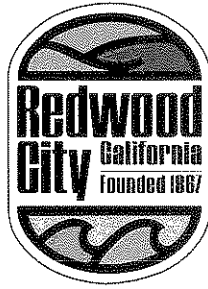


**COUNCIL MEMBERS**

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



**MINUTES**

**CITY COUNCIL  
CITY OF REDWOOD CITY  
1017 MIDDLEFIELD ROAD · P.O. BOX 391  
REDWOOD CITY, CALIFORNIA 94064-0391  
[www.redwoodcity.org](http://www.redwoodcity.org)  
CITY COUNCIL CHAMBER**

**SPECIAL MEETING  
CITY COUNCIL/REDEVELOPMENT AGENCY BOARD  
May 18, 2009  
7:00 P.M.**

**\*Cool the Earth Celebration took place at 6:30 pm in City Hall Foyer\***

**1. CALL TO ORDER**

**2. ROLL CALL – All Council Members present**

Staff present: City Manager Ingram, City Attorney Yamamoto, City Clerk Vonderlinden, Deputy City Clerk Wong, Police Chief Cobarruviaz, Police Captain Cesena, Police Administrative Sergeant Mulholland, Police Sergeant Hart, Police Detective Smith, Police Detective Muere, Police Juvenile Specialist Velarde, Parks, Recreation, and Community Services Superintendent Beth, Community Development Services Director Chang, Library Services Supervisor Meeks, Principal Planner Passanisi, Public Communications Manager Smith, Neighborhood Liaison Coordinator Spacher, Acting Engineering and Construction Manager Vorametsanti, and Housing and Redevelopment Manager Webb.

Others Present: Housing and Human Concerns Committee Members Bondonno and Wright, Planning Commissioners Borgens and Holt, Library Board President Madrigal, Home Improvement Loan Committee Member Oschner.

**3. PLEDGE OF ALLEGIANCE – Jeff Ira, Council Member**

**DRAFT –  
NOT FOR CITATION**

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

5. **SPECIAL ORDERS OF THE DAY**

A. Proclamation - Cool the Earth Celebration – Chloe Martin, Program Manager

Mayor Foust addressed the children, parents, and teachers thanking them for making this a reality. She also acknowledged Emerita Orta-Camilleri with the Belmont School District. Chloe Martin addressed those present recognizing contributors from ten schools that came together to make “every action count”. She thanked city staff Erica Spacher and Beth Ross for their leadership.

B. Presentation - Ceremonial Swearing-In of Newly appointed Boards, Commissions, and Committee members.

Silvia Vonderlinden, City Clerk, performed the oath of office to the recently appointed or reappointed Boards, Commissions and Committees members.

C. Presentation - Gang Suppression, Redwood City Police Department – Daniel Mulholland, Police Sergeant

Chief Cobarruviaz addressed the Council (presentation on file). He provided details on each of the gangs and the areas claimed by each in Redwood City. The Chief also provided some details on potential factors that lead to gang involvement. He also covered the graffiti abatement program. Council asked questions about various state laws and possibly advocating for more funds for these efforts. Mr. Cobarruviaz mentioned that maintaining the COPS grants is important. Various Council Members thanked the Police Department for its work with the community. Mayor Foust appreciated the fact that tough issues are discussed in a public forum and that the Police Department is proactive and works across departments and agencies.

6. **ORAL COMMUNICATIONS AND CONSENT CALENDAR**

**MOTION:** Waive reading of the Consent Calendar except the ordinances by title, adopt the resolutions and the ordinances, and approve other items.

Wendy Shadwell-Nian spoke about noise impacts on the Senior Village from nearby restaurants. She believes the music is causing stress to many of the patients and she asked that the noise stop at 10:00 p.m. Ms. Shadwell-Nian thanked the Council for its time.

Item 6.1 F was pulled for discussion by Council Member Hartnett.

M/S Bain/Pierce to approve the consent calendar except for items 6.1 F and 6.1G. **Motion carries unanimously by electronic vote with Vice Mayor Howard abstaining on the set of minutes for the meeting she was absent (April 27, 2009).**

Item 6.1G pulled for discussion. *Council Member Hartnett left the dais.*

Public Comment

Gerard Zelnik opined that he did not believe the six units were originally presented as rental units. He would like to have the Council mandate to the developer that the six units be owner occupied.

Cherlene Wright, speaking as a private resident, thanked the Council for the affordable restrictions because it adds housing in Redwood City. She said that the 15% will be helpful in order to meet state mandated requirements.

Suzanne Springs, with time donated by another speaker, said that this is not about being against affordable housing and what she refutes is that the affordable housing should be used for sale and not for rent. She said that no notice was given by Mr. Lamb and that had been a condition of the procedures. She spoke about certain issues related to notice or lack thereof. She opposes the use of the six units for rental purposes.

Diana Hallock spoke as a resident and how she has enjoyed working with Mr. Lamb. In her opinion she does not think the 15% rental units is an issue. She supports this action by the Council and she believes in being flexible with the times.

Fran Free lives in Hampton Oaks and she fully supports the project and she does not find this a variance but a mere administrative action. She supports the project.

Mr. Lamb spoke about the current economic climate. He said that he is a "for sale" type of developer and he has met with various residents trying to explain his circumstances and needs. He said that staff has supported the clarification on the language and he hopes the Council supports this action tonight. He mentioned some of the outreach he has done.

Alicia Guerra, the developers' legal counsel, said that this is not a variance and she clarified that this is simply a clarification on the specific six units. She made mention of laws relating to the rights of developers. Ms. Guerra made herself available to answer any questions.

Ellen Wallis supports passage of this matter. She has attended various meetings and she said that few residents from Hampton Oaks were there to refute the proposal. She mentioned the various forums available for residents to comment on the matter.

#### **M/S Aguirre/Pierce to approve item 6.1 G.**

One Council Member said that this was not supposed to be a rental and he is not happy with a few things that happened on this project. Another Council Member agreed with these comments and said this has not been an easy process but he believes this is a product of the economic environment and this is a temporary change. **Motion carries unanimously by electronic vote with Council Member Hartnett recused.**

#### **Discussion on item 6.1 F**

Oded Ward introduced the various members of the Laurel Way group who are working on this. He provided some historical information on how this came to pass. He referred to the process and how he believes he has a letter that says that the city has made a commitment to making a payment towards the Environmental Impact Report (EIR).

Mr. Ward, with time ceded by other speakers, spoke about previous communications. He also addressed what he believes to be public benefit for the community and the city. Mr. Ward made comments related to the fact that in the past this was a public street and now it is a private street and in his opinion this has no impact in the determination. He does not believe that either way the city has any financial obligation to maintain the street. He provided information about the public benefit such as the improved culvert and the access for fire crews. He asked that Council consider a financing mechanism to cover the matter to start the EIR process.

Council asked for a quick update on the status of this project. Mr. Passanisi, Principal Planner, explained that staff is on its way to beginning the work on the 21 parcels on Laurel Way. The issue of the 21 parcels was discussed and one is being excluded because of the owner not wanting to participate. The Council discussed the properties included and the one excluded. Staff confirmed that the entire area will be included in the EIR. One Council Member commented on the issue of the 18% contribution mentioned in 1996. Staff said this possible contribution was later reversed based on a legal opinion. One Council Member provided historical background on positions taken by Mr. Sweeney. The Council Member that was present at the prior discussions did not recall this being a blank check approval at that time. One Council Member suggested coming back with a menu of options. The matter was referred back to City staff to look at other financing options because this is a unique situation.

Various Council Members did not want to take action tonight but instead have staff look at other options. One Council Member said it was unfortunate that prior Councils (in 1996) were not told that such action was against an existing policy. Vice Mayor Howard wanted a differentiation between what the project was with a public road versus the current private road design. Mayor Foust would not like to undo what has been done in the past or have future Council's deal with situations that are created by the current Council. Mayor Foust made comments about the tone of certain correspondence received. She stated that this is a Council of integrity and it tries to be responsive and ethical.

City Manager Ingram explained that it might be better to hold off on scheduling this until the EIR is certified by the Planning Commission. There was no consensus on setting a date for this to come back. One Council Member stated that he did not want to leave the impression that the city will fund the EIR. One Council Member was clear that changing prior resolutions and Council actions was not a welcome solution. In general, the Council asked for exploration of legally acceptable alternatives. Council stated that there is no pre-ordained assumption that the Council will pay but that merely Council is asking staff to provide other choices. **Council consensus was to have this come back with some options for Council consideration. Council consensus was that this action tonight is not to be viewed as a commitment to funding or that the project is approved even if certified by the Planning Commission. The consensus also included that this come back after the possible certification by the Planning Commission.** Mayor Foust thanked all those present for their time and comments.

## 6.1 Section - Motions

- A. Approve the Special City Council meeting minutes of April 20, 2009 and the Joint City Council/Redevelopment Agency Board meeting minutes of April 27, 2009 as submitted. **Minute Order No. 09-081**

- B. Deed Restriction for the Redwood Shores Branch Library at 399 Marine Parkway in Redwood Shores.

**Recommendation:**

Approve, by motion, a deed restriction for the Redwood Shores Branch Library at 399 Marine Parkway in Redwood Shores. **Minute Order No. 09-082**

- C. Professional service agreement with Huffman-Broadway Group, Inc. in the amount of \$156,700.00 for state and federal environmental regulatory agency permitting assistance for the Redwood Shores Levee Maintenance Project.

**Recommendation:**

Approve, by motion, the professional service agreement with Huffman-Broadway Group, Inc. for state and federal environmental regulatory agency permitting assistance for the Redwood Shores Levee Maintenance Project in an amount not to exceed \$156,700.00 and authorize the City Manager to increase the contract amount up to 10% if necessary. **Minute Order No. 09-083**

- D. Response to the San Mateo County Civil Grand Jury Report "Red Light Camera Increases Safety."

**Recommendation:**

Approve the Chief of Police's Response to the San Mateo County Civil Grand Jury Report "Red Light Camera Increases Safety." **Minute Order No. 09-084**

- E. Crossing Guard Service.

**Recommendation:**

By motion, approve a one-year amendment to the agreement between the City of Redwood City and All City Management Services to provide crossing guard service for fiscal year 2009-2010, and authorize the Chief of Police or his designee to execute all documents with regard to the Agreement.

**Minute Order No. 09-085**

- F. Request for Financial Contribution toward the Preparation of an Environmental Impact Report (EIR) for the Laurel Way Subdivision.

**Recommendation:**

Decline to contribute funding toward EIR costs for the Laurel Way Subdivision.

**(No action/Item Continued)**

- G. Affordable Housing Covenant Deed Restrictions for 885 Woodside Road Condominium Housing Project.

**Recommendation:**

Adopt, by motion, the Declaration of Affordability Covenants ("Affordability Covenants") and Resale Restriction agreement and Option to Purchase for 15% (six units) of the 43-unit condominium housing project at 885 Woodside Road.

**Minute Order No. 09-086**

- H. License Agreement between the City of Redwood City and Fresh & Natural Food Service Group for café at Redwood Shores Branch Library.

**Recommendation:**

By motion, approve the License Agreement with Fresh & Natural Food Service Group for café services at the Redwood Shores Branch Library.

**Minute Order No. 09-087**

## 6.2 FINAL ACCEPTANCES

- A. Final Acceptance – Redwood Shores Slurry Seal Project.

**Recommendation:**

Accept, by motion, the Redwood Shores Slurry Seal Project, and authorize the release of bonds and retention according to city procedures.

**Minute Order No. 09-088**

- B. Final Acceptance – Veterans Boulevard Storm Drain Pump Station Electrical Upgrade Project.

**Recommendation:**

Accept, by motion, the Veterans Boulevard Storm Drain Pump Station Electrical Upgrade Project and authorize the release of bonds and retention according to City procedures.

**Minute Order No. 09-089**

- C. Final Acceptance – Hoover Synthetic Turf Field Replacement Project.

**Recommendation:**

Accept, by motion, the Hoover Synthetic Turf Field Replacement Project, and authorize the release of bonds and retention according to City procedures.

**Minute Order No. 09-090**

- D. Final Acceptance – Redwood City Recycled Water Project – Phase I – Seaport Distribution System – Bid Package 7 (Bike Path, East Bayshore Road, Maple Street, Bloomquist Street, and Seaport Boulevard) Project.

**Recommendation:**

Accept, by motion, the Redwood City Recycled Water Project – Phase I – Seaport Distribution System – Bid Package 7 (Bike Path, East Bayshore Road, Maple

Street, Bloomquist Street, and Seaport Boulevard) and authorize the release of bonds and retention according to City procedures. **Minute Order No. 09-091**

- E. Final Acceptance – Redwood City Recycled Water Project – Phase I – Redwood Shores Distribution System – Bid Package 9 (Island Drive and Bridge Parkway in the Westport Office Park).

**Recommendation:**

Accept, by motion, the Redwood City Recycled Water Project – Phase I – Redwood Shores Distribution System – Bid Package 9 (Island Drive and Bridge Parkway in the Westport Office Park) and authorize the release of bonds and retention according to City procedures. **Minute Order No. 09-092**

**6.3. RESOLUTION**

- A. California Department of Boating and Waterways Grant for Police Boat Engines.

**Recommendation:**

1. By Motion, approve a contract between the City of Redwood City and the California Department of Boating and Waterways (DBW) for grant funds for new engines for the Police Department's patrol boat, and authorize the Chief of Police or his designee to execute all documents with regard to the Agreement. **Minute Order No. 09-093**

2. By Resolution, amend the Police Department budget for Fiscal Year 2008-09, so that the grant funds may be appropriated for the purchase of the boat engines. The grant funds should be appropriated within the Police Department Patrol Services sub-program (62131).

**RESOLUTION NO. 14936 AMENDING THE REDWOOD CITY POLICE DEPARTMENT BUDGET FOR FISCAL YEAR 2008-2009 SO THAT THE GRANT FUNDS MAY BE APPROPRIATED IN THE AMOUNT OF \$40,000 FOR THE PURCHASE OF PATROL BOAT ENGINES**

**6.4 Section – Claims and Warrants**

- A. Approve warrants dated through May 18, 2009 and usual and necessary payments through June 1, 2009. **Minute Order No. 09-094**

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*Council took a break at 9:40 p.m. Council resumed the meeting at 9:50 p.m.*

**7. STAFF REPORTS**

- A. Informational Update - San Francisco Public Utilities Commission (SFPUC) – Hetch Hetchy Water System Improvement Program (WSIP) – Bay Division Pipeline Reliability Upgrade Project – Bay Division Pipeline No. 5 – Peninsula Reaches.

**Recommendation:**

No action is required at this time. This staff report is an information only item and accompanies a presentation by the SFPUC project team.

Mr. Vorametsanti, Acting Engineering and Construction Manager, introduced the item (presentation on file). Joe Ortiz and Christina Kerby, SFPUC staff, addressed the Council on the matter. Public noticing was discussed as well as the memorandum of agreement that will come before Council in the near future.

- B. Council discussion and input on public outreach efforts related to the development and local construction of the High Speed Rail/Caltrain Electrification project.

**Recommendation:**

Provide input to the Caltrain staff for use in their development of a Public Outreach Plan for development and construction of the High Speed Rail/Caltrain Electrification project.

Tim Cobb, Project Manager for HNTB for the San Jose to San Francisco segment, provided some introductory remarks followed by Shamus Murphy, with CalTrain who provided a presentation to Council (presentation on file).

**Public Comment**

James Jonas spoke about HSR and opined that this is the right approach for various reasons. He concurs with the current program but he would like more workshops with bi-directional communication. He referred to a website called [www.Hattrench.com](http://www.Hattrench.com).

Jerry Pierce addressed the Council and he would like to have workshops where the public can engage in a dialogue. He supports the current approach but believes a more interactive approach is missing. He encouraged staff to initiate this outreach and discuss the various options.

Jim Bigelow referred to the various steps in this process and provided additional information. He referred to a website that has all the information on HSR. He made mention of upcoming deadlines and how the schedule is tight.

Mayor Foust summarized the issues before Council which are: what is desirable, what is feasible, and what is achievable. City Manager Ingram said that Seaport Industrial Association was left out of the process and he apologized for that unintentional lapse. One Council Member wanted to differentiate between the construction and the design phases. Council concurred with the workshop concept but some Council Members thought that ultimately the Council needs to advocate for the community. Council discussed residents' involvement and Council's final decision on the matter. Various Council Members supported the idea of workshops. Some Council Members had concerns that transparency might be compromised because of schedule. There was mention of creating a policy board.

M/S Pierce/Howard to extend the meeting until 11:30 p.m. **Motion carried unanimously by voice vote.**

Vice Mayor Howard suggested sharing information through our website and also providing updates on what other cities are doing. Council wants to include Seaport Industrial Association and the Port as well as County Staff. One Council Member mentioned that the overarching vision for the communities seems to be missing. He would like to emphasize the benefits for local communities and market this as a unique opportunity, which needs to be clearly articulated. Some discussed the policy board. It was suggested that churches could also be included in the outreach. Other Council Member suggested creating a de facto coalition and that this coalition be between those cities that agree with HSR. One Council Member pointed out that there are shared concerns between various cities and recognizing them can be helpful as well as exploring financial mechanisms.

Mayor Foust said she wished this outreach plan had come out in November of 08 and she would like to have something more concrete. She agreed that this is a big opportunity and has to be sold as such. Council agreed to revisit the matter when more concrete information is available such as clear timelines and concrete steps. Mr. Murphy offered thanks and said that they will work with staff on the Council direction provided tonight.

## **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. 15-2009, 16-2009, and 17-2009. 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. Appointment of a Director to the Boards of the Bay Area Water Supply & Conservation Agency and the Bay Area Regional Water System Financing Authority.**  
**Minute Order No. 09-095**

M/S Hartnett/Pierce to appoint Council Member Pierce. **Motion carried unanimously by voice vote.**

**C. Memo from the League of California Cities and Adoption of a Resolution.**

**RESOLUTION NO. 14937 FINDING A SEVERE FISCAL HARDSHIP WILL EXIST IF ADDITIONAL CITY PROPERTY TAX FUNDS ARE SEIZED AND ADDITIONAL UNFUNDED MANDATES ARE ADOPTED BY THE STATE OF CALIFORNIA**

M/S Aguirre/Ira to approve the resolution. **Motion carried unanimously by voice vote.**

**D. League of California Cities and the California Redevelopment Association Campaign Coalition – Seeking Support for Coalition Membership/"Main Street Recovery Campaign Coalition" – City Council/Redevelopment Agency Board.**

**RDA MO- 09-010**

M/S Pierce/Bain to approve the City of Redwood City joining the Coalition. **Motion carried unanimously.**

**E. City Council Member Report of Conference/Meeting Attendance.**

Mayor Foust made mention of the reports included in the agenda packet.

**9. ADJOURNMENT: TO THE REGULAR CITY COUNCIL MEETING OF JUNE 1, 2009.**

M/S Aguirre/Pierce to adjourn the meeting at 11:25 p.m. **Motion carried unanimously by voice vote.**

Respectfully submitted,

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Silvia Vonderlinden,  
Certified Municipal Clerk  
Submitted for approval at the Council Meeting of June 1, 2009.