

MAYOR ROSANNE S. FOUST
VICE MAYOR DIANE HOWARD

MINUTES

COUNCIL MEMBER ALICIA C. AGUIRRE
COUNCIL MEMBER IAN BAIN
COUNCIL MEMBER JIM HARTNETT
COUNCIL MEMBER JEFF IRA
COUNCIL MEMBER BARBARA PIERCE

1017 MIDDLEFIELD ROAD
REDWOOD CITY, CA

REGULAR CITY COUNCIL
MEETING
October 12, 2009
7:00 P.M.

1. CALL TO ORDER

2. ROLL CALL – Council Members Aguirre, Hartnett, Pierce, Ira and Mayor Foust

Absent - Vice Mayor Howard and Council Member Bain

Staff present: City Manager Ingram, City Attorney Yamamoto, City Clerk Vonderlinden, Deputy City Clerk Wong, Building, Infrastructure, and Transportation Director Chang, Human Services Manager Chin, Public Works Superintendent Ezell, Building & Inspection Manager La Torra, Supervising Civil Engineer Lee, Environmental Initiatives Manager Ross, and Redevelopment Manager Young

Others Present: Planning Commissioner Borgens

3. PLEDGE OF ALLEGIANCE – Alicia Aguirre, Council Member

4. INVOCATION – Chaplain Dennis Logie

5. SPECIAL ORDERS OF THE DAY

- A. **“Champion for Fitness Award”** by the Governor’s Council on Physical Fitness and Sports to the Redwood City School District for its physical education programs – Jan Christensen, Redwood City School District Superintendent

Superintendent Christensen thanked everyone involved and acknowledged the trustees of the Redwood City School District Board present in the audience. She explained this was a collaborative effort and many parties made this happen. Mayor Foust explained that the goal tonight was to give credit where credit is due and to celebrate the award. Mayor Foust added that this award benefits the full community and the City as a whole.

6. ORAL COMMUNICATIONS AND CONSENT CALENDAR

Public Comment:

Bonnie Miller, a Redwood City resident and former Chair of the Fair Oaks Community Center Board, spoke about the DUI (driving under the influence) checkpoint at the Fair Oaks Community Center. She said there have been similar issues in the past and that there are two sides to the story and she asked the Police Department to not have these DUI stops at the Community Center. She supports Council Member Pierce and the Chief of Police and the Fair Oaks visitors that are trying to get their citizenship.

Victoria Avila works at the Fair Oaks Community Center and she thanked the Council for having such community center. She said she was advocating for her clients and how they are scared and worried. She asked Council to provide for a safe place for the families that go there to eat. Ms. Avila requested better communication with the Police Department.

Sister Christina Heltsley, Executive Director of the Saint Francis Center, said she wanted to represent another side of the story. She spoke about two “goods” (the Fair Oaks Center and the DUI checkpoint) and how the challenge is how to accommodate both “goods”. She believes that there are more appropriate places for the DUI checkpoint. She opined that the articles by Spectrum are slanted.

Reverend Anna Lange-Soto, with El Buen Pastor Church in Redwood City, expressed her deep concern for the residents of this area. She commented on what the police officers said to the media and asked that both sides be considered – the officers and the residents. She asked for compassion on both sides. She opined that information about location and time of the checkpoints should be shared with the community.

Brandy Campbell is greatly concerned by Cargill’s attempt to develop at the site. She opposes this fill and she gave reasons why. She believes that there are not enough water resources. She hopes the Council denies these plans and pushes for the restoration of the plan.

Mayor Foust read the titles of the Consent Calendar that were to be approved and noted a memo regarding the minutes. Ms. Denny requested changes to her public comment portion of the minutes. The minutes were pulled for discussion since one Council Member

said he would not accept the changes. Mayor Foust also noted that there was a change to the resolution on 6.3A and the revised resolution was to be approved. Items 6.1 A and 6.1 C were pulled for discussion.

M/S Ira/Aguirre to adopt the Consent Calendar with the exception of 6.1A and 6.1C. **The motion carried by roll call vote 5-0 with Howard and Bain absent.**

M/S Hartnett/Aguirre to approve the minutes as submitted without changes.

One Council Member explained that while changes were suggested, and the City Clerk had gone back to the web stream and made edits, he would not like to set a precedent of changing words because a topic is controversial. Another Council Member mentioned that if there were inaccuracies on that speaker's comments, these should be corrected.

Motion carried 4-1 by roll call vote with Council Member Pierce opposing and Howard and Bain absent.

M/S Hartnett/ Ira to approve item 6.1C. Council Member Aguirre explained that her son had just begun employment with Project Sentinel, one of the agencies receiving the funds, and for the sake of transparency she wanted to disclose that fact. **Motion carried unanimously by roll call vote with Council Members Howard and Bain absent.**

6.1 Section - Motions

- A.** Approve the Special City Council meeting minutes of September 21, 2009 as submitted. **(301)** **Minute Order 09-215**

- B.** Additional Construction Budget Request - Redwood City Recycled Water Project – Phase I – Bayfront Distribution System – Bid Package 8 (East Bayshore Road, Bair Island Road, Redwood Creek, Highway 101, and Maple Street).

Recommendation:

Authorize, by motion, the City Manager to increase the contract amount up to 25% as necessary to complete the construction of this project contracted to Peak Engineering, Inc. **(304)** **Minute Order 09-209**

- C.** Community Development Block Grant and HOME Investment Partnership Act Funding Agreements for Fiscal Year 2009-10.

Recommendation:

Authorize, by motion, approval of 12 operating agreements with 11 non-profit organizations to allow disbursement of Community Development Block Grant and HOME Investment Partnership Act funds for Fiscal Year 2009-2010. **(304)**

Minute Order – 09-216

D. Award of Contract – Redwood Shores Lagoon Maintenance Dredging Project.

Recommendation:

By motion:

1. Approve the contract documents
2. Award the contract for the Redwood Shores Lagoon Maintenance Dredging Project to Aquatic Environments of Concord based on the lowest total responsible bid amount
3. Authorize the City Manager to execute the contract for the base bid amount of \$712,700 and increase the contact amount up to 10% if necessary. **(304)**

Minute Order – 09-210

6.2 Section – Final Acceptances

A. Final Acceptance – Redwood City Recycled Water Project – Phase I – Redwood Shores Customer Site Retrofits – Bid Package 2.

Recommendation:

Accept, by motion, the Redwood City Recycled Water Project – Phase I – Redwood Shores Customer Site Retrofits – Bid Package 2 Project, and authorize the release of bonds and retention according to the city's procedures. **(304)**

Minute Order – 09-211

B. Final Acceptance – Redwood City Recycled Water Project – Phase I – Redwood Shores Customer Site Retrofits – Potable Water Reduced Pressure Principle Backflow Device Installation Project.

Recommendation:

Accept, by motion, the Redwood City Recycled Water Project – Phase I – Redwood Shores Customer Site Retrofits – Potable Water Reduced Pressure Principle Backflow Device Installation Project, and authorize the release of bonds and retention according to the city's procedures. **(304)**

Minute Order 09-212

6.3 Section – Resolution

A. Improvement Agreement – Bair Island Road Improvements.

Recommendation:

1. By motion, approve the improvement plans, and authorize the execution of an Improvement Agreement for the Bair Island Road Improvements with RC Peninsula Park, LLC, and **(304)**

Minute Order 09-213

B. Green Building Code Ordinance.

Recommendation:

1. Introduce the Green Building Code ordinance for first reading on October 12, 2009

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY ADDING ARTICLE X OF CHAPTER 9 OF THE REDWOOD CITY MUNICIPAL CODE, CONSISTING OF SECTIONS 9.180 – 9.185, THE “GREEN BUILDING CODE”

Minute Order – 09- 217

2. Schedule a public hearing and second reading on adoption of the Green Building Code ordinance for October 26, 2009 pursuant to Government Code §50022.3.

Minute Order – 09 - 218

Mr. LaTorra, Building & Inspection Manager, introduced the item. He explained that he has partnered with San Mateo County, vendors and other agencies and that there is agreement on the proposed ordinance. He explained that this is a recommendation from the Board of Building Review and it was also vetted through other City Boards, Commissions and Committees. He added that the whole industry is on board. Mr. LaTorra then explained what the County and the state have done. He said the approach here has been to standardize because of the benefits of such approach. He made comments on the applicability of the code and provided details on the certification levels, i.e. platinum, gold, silver, etc. Mayor Foust asked about local companies that are already adhering to similar standards and Mr. La Torra confirmed that was the case and named a few.

Public Comment

Celia Lauren, on behalf of Redwood City Cool Cities, supports this action and wants a local green building ordinance as a start. She said there is a need to educate the community and opined that the state standards will be enough.

Morton Frank, representing the Green Community Center, supports and endorses the idea of the City's green building ordinance. He thinks there will be more work ahead and expressed his concerns about possible unintended consequences, such as cost impacts to the City and what it could do for or against us. However and overall he believes this will be handled well and the consequences will be positive and reflect well on City and residents.

M/S Ira/Aguirre to introduce the ordinance. **Motion carried unanimously by voice vote with Council Members Howard and Bain absent.**

Mayor Foust stated that there will be a public hearing on October 26, 2009. **There was no opposition to setting the public hearing for this date.**

C. Status of Courthouse Square Chapter 33 Article III Ordinance.

Recommendation:

Information Only – no action is required at this time. Receive update on the proposed Chapter 33, Article III Courthouse Square Ordinance.

Jeannie Young, Redevelopment Manager, gave a brief status report to Council on this matter (presentation on file). She provided an explanation of items that Council will have to consider in the future and that staff will be recommending. She covered each of the items and clarified the differences between private events and fundraiser events.

Council discussed having the application be as clear and streamlined as possible. There was consensus that simplicity is beneficial and “less is more”. One Council Member requested examples of what is being charged at other plazas in other cities. Ms. Young explained that the cost recovery study will also be helpful on this front. One Council Member added that the ordinance should have some flexibility so that it does not have to be changed at every turn. One Council Member wanted criteria developed to address the issue of the cost. There was consensus to not make the ordinance too restrictive. Certain types of events were discussed and Ms. Young provided a timeline of next steps.

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 City Advocate Weekly Issue No. 35-2009, 37-2009, and 38-2009 (issues purposefully out of sequence). Council may direct staff to act on positions taken by Council. (Copies of League of California Cities City Advocate Weekly available in the City Clerk’s Department).

B. City Council Member Report of Conference/Meeting Attendance.

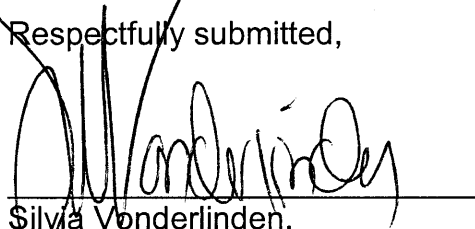
C. Council Reports on Committee Meetings Attended.

1. Council Member Aguirre - none
2. Council Member Hartnett – reported on Samtrans Board meetings – one will be this week, and at a prior meeting, they approved a budget with various service reductions that will affect 3% of the ridership. He explained that the ridership for Caltrain is down and that this body continues to stretch to meet the electrification goals and he mentioned that Caltrain has a long-term structural imbalance. He also attended the Emergency Services Council meeting and there is substantial emergency information that staff could provide in an integrated presentation with the County for the benefit of the community.
3. Council Member Ira – reported on the settlement of a lawsuit with the County of San Mateo that involves South Bayside Sewer Authority – Joint Powers Board. He added that the County will pay to this agency \$2.35 million in December 09.

4. Council Member Pierce – reported on attending an estuary conference on the improvements of storm water runoff, sea level rise, and managing risk for communities. She will share items certain items with the Planning Department.
5. Mayor Foust – reported on work of the Transportation Authority and how the new measure that passed allows collection of new monies for certain projects. She explained that one of the projects approved was the bike and pedestrian overpass at 101 and Redwood Shores. Funds from the measure were used, and it is exciting that this got completed. She also attended the San Francisco Bay Restoration Authority meeting and they are working on an Advisory Committee to include various stakeholders.

**9. ADJOURNMENT - M/S Ira/Hartnett to adjourn at 8:38 p.m. in memory of Jen Parridy.
Motion carried by voice vote with Council Members Howard and Bain absent.**

Respectfully submitted,



Sylvia Vonderlinden,
City Clerk

Submitted for approval at the City Council meeting of October 19, 2009.