

MAYOR BARBARA PIERCE  
VICE MAYOR ROSANNE FOUST

MINUTES

COUNCIL MEMBER ALICIA C. AGUIRRE  
COUNCIL MEMBER IAN BAIN  
COUNCIL MEMBER JIM HARTNETT  
COUNCIL MEMBER DIANE HOWARD  
COUNCIL MEMBER JEFF IRA

1017 MIDDLEFIELD ROAD  
REDWOOD CITY, CA

REGULAR MEETING  
CITY COUNCIL  
FEBRUARY 13, 2006  
7:00 P.M.

**1. CALL TO ORDER – 7:05 p.m.**

**2. ROLL CALL**

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

Staff Present: City Manager Everett, City Clerk Howe, City Attorney Yamamoto, Assistant City Attorney Aranda, Senior Civil Engineer Lynch, Community Development Director Patterson, Manager of Engineering and Construction Chang, Community Development Services Manager Passanisi, Associate Planner Lyon, Downtown Development Coordinator Zack, Parks, Recreation and Community Services Superintendent Beth, Redwood City 2020 Executive Director Shah, Volunteer Balsamo

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

**4. INVOCATION - Retired Pastor Dennis Logie, Sequoia Christian Church**

## 5. SPECIAL ORDERS OF THE DAY –

### A. Presentation of Mayor Gavel to Council Member Jeff Ira

Mayor Pierce presented Council Member Ira with his gavel used during his service as Mayor from November 2003-November 2005, thanking him for his commitment and work.

### B. Presentation - Redwood City 2020 and Parks & Recreation Academic Year 04/05 by Parks, Recreation and Community Services Superintendent Chris Beth and Redwood City 2020 Executive Director Tajel Shah – PowerPoint Presentation on file

## 6. ORAL COMMUNICATIONS AND CONSENT CALENDAR -

Charlene Wright, representing the Redwood City Education Foundation, announced the annual gala event on March 4 at 6:30 at the San Mateo County History Museum. She thanked Vice Mayor Foust and Council Member Hartnett who have committed to serving as auctioneers at the event. She stated that tickets are \$75.00 each and can be purchased by contacting her at 650-245-5262 or at the website: [www.rcef.org](http://www.rcef.org).

M/S Bain/Foust to waive reading of the Consent Calendar except the ordinances by title, adopt the resolutions and the ordinances, and approve other items. A spelling correction to the minutes was proposed and accepted. **The motion passed by a unanimous roll call vote.**

### 6.1 Section – Motions

#### A. Approve the Joint City Council and Public Financing Authority minutes of January 23, 2006, as submitted (301) **MINUTE ORDER 06-22**

#### B. Amendment No. 1 to the Agreement for Professional Services with Anderson Brulé Architects, Inc. (ABA) – Redwood City Branch Library in Redwood Shores

##### **Recommendation:**

Approve and authorize execution of Amendment No. 1 to the Agreement with ABA to revise the design to incorporate the value engineering recommendations and alternative bid items into the final Contract Documents, in an amount not to exceed \$41,902.50. (304) **MINUTE ORDER 06-23**

#### C. Agreement for Professional Services with CSG Consultants, Inc. (CSG) for providing Construction Management Services for the Redwood City Recycled

**Recommendation:**

Approve and authorize execution of an agreement with CSG Consultants, Inc. of San Mateo, California, for providing Construction Management Services for both BP 1 and BP 2 of the Redwood City Recycled Water Project – Phase I – Redwood Shores Distribution System for the time and material cost of \$754,324.00. **(304)**

**MINUTE ORDER 06-24**

- D. Award of Contract – Redwood City Recycled Water Project – Phase I – Redwood Shores Distribution System – Bid Package 1 (Radio Road, Redwood Shores Parkway, Marine Parkway)

**Recommendation:**

Approve the Contract Documents and award the Contract for the Redwood City Recycled Water Project – Phase I – Redwood Shores Distribution System – Bid Package 1 (Radio Road, Redwood Shores Parkway, Marine Parkway) Project to the second lowest responsible bidder, Mitchell Engineering of San Francisco, California, for their bid of \$4,211,475.00. **(304)**

**MINUTE ORDER 06-25**

- E. Asphalt Materials Purchase

**Recommendation:**

By Motion:

1. Reject the bids from Raisch Products of San Jose, CA and GraniteRock of Redwood City, CA for the 2005-2006 Asphalt Materials Purchase
2. Authorize re-advertising and re-bid of the 2005-2006 Asphalt Materials Purchase **(701)**

**MINUTE ORDER 06-26**

**6.2 Section – Final Acceptances**

- A. Final Acceptance – Schaberg Library Renovation Project

**Recommendation:**

Accept the Schaberg Library Renovation Project, and authorize the release of the bonds and retention, less \$12,500 for liquidated damages. **(304)**

**MINUTE ORDER 06-27**

- B. Final Acceptance – Lagoon Intake Facility II Replacement Project

**Recommendation:**

Accept the Lagoon Intake Facility II Replacement Project, and authorize the release of bonds. **(304)**

**MINUTE ORDER 06-28**

C. Final Acceptance – Northumberland Townhomes (300 Northumberland Avenue)

**Recommendation:**

Accept the construction improvement for Northumberland Townhomes, and release the bonds following the submission of a one-year Warranty Bond in the amount of \$7,700.00, in accordance with paragraph 8 of the Subdivision Agreement. (304) **MINUTE ORDER 06-29**

**6.3 Section – Resolutions**

A. Highway 101 Bicycle Path – Recycled Water Transmission Line

**Recommendation:**

By Resolution, approve Amendment No. 1 to the Contribution Agreement between the City of Redwood City and the State of California for Highway 101 Bicycle Path – Recycled Water Transmission Line Cost Share (304)

**RESOLUTION 14692 OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY APPROVING AMENDMENT NO. 1 TO THE CONTRIBUTION AGREEMENT BETWEEN THE CITY OF REDWOOD CITY AND THE STATE OF CALIFORNIA FOR HIGHWAY 101 BICYCLE PATH-RECYCLED WATER TRANSMISSION LINE COST SHARE**

**6.4 Section – Claims and Warrants**

A. Approve warrants dated through February 13, 2006 and usual and necessary payments through February 27, 2006. (303) **MINUTE ORDER 06-30**

**6.5 Section – Ordinances (Second Readings/Adoption)**

A. **ORDINANCE 2292 AMENDING REDWOOD CITY MUNICIPAL CODE TO ADOPT BY REFERENCE CHAPTER 6.04 OF TITLE 6 OF THE SAN MATEO COUNTY ORDINANCE CODE AS AMENDED ON SEPTEMBER 13, 2005, RELATING TO REGULATIONS FOR ANIMAL CONTROL (First reading on January 23, 2006) (305)**

## **7. STAFF REPORTS**

### **A. Redwood Shores Lagoon Bank Policy and Construction Guidelines**

Associate Planner Lyon reported on the existing set of circumstances and existing conditions with respect to the zoning ordinance; the proposed policy and construction guideline; and the waterfront inventory generated as a result of the Planning Commission actions. (A PowerPoint Presentation is on file.)

Council Members asked various questions related to whether repairs could cause damage, what specific numbers are permits associated with the level 3, what type of homeowner assistance might be provided, and if "grandfathering", impacts the City's responsibility. Council Members commended staff on the common sense approach, community meetings and outreach.

#### Public Comment:

Pat Dixon, owns property that is 29 years old that was a former model and has a boardwalk between her patio and her neighbor's with two docks. At the time of purchase she was told that her property line extends from waters end out 30 feet. Her question was where the City easement is located.

Peter Budelov stated that he received the letter in January 2004 and was both surprised and incensed. He attended all the Planning Commission meetings and as he got to know the people and work with the issues his initial reaction changed. He further stated that it has been very beneficial to work with Blake Lyon and the other staff members in presenting what the City is trying to do and the residents' concerns. He bought into the area 14 years ago and the amenities provided by the previous owner were preferable to other properties and now they are being asked to remove them. He asked that Council view the situation from his perspective.

Michael Gibson stated that RSOA commends both Council and staff for the work that has been done over the last few years. The RSOA requests that Council adopt the policy as recommended. A clear policy and ground rules will be extremely helpful not only to the City but to the Redwood Shores Owners Association and any others needing review of physical development. He further stated that there have been sump failures in the past that have been extremely difficult to fix. Another risk exists should there be a need to drain the lagoon it increases the threat to the slopes dramatically.

Corey Narog stated that his neighbors to the left have planted three Christmas trees, roses, and brick and concrete borders in the City easement area. When the trees mature they will be tall, blocking his views and destroying the integrity of the

banks and soils. He stated that it is about time that somebody looks into maintaining the banks.

Darryl Coe stated that the report was good; he is the first owner/occupant since 1975 and owns the house with all the boats. He has held international sailing competitions in his backyard with people coming from other airlines all over the world. He stated that his dock is in the Level 3 category but that he questions that because he is working on it. He is wondering if the boat that picks up the grass has hit his dock as he knows of two cases of docks being hit. He further stated that there are some dock failures not being addressed that are Redwood City parks such as at Dolphin Park and the park adjacent to the bridge. He asked for a bridge on Shell Boulevard and not cutting the lagoons in two as it impacts sailing.

Carole Wong, speaking as a waterfront owner, not an original owner, has a Level 1, non-conforming planter box header board. She commended the staff stating that what is taking shape now, she can see where owners have had input, taking shape and having a result at the end. She strongly supports the policy as proposed and the enforcement of Level 3 versus Level 1. The hold harmless is no longer part of package but she does not understand the specifics about the encroachment permit. She stated that remediation of even Level 1's could be encouraged to bring back into compliance by waiving permit fees.

Pete Hughes, stating he has a Level 1, does not have a boat dock but when seeking grandfathering, asked if he should put in an imaginary boat dock in the plans or building a boat dock right away.

Lyon explained the easement question, the public hearing will address the fees issue, and stated that the intent of the policy going forward is to establish the process, document and record the existing condition for grandfathering, with a different process for future development

Note: A "Petition Addendum" was submitted requesting that said petitioners be excluded from any "Hold Harmless" clause that may be incorporated into any new Lagoon Guidelines. (A previous petition was submitted to the Planning Commission.)

Council comments included that continuing communication would be important throughout this process.

**Recommendation:**

Staff requests that the City Council review and comment on the Redwood Shores Lagoon Bank Policy & Construction Guidelines ("policy") as recommended by the Planning Commission at their June 21, 2005 and September 20, 2005 meetings. Furthermore, staff requests consideration of the removal and/or modification of existing improvements that have been classified with "Level 3" significance and recommends that those properties that have been identified with "Level 1"

significance as outlined in the Waterfront Inventory be "grandfathered"; thereby allowing these properties to retain their improvements upon the recordation of an Encroachment Permit. Council Members expressed support for the policy. (205)

**MINUTE ORDER 06-31**

**B. Urgency Ordinance rescinding the effective date of February 1, 2006 for Ordinance No. 2287 which amended sections 20.96 through 20.96.21 of the Redwood City Municipal Code regulating parking and traffic in Downtown Redwood City and identifying May 1, 2006 as the effective date thereof**

Downtown Development Coordinator Zack explained the urgency ordinance stating that this ordinance changes the effective date of ordinance 2287 adopted in July 2005.

**Recommendation:**

M/S Bain/Aguirre to adopt by a five/sevenths (5/7) vote of the City Council an Urgency Ordinance rescinding the effective date of February 1, 2006 for Ordinance No. 2287 which amended sections 20.96 through 20.96.21 of the Redwood City Municipal Code and identifying May 1, 2006 as the effective date thereof. (405)

**URGENCY ORDINANCE 2293 RESCINDING THE EFFECTIVE DATE OF FEBRUARY 1, 2006 FOR ORDINANCE NO. 2287 WHICH AMENDED SECTIONS 20.96 THROUGH 20.96.21 OF THE REDWOOD CITY MUNICIPAL CODE AND IDENTIFYING MAY 1, 2006 AS THE EFFECTIVE DATE OF ORDINANCE NO. 2287**

**The motion passed by a unanimous roll call vote.**

**C. Downtown Parking Ordinance Implementation**

**Recommendation:**

Introduce the attached ordinance, which establishes a new effective date of May 1, 2006 for the Parking Ordinance adopted on July 25, 2005

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY ESTABLISHING MAY 1, 2006, AS THE EFFECTIVE DATE OF AMENDMENTS TO SECTIONS 20.96 THROUGH 20.96.21 OF CHAPTER 20, ARTICLE VII, OF THE REDWOOD CITY MUNICIPAL CODE, AS ADOPTED ON JULY 25, 2005**

**The motion passed by a unanimous roll call vote. (405)**

**MINUTE ORDER 06-31**

## 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. 3-2006, 4-2006 and 5-2006. 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. Vice Mayor Foust** – gave an update to the Council and community concerning the proposed new school in Redwood Shores. The Belmont/Redwood Shores School District is in the process of vetting the 18 applications received for the Shores advisory panel composed of 10 voting members comprised of both existing parents in the system, preschool parents coming in, a senior, and a business owner/resident. Jeff Gee of Redwood Shores Community Association, PTA President Michelle Carlson and two members of the Belmont/Redwood Shores School Board will vet the applications and 10 members selected. The process will then begin in potential site selection and ongoing discussions. She further stated that she and Mayor Pierce are meeting on a regular basis with two of the board members to stay on top of the issue which is of great interest and concern for the community. She thanks the community and her colleagues for all the support.
- C. Council Member Hartnett** – reported as Chair of the SamTrans Board that tentatively scheduled for March 10, a study session to talk about the vision for the future of SamTrans. He asked that if there are any comments or suggestions that they be given to him prior to March 10. SamTrans operates the bus system for the County, is the contractual partner with BART or BART service in San Mateo County or the Airport, is involved in transit oriented development as a landowner in connection with the CalTrain right of way, and is involved shuttles and the overall transportation system in the County.
- He also stated that with Allied Systems schedule changes there appears to be problems with the implementation and requested a report. He further requested information as to whether Allied Systems has made or not made the contractual goals set out for recycling. He further requested that Allied Systems staff be available to address this topic.
- D. Council Member Howard** – stated that the Redwood City Pride & Beautification Committee will hold the spring cleaning event in conjunction with Earth Day on April 22 sprucing up Redwood Creek, the waterways and Historic Union Cemetery. The day begins at 8:30 and lunch is served after the clean-up. Compost is available on April 22 and 23 from 10:00 a.m. to 6:00 p.m. at the Public Works Services Corporation Yard.

- E. Mayor Pierce** – stated that the deadline was today at 5:00 p.m. for applications to serve on the Community Tree Policy Task Force and that over 80 applications were received. She asked that she and Council Member Bain work with facilitator Reeves to select members of the Task Force.

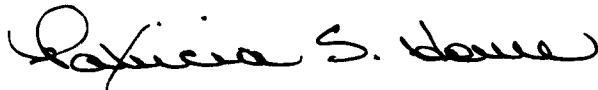
Mayor Pierce stated that on March 13, staff will present to Council more information for further discussion.

She also stated that there has been interest from the community for the potential of naming the Courthouse Square area. She requested two Council Members be named to an ad hoc committee to develop a criteria process for naming things in the City.

**9. ADJOURNMENT** – 9:20 p.m.

M/S Howard/Ira to adjourn until the City Council meeting of February 27, 2006. The motion passed by a unanimous voice vote. **The motion passed by a unanimous voice vote.**

Respectfully submitted,



Patricia S. Howe  
City Clerk