

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

JOINT CITY COUNCIL AND  
REDEVELOPMENT AGENCY MEETING  
July 24, 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, Assistant City Manager/CDS  
Director, City Clerk Howe, Deputy City Clerk Wong, City  
Attorney Yamamoto, Assistant City Attorney Aranda,  
Senior Planner Ekas, Analyst Olalla, Community  
Development Services Manager Passanisi, City  
Engineer Lynch, Associate Planner Lyon, Administrative  
Sergeant Harper, Public Works Superintendent Harang

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

4. **INVOCATION** – Pastor Marilyn Lynch, Peninsula Covenant Church

**4.A SPECIAL ORDER** – Mayor Pierce called up Carol Livengood who introduced Sergeant Vincent Rios who is mentioned in the book entitled, “The Names NOT on the Wall” by Doc Hutchings. Sgt. Rios stated that the book is based on the period of time between October 1968 and October 1969 from a corpsman’s perspective. Paul Sanfilipo read a poem from the book about Redwood City. Mayor Pierce encouraged folks to visit the website: [www.thenamesnotonthewall.org](http://www.thenamesnotonthewall.org)

**5. ORAL COMMUNICATIONS AND CONSENT CALENDAR - CITY COUNCIL/REDEVELOPMENT AGENCY**

Carmine Galotta, Vice President of the Redwood City Police Officers Association (POA), asked that bargaining between POA and the City be conducted in a fair and forthright manner. He further stated that based on remarks by Mayor Pierce on July 10, the POA members were led to believe that there was a new offer being proposed. He stated that without movement on the City’s part there is no reason to meet and he asked that a retraction or correction be made to an erroneous press release of June 27.

Mary Chin, a Mountain View resident, shared a story regarding Falun Gong practitioners and organ harvesting. She explained that Falun Gong is based on truth, compassion and tolerance. She stated that she is seeking help.

Alice Li stated that she works at the library and further explained the relationship between Falun Gong and the harvesting of vital organs.

Lipihg Yang stated that the practice of Falun Gong is a self improvement system. He further explained the negative repercussions practitioners encounter.

Nancy Radcliffe, representing the Downtown Business Group, introduced the “Downtown Club Card”. The introductory card is free and valid until October 31, 2006, call 650-307-4064 for more information.

Mayor Pierce stated that the Century Theatres would be opening on Friday, July 28. She explained that the first four hours of parking are free with validation and encouraged the community to visit the City website or call 780-7234 for more information on parking.

M/S Bain/Ira to waive reading of the Consent Calendar except the ordinances by title, adopt the resolutions and the ordinances, and approve other items. Item 5.4.A was removed from consideration at this time. **The motion passed by a unanimous roll call vote.**

**5.1 Section – Motions -**

- A. Approve the Joint City Council/Redevelopment Agency/Board of Equalization meeting minutes of July 10, 2006 as submitted (301) MINUTE ORDER 06-145**

- B. Sale of Police Canine to Handler**

**Recommendation:**

The Council authorize execution of the sale of a retired police canine to his handler. (706) **MINUTE ORDER 06-146**

- C. Downtown Parking Validations**

**Recommendation:**

Rescind the motion of July 25, 2005 which limited the ability to validate parking to retail, restaurant, and entertainment establishments. (402) **MINUTE ORDER 06-147**

- D. Award of Contract – Lagoon Intake Facility II Replacement Project – Phase II**

**Recommendation:**

Approve the Contract of Documents and award the contract for the Lagoon Intake Facility II Replacement Project – Phase II to the lowest responsible bidder, Proven Managements, Inc. of San Francisco, California, for their low bid amount of \$495,336.00. (304) **MINUTE ORDER 06-148**

- E. Temporary Labor Services – Bay Span Inc.**

**Recommendation:**

By motion, approve Amendment No. 3 to the agreement with Bay Span, Inc. of Vallejo, CA, to approve temporary labor services for the not-to-exceed amount of \$190,000 and extend the agreement through June 30, 2007. (304) **MINUTE ORDER 06-149**

- F. The San Mateo County Parks & Recreation Foundation annual “Tour de Peninsula” Recreational Bicycle Ride**

**Recommendation:**

The City Council authorize execution of a Letter Permit for the "Tour de Peninsula." (604) **MINUTE ORDER 06-150**

- G. Side letter of agreement between the City of Redwood City and the service Employees International Union, Local 715 (SEIU) regarding incentive pay programs for certification

**Recommendation:**

By motion, authorize the Human Resources Department to execute the attached amendment to the current Memorandum of Understanding (MOU) with SEIU.

(906)

**MINUTE ORDER 06-151**

- H. Agreement for support of the Redwood City Family Centers for FY 2006/07 and 2007/08

**Recommendation:**

Approve and authorize the City Manager to execute the agreement between the City of Redwood City, County of San Mateo, and the Redwood City School District for support of the Redwood City Family Centers for fiscal year 2006/2007 and 2007/2008. (304)

**MINUTE ORDER 06-152**

**5.2 Section – Final Acceptance**

- A. Final Acceptance - Construction and Reimbursement Agreement for Downtown Public Parking Facility – **City Council/Redevelopment Agency**

**Recommendation:**

Accept the Downtown Underground Public Parking Facility and release remaining retention, less \$250,000 for minor outstanding items to be completed to the satisfaction of the Community Development Services Director. The total cost of construction is \$19,683,247. (304)

**MINUTE ORDER 06-153**  
**RD MINUTE ORDER 06-08**

**5.3 Section – Resolutions**

- A. Approval of Surface Transportation Program (STP) Application for resurfacing certain designated streets in the City of Redwood City.

**Recommendation:**

Adopt a Resolution of Local Support approving the Application for STP funding for the resurfacing of the Alameda de las Pulgas from Eaton Avenue to Woodside Road, and Bay Road from Second Avenue to Marsh Road. (701)

**RESOLUTION 14722** AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION PROGRAM FUNDING FOR STREET OVERLAY - ALAMEDA DE LAS PULGAS AND BAY ROAD AND COMMITTING THE NECESSARY NON-FEDERAL MATCH FOR THE PROJECT(S) AND STATING THE ASSURANCE OF THE CITY OF REDWOOD CITY TO COMPLETE THE PROJECT

**B. Mezesville Historic District**

**Recommendation:**

Adopt a resolution designating the Mezesville Historic District in conformance with Council action of May 8, 2006. **(613)**

**RESOLUTION 14723** APPROVING APPLICATION FOR MEZESVILLE HISTORIC DISTRICT

**5.4 Ordinances (First Reading/Introduction)**

**A. Utility Users' Tax**

City Attorney Yamamoto stated that at this time no action is recommended to be taken at this time.

Motion to remove this item from consideration at this time. **(505)**

**MINUTE ORDER 06-154**

**5.5 Ordinances (Second Reading/Adoption)**

**A. ORDINANCE 2301** FIXING THE AMOUNT OF MONEY TO BE RAISED BY TAXATION UPON THE TAXABLE PROPERTY WITHIN GENERAL IMPROVEMENT DISTRICT NO. 1-64 TO PROVIDE FUNDS FOR GENERAL IMPROVEMENT DISTRICT NO. 1-64, AND FIXING AND LEVYING THE TAX RATE THEREFOR *(First Reading July 10, 2006)* **(511)**

**B. ORDINANCE 2302 OF THE CITY OF REDWOOD CITY REPEALING ORDINANCE NO. 2286** ADOPTED JULY 25, 2005 AND ALL ORDINANCES AMENDING SAID ORDINANCE AND ALL RESOLUTIONS AUTHORIZING OR REVISING APPROPRIATIONS MENTIONED THEREIN, AND ALL ORDINANCES IN CONFLICT THERETO *(First Reading July 10, 2006)* **(501)**

**5.6 Section – Claims and Warrants**

**A. Approve warrants** dated through July 24, 2006 and usual and necessary payments through August 7, 2006. **(303)** **MINUTE ORDER 06-155**

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**6. STAFF REPORTS**

**A. 333 Main Street General Plan and Zoning Map Amendment Initiation**

Senior Planner Ekas gave the report utilizing a PowerPoint presentation (on file).

Council comments included a request for explaining the proposal in context with the Precise Plan; that subsidization of housing seems necessary; that the creek is an amenity and should be a community focal point; and that boundaries must be set and driven by the community so that a neighborhood is created.

John Baer, Matteson Realty, presented his proposal.

Edward Davidovits, a developer and contractor, stated that he has property located one property away and that he supports the proposal.

M/S Hartnett/Bain to initiate a General Plan Amendment from the existing General Plan Land Use Designation of "Commercial-Office Park" to "Heavy Commercial-Mixed Use" for property located at 333 Main Street; and initiate a Zoning Map Amendment from the existing "Industrial Park" (IP) Zoning District to the "General Commercial- Combined Residential" (CG-R) Zoning District for property located at 333 Main Street. Motion to include parcel "A" and no more than parcel "C". Process to be separate from the General Plan process and staff to return with a timeline and cost estimate for consultant costs. **The motion passed by a majority roll call vote with Mayor Pierce voting no. (601)**

**MINUTE ORDER 06-156**

**ADOPT RESOLUTION 14724 RESOLUTION OF INTENTION OF THE REDWOOD CITY COUNCIL DIRECTING THE REDWOOD CITY PLANNING COMMISSION TO INITIATE, CONSIDER, STUDY AND SUBMIT ITS RECOMMENDATIONS AS APPROPRIATE WITH RESPECT TO A PROPOSED GENERAL PLAN AND ZONING MAP AMENDMENT FOR REAL PROPERTIES LOCATED AT 305, 333, 369, AND 373 MAIN STREET AND 1001 VETERANS BOULEVARD**

*Recess: 9:50-10:05 p.m.*

**7. PUBLIC HEARINGS:**

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

Associate Planner Lyon explained the proposed guidelines.

Mayor Pierce opened the public hearing.

Public Comment:

Peter Budelov spoke about the hold harmless provision of the encroachment permit. He requested Council look out for the interest of the owners stating that the City has been remiss in establishing a lagoon policy that is creative, cohesive, fair and addresses the issues. He further stated that later in the evening a petition would be submitted stating the reasons for objecting to the provisions and not the concept itself. He stated that it is unfair and unacceptable for homeowners to shoulder additional liability as suggested in the hold harmless provision.

David Valkanaar, speaking as a member of the Board of Directors of the Redwood Shores Owners Association, read thoughts of the Board. He thanked the Council for the draft policy and ensuring the safety of the lagoon. He expressed support for the staff recommendation dated June 4, 2006 as a reasonable and positive way to handle the current concern about improvements that encroach upon the lagoon banks.

Darryl Coe offered counterpoints to the staff report and stated that there is nothing wrong with the banks and if there was anything wrong, residents would make appropriate repairs.

Chuck Dionis, one of the first on Starboard Drive, gave the history of the area, stating that there should be grandfathering in because there had been permission by the City. He stated that there is confusion on what can or cannot be done and that there is actually more erosion on the other side of the bridge that has been there for a long period of time. He further stated that he does not think his situation is a Level 3.

Pete Hughes stated that he purchased his property because of the lagoon and is now being asked to sign to encroach on his own property. He thinks the City is too heavy handed and that the provision reduces the property value. He further stated that owners know that the banks must be treated properly and urged elimination of the encroachment provision.

Tom Davenport stated that he has raised questions and has been ignored, that the original studies are outdated, the bridge is worsening and that there are far more serious issues to worry about.

Celli Frost stated that she was seeking clarification of the hold harmless proposal, explaining her experience when her boat was struck by the Waterworks weed whacker. She asked how a hold harmless provision would have effected the outcome of such a situation.

John Nash owns property on the lagoon and stated that the policy is similar to the Holly Street project that went on for years. He stated that he had

followed the process, left it and returned to find that the encroachment provision is being proposed. He has a Level 1 because of stairs to the boat dock and feels that the provision is pernicious and punitive.

**M/S Foust/Howard to extend the meeting to 11:30 p.m. The motion passed by a unanimous voice vote.**

Carole Wong, spoke as a resident of 14 years, stating that the header board at the top of the slope present a Level 1 situation for her. She expressed that the encroachment permit should be done in a fair way, encouraging Level 1 grandfathering without a hold harmless provision, fee or grace period due to the minor impact.

Pat Dixon read the petition and a letter.

**M/S Ira/Hartnett to extend the meeting to 11:45 p.m. The motion passed by a unanimous voice vote.**

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

Council discussion and comments ensued.

M/S Foust/Aguirre to adopt the staff recommended Redwood Shores Lagoon Bank Policy & Construction Guidelines (the Policy) as recommended by the Planning Commission at their June 21, 2005 and September 20, 2005 meetings. More specifically, the Policy, as adopted, applies to new construction and repair and/or maintenance of existing permitted construction.

The City Council has requested that staff do some additional research regarding the property owner's concerns about the hold harmless clause that has been put forth in the proposed Encroachment Agreement. Therefore, no action will currently be taken for those properties identified with non-conforming improvements be they of Level 3 or Level 1 significance until the item can return to the City Council for further discussion. **The motion passed by a unanimous voice vote. (100)**

**MINUTE ORDER 06-157**

**M/S Foust/Howard to extend the meeting until 12:00 a.m. The motion passed by a unanimous voice vote.**

## 8. STAFF REPORTS:

### A. Middlefield/Theatre Way II Improvements – *City Council/Redevelopment Agency*

Redevelopment Manager Moeller explained the elements of the revised design concept. (PowerPoint presentation on file.)

Council made various comments and asked questions.

M/S Hartnett/Howard to extend the meeting until 12:10 a.m. **The motion passed by a unanimous voice vote.**

Public Comment

John Anagnostou encouraged the Council to approve the plan.

#### **Recommendation:**

Hartnett/Ira to approve the revised design concept for the pedestrian improvements along Middlefield Road between Veterans Boulevard and Broadway. Authorize staff to proceed with a finalized design, construction drawings, and bid packages incorporating Option 2. **The motion passed by a unanimous voice vote. (402)** **MINUTE ORDER 06-158**

### B. Capital Improvement Program Short Term Spending Limit

#### **Recommendation:**

Continue this item until the Council meeting of August 7, 2006. The motion passed by a unanimous voice vote. **(501)** **MINUTE ORDER 06-159**

## 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. 27-2006 and No. 28-2006. 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.)

**10. ADJOURNMENT – 12:05 a.m.**

M/S Ira/Howard to adjourn until the next City Council meeting of August 7, 2006 in memory of Council Member Howard's mother, Elizabeth "Betty" Bendernagel. **The motion passed by a unanimous voice vote.**

Respectfully submitted,



Patricia S. Howe  
City Clerk