

COUNCIL MEMBERS
MAYOR, BARBARA PIERCE
VICE MAYOR, ROSANNE FOUST
COUNCIL MEMBER, ALICIA C. AGUIRRE
COUNCIL MEMBER, IAN BAIN
COUNCIL MEMBER, JIM HARTNETT
COUNCIL MEMBER, DIANE HOWARD
COUNCIL MEMBER, JEFF IRA



MINUTES

CITY COUNCIL
CITY OF REDWOOD CITY
1017 MIDDLEFIELD ROAD · P.O. BOX 391
REDWOOD CITY, CALIFORNIA 94064-0391
www.redwoodcity.org
CITY COUNCIL CHAMBER

JOINT CITY COUNCIL AND
REDEVELOPMENT AGENCY MEETING
September 11, 2006
7:00 P.M.

1. CALL TO ORDER

2. ROLL CALL

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

Council Members Absent: Bain and Howard

Staff Present: City Manager Everett, Assistant City Manager/CDS Director Ingram, City Attorney Yamamoto, Public Works Director Barwacz, Deputy City Clerk Wong, Project Planner Kelly, Planning Manager Ekas, Redevelopment Manager Webb, Community Development Services Manager Passanisi, Public Works Superintendent Harang, Public Works Superintendent Mann, Project Read Director Endaya, City Engineer Lynch, Associate Planner Lyon

3. PLEDGE OF ALLEGIANCE – Jim Hartnett, Council Member

4. INVOCATION – Chaplain Dennis Logie, Redwood City Police Department

5. SPECIAL ORDERS:

None

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

Janet Borgens, Redwood City Resident and Planning Commission Member had two concerns. She stated that the street paving currently going on in Redwood City seems to

be different and that there is loose gravel being kicked up. This is a concern of the Friendly Acres Neighborhood Association and she said that getting more information about the process out to the neighborhood would be helpful. This past weekend, there was a Fair Oaks Community cleanup in preparation for the Festival (5th Annual North Fair Oaks Community Festival on September 17th) coming up this weekend. She noted that Council Member Aguirre, many City staff, Heads of City Departments and many community volunteers did a fantastic job and the area was left pristine.

In response to the Mayor's request for staff comment on the paving, City Engineer John Lynch briefly explained the new two-step process where the street needs to be swept often and this method allows the City to cover more streets less expensively. He said they will send out another notice to the community about the new process. Council Member Ira asked that the notice also explain that overall this new process will be better for the community overall.

Pastor Dennis Logie, President of the Peninsula Clergy Network, explained that the Network stretches from San Francisco County line to about Northern Santa Clara County and including San Mateo County. He stated that their network is very unique and their grouping truly represents all faiths; with 444 clergy members and their Board includes Muslims, Christians, Buddhists, Jews, Protestants, and Catholics. They are a network, not a collaboration and their main purpose is to sponsor different colloquiums and conversations and they often invite Civic Leaders, like City managers, County Superintendents, Superintendents of school. He stated that they had a 9/11 Day of Remembrance at the City Hall Plaza that began at 5:46 am and he reported that about fifty people attended in the dark this morning and about seventy people attended at the 5:46 pm vigil, with a constant stream of people throughout the day. There were representatives from police and every fire department on the Peninsula sent representatives, Airlines, County Supervisors, and a lot of Clergy. Their goal was to have a quiet meditative vigil, foster communication and to allow people to write down their thoughts. There were 12 rolls written. Mayor Pierce thanked him for a very moving event stating that it touched people.

Tim Fanelli, Redwood City resident, read a personal statement concerning Redevelopment bringing employment to the community. He expressed his concerns about why jobs and employment are hard to find, achieve, obtain and procure. He also provided a copy of the statement for the public record.

M/S Foust/Ira to waive reading of the Consent Calendar except the ordinances by title, adopt the resolutions and the ordinances, approve other items. Item 6.4.A. removed from consideration at this time. City Attorney Yamamoto noted that there were changes to the report to item 6.3.B. after the agenda packets were distributed. Updated reports were distributed to the Council today and the changes were not substantive. **The motion passed by a unanimous roll call vote with Council Members Bain and Howard absent.**

6.1 Section – Motions -

- A. Approve the Joint City Council/Redevelopment Agency meeting minutes of August 28, 2006 as submitted.

MINUTE ORDER 06-182

- B. Award of Contract for the 2005-2006 Street Overlay Project

Recommendation:

By motion, approve the Contract Documents and award the contract for the 2005-2006 Street Overlay Project to the lowest responsible bidder, G. Bortolotto & Co., Inc. of San Carlos, California for their low bid of \$887,605.39.

MINUTE ORDER 06-183

- C. Asphalt Materials Purchase

Recommendation:

By motion, amend the agreement with Graniterock Company, of Redwood City, CA for one year ending June 30, 2007, in the not-to-exceed amount of \$176,000.00.

MINUTE ORDER 06-184

- D. Comprehensive Street Tree Maintenance Project

Recommendation:

By motion, amend the agreement with The Professional Tree Care Company, of Berkeley, CA for one year ending August 31, 2007, in the not-to-exceed amount of \$218,595.

MINUTE ORDER 06-185

- E. Utility Trench Repair

Recommendation:

By Motion, amend the agreement with Bay Area Paving Company, of San Mateo, CA for one year ending June 30, 2007, in the not-to-exceed amount of \$227,358.00.

MINUTE ORDER 06-186

6.2 Section – Final Acceptance

- A. Final Acceptance – Cathodic Protection System Upgrades for the Topaz and Redwood Shores Water Transmission Pipelines Project

Recommendation:

By motion, accept the Cathodic Protection System Upgrades for the Topaz and Redwood Shores Water Transmission Pipelines Project, and authorize the release of bonds and retention according to City procedures.

MINUTE ORDER 06-187

B. Final Acceptance – Woodside Road Median Improvements Project

Recommendation:

By motion, accept the Woodside Road Median Improvements Project, and authorize the release of bonds and retention per contract obligations.

MINUTE ORDER 06-188

6.3 Section - Resolutions

A. Resolution waiving 60-day notice of the County of San Mateo's lease of real property - 805 Veterans Boulevard, County Center, Redwood City

By resolution, authorize the City of Redwood City to waive the 60-day notification requirement for lease of real property.

RESOLUTION 14732 WAIVING NOTICE OF THE COUNTY OF SAN MATEO'S LEASE OF REAL PROPERTY

B. Assignment and Assumption Agreement for Amended and Restated Disposition and Development Agreement for Downtown Retail-Cinema and Parking Project (On Broadway) – *City Council/Redevelopment Agency*

City Attorney Yamamoto noted that there were changes to the report after the agenda packets were distributed. Updated reports are available from the City Clerk and copies were distributed to the Council at the dais. The changes were not substantive.

Recommendation:

Approve the Assignment and Assumption Agreement per the Amended and Restated Disposition and Development Agreement for the Downtown Retail-Cinema and Parking Project (On Broadway), from On Broadway Redwood City, LLC, a California limited liability company, to On Broadway Investors, LLC, a Delaware limited liability company, and authorize the City Manager and the Redevelopment Agency Director to execute same.

RESOLUTION 14733 OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY APPROVING AND AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY OF REDWOOD CITY, THE CITY OF REDWOOD CITY, ON BROADWAY REDWOOD CITY, LLC, AND ON BROADWAY INVESTORS, LLC

RESOLUTION RD 06-06 OF THE REDEVELOPMENT AGENCY OF THE CITY OF REDWOOD CITY APPROVING AND AUTHORIZING THE EXECUTION OF AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE AGENCY, THE CITY OF REDWOOD CITY, ON BROADWAY REDWOOD CITY, LLC, AND ON BROADWAY INVESTORS, LLC

6.4 Section – Ordinances (2nd Reading and Adoption)

- A. General Improvement District 1-64 Development Agreement Extension
(First Reading August 28, 2006)

ORDINANCE APPROVING AND AUTHORIZING EXECUTION OF NINTH AMENDMENT TO DEVELOPMENT AGREEMENT WITH REDWOOD SHORES PROPERTIES [GID 1-64]

This item was removed from consideration at this time.

6.5 Section – Claims and Warrants

- A. Approve warrants dated through August 28, 2006 and usual and necessary payments through September 11, 2006. **MINUTE ORDER 06-189**

7. PUBLIC HEARING

- A. Street Tree Permit Appeal

Public Works Superintendent Mann gave a presentation and he was available for questions on the item.

Council Members asked various questions. Mayor Pierce stated that additional rationales for the street tree policy was partially information coming out on planting trees and carbon dioxide and water run, beyond creating tree canopy and shade that encouraged the City policy.

Mayor Pierce opened the public hearing.

Public Comment:

Appellants Jim Beamont and Irene Bender stated their reasons for the denial of their tree removal request. They are concerned about the high level of electric usage and bills in their home, partly due to a medical condition and needing to maintain heat in the house. They said they had a recent opportunity to have some solar panels installed but the tree would shade them and not allow optimal production in offsetting their electrical bill. He said that he has some documentation that indicates installing this type of solar system would have the net effect of ecological effect of planting 1.9 acres of trees and in reductions of various greenhouse effects that would otherwise be produced from energy use. In response to a question, they confirmed that they have already done other types

of energy efficient activities, such as insulation, wrapping their water heater, and double-paning some of their windows. They suggested possible alternative trees that do not grow as high and cited information that they got in part from other resources, such as the Sierra Club, Horizon Solar System, and a technical book called *Carbon Dioxide Reduction for Urban Forestry* for consideration. She noted that the book cited Sycamore trees are negative for solar efficiency. They were also concerned about broken sidewalks being a hazard due to large trees, pieces breaking off and the frequency of trimming by the City.

Vice Mayor Foust asked PWS Superintendent Mann about the policy from 1961 that talked about what can or cannot be planted and sycamore trees are on the list.

Public Works Superintendent Mann cited section Sec. 29.69. of the code:
PLANTING OF CERTAIN TREES PROHIBITED:

Some types of trees, upon maturing, instead of becoming assets to the community, become liabilities due to structural weaknesses, disease or insect susceptibility, short life, destructive root systems and rank growing branches requiring excessive maintenance. Due to one or more of these characteristics, it shall be unlawful to plant the following trees in or where they may overhang any public street: acacia, black walnut, Arizona Cypress, Asiatic hackberry, Chinese elm, Locust, Polar, Silk oak, Sycamore or European plane, Willow and all species of fruit trees.

In response to questions from the Council, Public Works Superintendent Mann stated that the current Tree Task Force will recommend an approved list and he agreed that Sycamores would be on the new approved list. He said that the City does plant Sycamore and there are new varieties that are resistant.

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

Council discussed the conflict in values between people wanting to produce versus having tree-lined streets. The removal of City-owned trees is inconsistent with long-standing policy for tree canopy, City right of way, and the roof line is not high enough to allow canopy. One thing the City can look at is the solar access issue and maybe suggest changes but they cannot grant the appeal based on the type of tree.

Planning Manager Ekas confirmed that the current Tree Task force is looking at updating the approved list of trees

Vice Mayor Foust stated that she could not vote in favor of the staff recommendation due to the 1998 City policy that prohibits these trees versus the fact that these trees are planted around the City. She encouraged anyone on

staff or in the community to please help the appellants with their situation by contacting staff.

M/S Hartnett/Aguirre reviewed and approved the motion to uphold Staff's denial of the permit application for the removal of two-City-owned Sycamore street trees located in the planting strip adjacent to 111 Nevada Street. **The motion passed by a majority voice vote by those present with Vice Mayor Foust voting no and Council Members Bain and Howard absent.**

8. STAFF REPORTS

A. Discuss Pilot Street Sweeping Project Concept

PWS Superintendent Harang presented the report and asked for Council direction on the proposed three-month pilot program.

Council Members discussed the need for more community involvement such as a neighborhood member assisting in reminding residents of the street sweeper schedule. Other comments included support for the pilot program as a creative solution, that some neighborhoods do not have an option to park on the opposite side of the street (might need to be neighborhood specific), citations may not be the best option, that the Utilities Committee could review the program, and that an efficient monthly sweep might be better than a more frequent sweeping schedule.

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. 35-2006 staff to act on positions taken by Council. (Copies of League of California Cities Priority Focus available in City Clerk's Department.)

B. Update on General Plan elements - Draft Infrastructure and Water Supply Elements

Vice Mayor Foust stated that this is an opportunity for Council to review and discuss concepts in the attached General Plan elements and refer the Elements back to the Planning Commission for continued refinement. This action is only to provide an update and "check-in," and allow the Council to affirm the direction and approach to these Elements.

Community Development Services Manager Passanisi gave a presentation. He noted that they will present the Economic Development elements in October, and sometime early next year, the Downtown Precise Plan.

Planning Chair Seybert stated that they are looking for specific comments regarding the look and feel and general direction of the elements.

Council Members thanked those working on the elements, supporting the direction stating that although these elements are optional, there is pride in putting them forward now. Comments included the need for more linkage in terms of green and environmental components in looking forward 10 years, proactiveness in expectations, collaboration with other departments, incorporating more of the Awhanee principles, and determining how residents will recognize the value and adopt the water portion.

10. ADJOURNMENT – 9:25 p.m.

M/S Hartnett/Ira to adjourn to the next City Council Meeting of September 25, 2006 in memory of former City employee and Council Volunteer Art Balsamo; former City Council Member Jordan's father, Kenneth Jordan; and in honor of the 5th anniversary of September 11. **The motion passed by a unanimous voice vote by those present.**

Respectfully submitted,

Dora Wong
Deputy City Clerk
