of Agreement – Toilet Replacement Program**

**Recommendation:**

By Motion, authorize the City Manager to execute the professional services agreement with San Jose Water Conservation Corp. of Temecula, California in the amount of \$2,200,000.00 for the implementation of the City's Direct-Install Toilet Replacement Program. **(304) MINUTE ORDER 05-92**

**G. Peninsula Celebration Association's 66<sup>th</sup> Annual Fourth of July Celebration, 2005.**

**Recommendation:**

The City Council authorize execution of a letter permit for the Fourth of July Celebration sponsored by the Peninsula Celebration Association. **(604) MINUTE ORDER 05-93**

**5.2 Section – Claims and Warrants**

**A. Approve warrants dated through May 9, 2005 and usual and necessary payments through May 23, 2005; (303) MINUTE ORDER 05-94**

**5.3 Section – Final Acceptances**

**A. Final Acceptance – Electronic Arts, Public Improvements**

**Recommendation:**

Accept, by Minute Order, the Public Improvements for Electronic Arts (201 Redwood Shores Parkway), and release the bonds following the submission of a

Maintenance Bond in the amount of \$12,000.00 (10% of the original bond), in accordance with the Improvement Agreement. **(304)** **MINUTE ORDER 05-95**

- B.** Final Acceptance – Redwood Shores Parkway Loop Detection Installation Project

**Recommendation:**

Accept the Redwood Shores Parkway Loop Detection Installation Project, and authorize the release of bonds to S.G. Barber Construction, Inc. **(304)**

**MINUTE ORDER 05-96**

**5.4 Section – Resolutions**

- A.** Seaport Centre Maintenance District – Approval of City Manager's and Engineer's Reports; Approval of a Five-Year Budget, and Levying of Assessments

**Recommendation:**

Adopt a Resolution of Intention to:

1. Order the Levy of Benefit Assessments for FY 2005-06;
2. Approve the City Manager's and Engineer's Reports;
3. Approve a Five-Year Budget and a Maximum Annual Assessment;
4. Call for a Property Owners' Election on the Five-Year Budget and Maximum Annual Assessment, and
5. Provide for Notice of the Election and a Public Hearing thereon. **(507)**

**RESOLUTION 14643 OF INTENTION TO ORDER THE LEVY OF BENEFIT ASSESSMENTS FOR FISCAL YEAR 2005-2006 USING THE ALTERNATIVE METHOD, ESTABLISHING A 5-YEAR BUDGET FOR FISCAL YEARS 2005-2006 THROUGH 2009-2010, ESTABLISHING A MAXIMUM CUMULATIVE ASSESSMENT FOR SUCH 5-YEAR PERIOD AND A MAXIMUM ANNUAL ASSESSMENT FOR SUCH 5-YEAR PERIOD, APPROVING CITY MANAGER'S AND ENGINEER'S REPORTS, CALLING PROPERTY OWNERS' ELECTION ON SAID BUDGETS AND ASSESSMENTS, AND PROVIDING FOR NOTICE OF ELECTION AND HEARING THEREON – SEAPORT CENTRE MAINTENANCE DISTRICT**

- B.** Seaport Boulevard Landscape Maintenance District – Approval of City Manager's and Engineer's Reports; Approval of a Five-Year Budget, and Levying of Assessments

**Recommendation:**

Adopt a Resolution of Intention to:

1. Order the Levy of Benefit Assessments for FY 2005-06;
2. Approve the City Manager's and Engineer's Reports;

3. Approve a Five-Year Budget and a Maximum Annual Assessment;
4. Call for a Property Owners' Election on the Five-Year Budget and Maximum Annual Assessment, and
5. Provide for Notice of the Election and a Public Hearing thereon. (507)

**RESOLUTION 14644** OF INTENTION TO ORDER THE LEVY OF BENEFIT ASSESSMENTS FOR FISCAL YEAR 2005-2006 USING THE ALTERNATIVE METHOD, ESTABLISHING A 5-YEAR BUDGET FOR FISCAL YEARS 2005-2006 THROUGH 2009-2010, ESTABLISHING A MAXIMUM CUMULATIVE ASSESSMENT FOR SUCH 5-YEAR PERIOD AND A MAXIMUM ANNUAL ASSESSMENT FOR SUCH 5-YEAR PERIOD, APPROVING CITY MANAGER'S AND ENGINEER'S REPORTS, CALLING PROPERTY OWNERS' ELECTION ON SAID BUDGET AND ASSESSMENTS, AND PROVIDING FOR NOTICE OF ELECTION AND HEARING THEREON – SEAPORT BOULEVARD LANDSCAPE MAINTENANCE DISTRICT

## 6. PUBLIC HEARINGS

- A. Appeal of a Use Permit for High Tech High Bayshore, a public charter high school proposing to locate at 890 Broadway

Senior Planner Jill Ekas utilized a Powerpoint presentation (on file) to present a staff report on the appeal of the use permit for High Tech High. Ms. Ekas presented slides depicting maps of the neighborhood and photographs of sample traffic flow. Ekas presented data on the diversity of uses of different buildings in the neighborhood, including several public and quasi-public uses.

Council requested clarification from the City Attorney that their purview as to what was to be decided in a vote included only the topics of parking issues and outside use. Assistant City Attorney Brower confirmed this.

Mayor Ira opened the public hearing.

### *Public Comment:*

Linda Stevenin, Regional Director of High Tech High, displayed her points using a Powerpoint presentation (on file). She described High Tech High's attributes, and noted that its position as a Charter School allowed School Administration to determine how many parking passes would be distributed to students and set policies as to their use.

Arthur Graham, appellant, stated that he supports education and the concept of charter schools, and that the appeal puts him in an awkward situation. He expressed deep concern over the location of the school and potential future issues between his use of his property as an industrial warehouse, and voiced concern over his future ability to sell the property if the zoning variance were to

be allowed. Mr. Graham expressed worry for the safety of the students who may be biking to commute to school due to traffic flow in the neighborhood.

Roland Lampert explained that he owned another property adjacent to High Tech High and that he had lost an appeal several years ago for a zoning variance that he considered similar. He expressed concern over parking in the neighborhood.

Rodrigo Barajas utilized an interpreter to explain that he has been a student with High Tech High for the past two years, and that for his third year he will be able to walk to school since it will now be in Redwood City.

Chantal Chalfont commented that she is a 10<sup>th</sup> grade student of High Tech High, and that while she is presently driven by her mother, that she would be pursuing carpooling with other students. She expressed that students have been responsible about carpooling and using public transit.

Rob Lasher identified that he represented another building adjacent to High Tech High, expressed support of charter schools, and voiced concern over parking safety in the neighborhood due to heavy traffic. He submitted an informal petition signed by business owners and tenants in the surrounding neighborhood (petition on file). Mr. Lasher stated that the intersection near the Post Office has particular issues with traffic flow and near-accidents, and expressed concern for students and for tenants/business owners in the neighborhood in relation to parking and traffic safety.

Linda Schaefer commented that she was a parent of a student at High Tech High, and that she appreciated the various comments made throughout the evening about safety. She commented that parents are committed to doing their part to make the school an enhancement to the neighborhood and not a detriment.

M/S Bain/Foust to close the Public Hearing.

Council discussion included various comments expressing concern both over parking needs of the business owners in the neighborhood, concerns over potential traffic congestion and safety for businesses and students, and support for the concept of High Tech High.

**Recommendation:**

M/S Foust/Howard to deny the appeal and uphold the Zoning Administrator's decision to approve the Use Permit for High Tech High Bayshore subject to Findings and Conditions of Approval. **The motion passed by a unanimous voice vote. (604)**

MINUTE ORDER 05-97

**7. STAFF REPORTS**

**A. Implementation of Water Financing Plan – Recycled Water Pricing Policy**

Public Works Services Director Peter Ingram utilized a Powerpoint presentation (on file) to present a staff report depicting the next phase in the Recycled Water Task Force's recommendation, that of structuring rates and fees for delivery of recycled water. Mr. Ingram distributed a copy of a revised exhibit to the proposed resolution to Council Members (on file) and explained that the wording changes were minor clarifications.

Council discussed various concerns, including making rates palatable to businesses that would utilize the water and future adjustments of the discount rates to encourage businesses to adopt use.

*Public Comment:*

Nancy Gilbertson expressed concern over the implementation of recycled water in Redwood City, and asked Council to call for further study of chloramine due to its potential hazardous nature.

Greg Greenaway of the Seaport Industrial Association expressed support of the recycled water program and encouraged Council to pursue adopting a permanent discount policy due to recycled water's limited use and as a good way to create incentive for early connection by industrial users.

**Recommendation:**

M/S Foust/Pierce to: by resolution, adopt a pricing policy for the pricing of recycled water. **The motion passed by a unanimous roll call vote. (506)**

**RESOLUTION 14645 OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY ADOPTING A POLICY FOR THE PRICING OF RECYCLED WATER**

## 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 Bulletin No. 18-2005 and No. 19-2005. 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 City Council-appointed Boards, Committees, and Commissions**

1. Home Improvement Loan Committee (*Three unexpired terms; one ending May 31, 2006 and two ending May 31, 2007*). Applicants are listed in alphabetical order:

- James Ochsner
- Craig Robinson

M/S Foust/Howard to approve Mr. James Ochsner for the term ending May 31, 2006 and to approve Mr. Craig Robinson for the term ending May 31, 2007. **The motion passed by a unanimous roll call vote. MINUTE ORDER 05-98**

**C. Council Member Howard** announced that at the last CCAG meeting, a vote was taken that approved the third San Mateo County Transit Oriented Housing incentive program, which will make funds available to various Redwood City projects such as Montgomery Villas and the Walnut Street condominium project.

**D. Council Member Foust** – noted that former Council Member Colleen Jordan has recently been nominated to serve on the Bay Conservation and Development Commission by Governor Schwarzenegger.

**E. Council Member Aguirre** – spoke about her experience attending the recent League of California Cities meeting in Sacramento with Vice Mayor Pierce, Council Member Howard, and City Manager Everett. She presented materials from the meeting to Mayor Ira for the Council's use.

**F. Mayor Ira** – mentioned the upcoming groundbreaking at Courthouse Square on Wednesday and invited everyone. He also read a letter the City received from a citizen thanking Officer Daniel Sharp for his service.

**9. ADJOURNMENT: 9:35 p.m.**

M/S Howard/Aguirre to adjourn until the next regular City Council meeting of June 6, 2005. **The motion passed by a unanimous voice vote by those present.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Barbara Conly".

Barbara Conly  
Deputy City Clerk