

COUNCIL MEMBERS
MAYOR, JEFF IRA
VICE MAYOR, BARBARA PIERCE

COUNCIL MEMBER, IAN BAIN
COUNCIL MEMBER, ROSANNE FOUST
COUNCIL MEMBER, JIM HARTNETT
COUNCIL MEMBER, DIANE HOWARD
COUNCIL MEMBER, IRA RUSKIN



MINUTES

CITY COUNCIL
CITY OF REDWOOD CITY
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REDWOOD CITY, CALIFORNIA 94064-0391
www.redwoodcity.org
CITY COUNCIL CHAMBER

**JOINT CITY COUNCIL AND
REDEVELOPMENT AGENCY MEETING
DECEMBER 1, 2003
7:00 P.M.**

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

1. CALL TO ORDER – 7:02 p.m.

2. ROLL CALL

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

Staff Present: City Manager Everett, City Clerk Howe, City Attorney
Yamamoto, Public Works Services Director Ingram,
Community Development Services Manager Patterson,
Volunteer Balsamo

3. PLEDGE OF ALLEGIANCE - Jeff Ira, Mayor

4. INVOCATION - Pastor Jeff Henderson, Believers in Christ Church of God

5. ORAL COMMUNICATIONS

Robert Slusser, speaking on behalf of the 'Tis the Season committee, invited the Council to the event on Saturday, December 6, sponsored by the Civic Cultural Commission. Activities include a children's craft workshop at the library, annual children's parade on Main Street, tree lighting ceremony at City Hall and the fireworks display. He explained some changes to the logistics of the event and thanked the City staff and departments for the assistance.

Dee Eva asked for endorsement of the Sequoia Veterans Memorial Monument that is a granite monument on the campus dedicated to the Sequoia students who died while serving in the military. The list goes back to 1911, with approximately 120 names so far and research continuing to trace all those who are to be honored. The monument will be set in a grove of redwoods and she encouraged visiting www.sequoia61.com to see a rendering, the list of names and a form for donations.

**DRAFT -
NOT FOR CITATION**

She further stated that she is compiling a scrapbook of information and pictures that have been submitted about the students and will donate that to the history room at the library.

Rudy Luca stated his concern with the Bair Island project is the location and density. He referred to a study session in San Mateo where the reference to Measure H where no building would be between 50-75 feet was discussed. He stated that when the subject is before the City that the staff and Council consider the height issue, water and traffic issues.

Colleen Jordan stated that she was sorry she was unable to be at her last meeting of November 24. She thanked Art Balsamo, City Clerk, City Manager, City Attorney and various other staff members for their responsiveness over the years. She honored each Council Member for their individual contributions and characteristics brought to the Council wishing the best to the recently elected Council Members. She further stated that she will be continuing on the Bicycle and Pedestrian Advisory Committee under C/CAG as a public member, staying involved in any area that involves trails or public access.

6. CONSENT CALENDAR

M/S Hartnett/Ruskin 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. Professional Services Agreement – Drainage Improvements to Garrett Park

Recommendation:

Approve a professional services agreement with Kennedy/Jenks Consultants for design of drainage improvements to Garrett Park.

M/S Hartnett/Foust to reconsider the original vote. **The motion passed by a unanimous voice vote.**

M/S Hartnett/Ruskin to continue this item and bring specific information on the contract at a future date. **The motion passed by a unanimous voice vote.**

MINUTE ORDER 03-273

B. Final Acceptance – Bair Island Marina Subdivision and Improvements to Bair Island Road Extension – Engineering File No. 805-04

Recommendation:

Accept by separate Minute Orders the following projects:

1. Bair Island Marina Residential Subdivision, and **MINUTE ORDER 03-274**
2. Street Improvements for Bair Island Road Extension, and **MINUTE ORDER 03-275**

release the bonds for the two projects, following the submission of a Maintenance Bond in the amount of \$257,200.00 and \$53,900.00, respectively, in accordance with the two Improvement Agreements.

- C. Final Acceptance – 2002-2003 Asphalt Rubber Chip Seal Project – Engineering File No. 806-02

Recommendation:

Accept the 2002-2003 Asphalt Rubber Chip Seal Project, and authorize the release of payment bond and retention. **MINUTE ORDER 03-276**

- D. Investment Policy

Recommendation:

It is recommended that the City Council approve the proposed changes to the City's Investment Policy. **MINUTE ORDER 03-277**

- E. Award of Contract – Fuel Tank Removal and Fuel Monitoring Improvements Project

Recommendation:

Approve the Contract Documents and award the contract for Fuel Tank Removal and Fuel Monitoring Improvements Project, to the lowest responsible bidder, Technology, Engineering and Construction, Inc. (dba Accutite) of South San Francisco, California, for their low bid of \$104,085.00. **MINUTE ORDER 03-278**

- F. Amendment No. 2 to Consultant Agreement with Harris & Associates relating to the Ralston Avenue/Marine Parkway Interchange Improvement Project

Recommendation:

Approve Amendment No. 2 to the agreement with Harris & Associates for providing professional construction management services for the Ralston Avenue/Marine Parkway Interchange Improvement Project, in an amount not to exceed \$1,378,731.00. **MINUTE ORDER 03-279**

- H. Award of Contract – Public Works Services Warehouse Project

Recommendation:

Approve the contract documents and award the contract for the Public Works Services Warehouse offices Project to the lowest responsible bidder, JMA Construction of San Francisco, California, for the amount of \$312,000.00.

MINUTE ORDER 03-280

I. "Application and Letter of Agency for Custom Work" Agreement with SBC – **CITY COUNCIL AND REDEVELOPMENT AGENCY**

Recommendation:

1. Approve and authorize execution of "Application and Letter of Agency for Custom Work" Agreement between SBC and the City of Redwood City for expediting the splicing and "cutover" of SBC telecommunications lines for the Downtown Underground Parking Facility.
2. Authorize funds from the Downtown Funding Contingency Budget in the amount of \$84,000.00 to pay for this work.

**MINUTE ORDER 03-281
RD MINUTE ORDER 03-34**

6.2 Section - Resolutions

A. Amendment to Loan Agreement between Capital Outlay Fund and Parking Fund

Recommendation:

It is recommended that the City Council amend the terms of the loan agreement between the capital outlay fund and the parking fund to provide for the parking fund to make only payments of interest until such time as the City Manager determines that the parking fund is in a position to make both principal and interest payments.

RESOLUTION 14563 OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AMENDING, IN THEIR ENTIRETY, SECTIONS 1(A) AND (C) OF RESOLUTION NO. 12006 RELATED TO A LOAN FROM THE CIVIC CENTER IMPROVEMENTS, CAPITAL IMPROVEMENTS PROGRAM TO THE DOWNTOWN PARKING STRUCTURE IMPROVEMENTS, PARKING DISTRICT NO. 1 FUND

6.3 Section – Claims and Warrants

- A. Approve warrants dated through December 1, 2003 and usual and necessary payments through December 8, 2003;

MINUTE ORDER 03-282

6.4 Section – Ordinances (2nd Reading and Adoption)

- A. Amendments to the Zoning Ordinance Relating to Provisions of Child Care Facilities

ORDINANCE 1130-327 AMENDING ARTICLES 2, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24, 26, 29, 39 OF THE REDWOOD CITY ZONING CODE RELATED TO PROVISIONS OF CHILD CARE FACILITIES (Introduced on October 27, 2003)

- B. Results of November 4, 2003 Consolidated General Municipal Election

ORDINANCE 2259 OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AMENDING SECTION 32.75 OF THE MUNICIPAL CODE OF THE CITY OF REDWOOD CITY, PROVIDING FOR AN INCREASE IN THE UNIFORM TRANSIENT OCCUPANCY TAX FROM EIGHT PERCENT (8%) TO TEN PERCENT (10%)

(Introduced on November 24, 2003)

6.1 Section – Motions – Removed from Consent Calendar for separate consideration

G. Developing an alternative to the present complete closure of Redwood Shores levees

Council Member Ruskin stated that he had concerns with this item as developed while commending the Council Members who have worked on a compromised solution to protect the endangered species while still allowing more access to people on the levees. He stated that the proposal is very vague and does not explain what the consultant will do or how it will be done and there is not plausible reason to believe that his efforts can be successful. He stated that he does not think the proposal promises to be effective and proposes a political solution for an environmental and scientific issue and unless persuaded otherwise will vote against the recommendation.

Council Member Bain concurred with the previous comments and stated that a lot more detail of accomplishments to date is necessary in order to properly be considered.

Council Member Foust proposed that Mr. Fawcett provide specific information regarding the meetings with various groups held during his time out here and his proposed next steps. Going forward, the work should be contingent on milestones with set period reviews.

Vice Mayor Pierce agreed with the concerns expressed and explained that some issues are still being worked out and it appears that enough information has not been provided for Council to make a decision. She further stated that science needs to drive the opening of the levees dictating when and whether it will be safe for the species and what involvement might be permitted by people. This information would be provided through Terry Huffman by U.S. Fish and Wildlife.

City Manager Everett agreed that the decision would be biologically based.

Council Member Hartnett stated that there are inter-related issues and what is not known is the cost involved and that preliminary information would assist in knowing whether it is feasible to go forward.

Public Comment:

Ralph Nobles stated that he would like to see the levees opened, but not over the objections of Fish and Wildlife. He further stated that it is fair to ask what the public has received from Mr. Fawcett and that his opinion is that the people

involved with the resources affected believe that he cannot produce the results. He stated that \$7,500.00 a month retainer fee is not a good use of city funds and read an e-mail that had been circulated referencing Mr. Fawcett.

Colleen Jordan stated that Mr. Fawcett has an enormous amount of experience in such areas where people have very disparate opinions and wishes; most of the experience is in environmental issues. She cited the background from her involvement in the process. She stated her hope that this be brought before Council again in order to get more clarity on Mr. Fawcett's work so that those who love and care about the wildlife and wish to use the levees are satisfied.

Mayor Ira asked Vice Mayor Pierce to explain Mr. Fawcett's work up to this point.

Robin Smith, representing the Sequoia Audubon Society, stated that after meeting with Mr. Fawcett her opinion is that his overall idea is to get funds to restore Bair Island so that there would be plenty of Clapper Rail habitat. She stated her feeling that nothing new was brought forward, that ideas already having been posed were reiterated. She further stated that the place for Mr. Fawcett to begin would be the Fish and Wildlife, Endangered Species section in Sacramento.

Council Members made various comments with Council Member Ruskin stating that after discussion he does not believe there would be any thing more substantial coming forward.

M/S Hartnett/Bain to defer the item to a later meeting in which there would be information provided that is necessary to determine whether to move forward with the agreement. **The motion passed by the following roll call vote: Ayes: Bain, Foust, Hartnett, Howard, and Pierce. Noes: Mayor Ira and Council Member Ruskin.**

MINUTE ORDER 03-283

7. 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 Nos. 43-2003, 44-2003, and 45-2003. 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. Council Member Howard** – stated that on Saturday, December 6, from 1-2 p.m., Peninsula Habitat for Humanity will be holding its final dedication of the last 8 houses out of 36 houses constructed on Rolison Road.
- C. Vice Mayor Pierce** – stated that a vacancy on the Planning Commission due to the recent election of Council Member Foust exists and that discussion to fill the

vacancy will occur on December 8. Consensus from Council was for the packet of information for the same pool of applicants from the recent recruitment be distributed.

- D. Vice Mayor Ira** – stated that last month C/CAG approved a budget appropriation for the Transit Authority to provide informational workshops to inform the community on Measure A and how the funds are spent. C/CAG will also provide a presentation to Council at a later date. He also explained that a budget update on December 15 will occur leading up to a Budget Strategy Session to be held on January 10 from 8:30-12:00 at the Community Room at the Main Library.

8. ADJOURNMENT – 8:15 p.m.

M/S Foust/Howard to adjourn until the next City Council meeting of December 8, 2003. The motion passed by a unanimous voice vote.

Respectfully submitted,

Patricia S. Howe, CMC
City Clerk