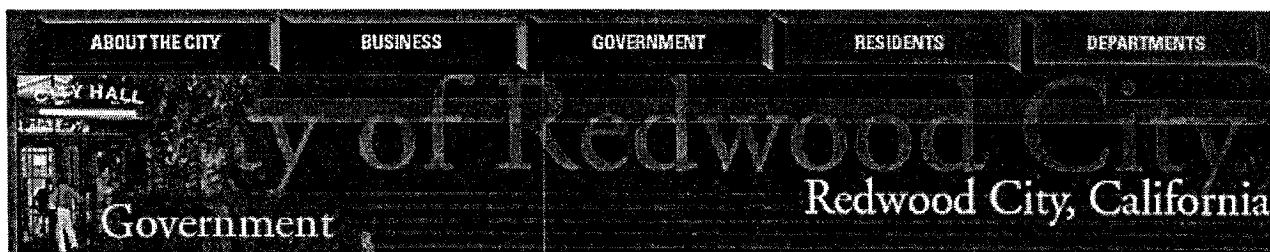


Share / Save ↕

Calendar · Newsletters · Events

Search...



[Home](#) » [Government](#) » [City Council](#) » [Meetings](#) » **November 22, 2010 Agenda**

City Council

November 22, 2010

Advisory Boards, Committees, and Commissions

JOINT CITY COUNCIL/ REDEVELOPMENT AGENCY BOARD MEETING

Local Appointments List

November 22, 2010

7:00 P.M.

How the City Works!

[Download the Agenda \[pdf, 32KB\]](#)

City Budget and Financial Information

PLEASE TURN OFF ALL ELECTRONIC EQUIPMENT such as cellular telephones, PDAs, and pagers to prevent disruption of the proceedings of the City Council/Redevelopment Agency Board meeting.

City Charter

Codes and Ordinances

***ATTENTION SPEAKERS:** If you wish to address the City Council/Redevelopment Agency Board, please complete a speaker's card (next to the agendas) and give it to the Council/Agency Assistant (seated to the left of the Council/Board). By submitting the speaker's card, the Mayor/Chair will recognize you at the appropriate time. In order to afford all members of the public the opportunity to address the City Council/Board, each speaker will be provided 3 minutes.

Document Archives

Other Government Links

The City Council believes that late night meetings deter public participation, can affect the Council's decision-making ability, and can negatively affect staff performance for the remainder of the business week. City Council Meetings shall be adjourned by 10:30 p.m., unless extended to a specific time determined by a majority of the Council.

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE – Vice Mayor Aguirre

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

5. SPECIAL ORDER OF THE DAY

A. Swearing in of Library Board Members – Dora Wong, Acting City Clerk


6. ORAL COMMUNICATIONS AND CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine by the City Council/Redevelopment Agency Board, and will be enacted by one motion and one vote. The Oral Communications and Consent Calendar category is limited to 15 minutes of comment to be allocated as determined by the Mayor/Chair. If you wish to speak to items on the Consent Calendar, please complete a speaker's card and give it to the Council/Agency Assistant.

CITY COUNCIL/REDEVELOPMENT AGENCY BOARD ACTION: Waive reading of the consent calendar and the full text of ordinances and resolutions, and approve the Consent Calendar items.

6.1 Section – Motions**A. Minutes: Joint City Council/Redevelopment Agency Board Meeting of October 25, 2010, Joint City Council/Redevelopment Agency Board Meeting of November 8, 2010, and the Closed Session Meeting of November 10, 2010.**

Staff Contact: Dora Wong, Acting City Clerk 780-7221
dwong@redwoodcity.org

 [View Associated Packet Document \(pdf\)](#)


B. Consideration of Two Historic Preservation Agreements (Mills Act Contracts).

Staff contact: Charles Jany, Principal Planner 780-7239
cjany@redwoodcity.org

Recommendation:

Approve by motion individual Mills Act Contracts for the following properties:

1. 1028 Warren Street (APN 052-258-120)
2. 734 Brewster Avenue (APN 052-278-100)


 [View Associated Packet Document \(pdf\)](#)

C. Professional Services Agreement with David Powers and Associates for the Finger Avenue Project.

Staff contact: Maureen Riordan, Project Planner 780-7236
mriordan@redwoodcity.org

Recommendation:

Approve an agreement for environmental consulting services with David Powers and Associates for preparation on the 50, 80 and 88 Finger Avenue Project Environmental Impact Report (EIR).


 [View Associated Packet Document \(pdf\)](#)

D. Amendment of By-laws for the Home Improvement Loan Committee.

Staff contact: Rhonda Coffman, Construction Manager 780-7299
rcoffman@redwoodcity.org

Recommendation:

Approve, by motion, the proposed amendment to Sections 2.1 and 2.4 of Article II Membership of the Home Improvement Loan Committee By-laws to (1) reduce the size of the committee from nine to five members and eliminate non-voting members; and (2) to stagger terms of office and extend the term of office to four-years.


 [View Associated Packet Document \(pdf\)](#)

E. Amendment to Redflex Red Light Photo Enforcement Contract.

Staff contact: Sergeant Ashley Osborne, Sergeant 780-7654
aosborne@redwoodcity.org

Recommendation:

By Motion, approve an amendment to the Redflex Photo Red Light Enforcement contract.


 [View Associated Packet Document \(pdf\)](#)

F. Amendment to Crossing Guard Service Contract.

Staff contact: Ashley Osborne, Police Sergeant 780-7654
aosborne@redwoodcity.org

Recommendation:

By Motion, approve an amendment to the Crossing Guard Services Contract with All City Management for fiscal year 2010-2011, adding services for the newly opened Redwood Shores Elementary School.

 [View Associated Packet Document \(pdf\)](#)

G. Award of Contract – Dove Beeger and Westwood Parks Play Area Renovation Project.

Staff contact: Brian Lee, Senior Civil Engineer 780-7391
blee@redwoodcity.org

Recommendation:

Approve, by motion, the contract documents and award the standard form contract for the Dove Beeger and Westwood Parks Play Area Renovation Project to CF Contracting of Fairfax for their responsive and responsible low base bid of \$312,778 and include additional bid items of \$29,304 for a total contract amount of \$342,082. And, authorize the City Manager to increase the contract amount, if necessary, up to 10% of the amount awarded.

 [View Associated Packet Document \(pdf\)](#)

H. Installation of Entry Features to Avondale Avenue.

Staff contact: Paul Willis, Senior Civil Engineer 780-7219
pwillis@redwoodcity.org

Recommendation:

Approve, by motion, the installation of entry features at Avondale Avenue and approve an improvement agreement with the developer at 50 and 58 Avondale Avenue and authorize the City Manager to execute said agreement for the installation of these features.

 [View Associated Packet Document \(pdf\)](#)

I. Memorandum of Understanding with the County of San Mateo for the Replacement Jail Project.

Staff contact: Bob Bell, Interim City Manager 780-7300
bbell@redwoodcity.org

Recommendation:

By motion:

1. Authorize the City Manager to enter into a Memorandum of Understanding (MOU) with the County of San Mateo regarding potential replacement jail facilities on properties located on Chemical Way (generally known as the Woodhouse Industrial Park Property) for which the City has options to purchase that are assignable to the County. The MOU shall be in the form attached, subject minor, technical changes, if any, approved by the City Attorney.
2. If the County wishes to proceed with acquisition of the Woodhouse Industrial Park Property, authorize the City Manager to execute as Assignment and Assumption Agreement assigning all rights and obligations under the City's Option Agreements to the County.
3. If, pursuant to the MOU, the County purchases the Woodhouse Industrial Park Property, direct staff to cooperate with County to relocate any City public utility easements on the Woodhouse Industrial Park Property, and present to the City Council for consideration, subject

to compliance with all applicable State and local laws, vacation of the right-of-way at Chemical Way at no cost to County and conveyance to County of the approximately 1' wide City-owned strips of land fronting the 20 and 80 Chemical Way properties and running the length of Maple Street.

 [View Associated Packet Document \(pdf\)](#)

6.2 Section – Final Acceptance

A. Final Acceptance – Red Morton Barbeque Area Shade Structure Project.

Staff contact: Brian Lee, Senior Civil Engineer 780-7391
blee@redwoodcity.org

Recommendation:

Accept, by motion, the Red Morton Barbeque Area Shade Structure Project and authorize the release of bonds and retention according to city procedure.

 [View Associated Packet Document \(pdf\)](#)

6.3 Section – Resolution

A. Resolution Authorizing Mayor to Execute Terms of Employment for Robert B. Bell for the Position of Interim City Manager.

Staff contact: Alicia Aguirre, Vice Mayor 780-7220
aaguirre@redwoodcity.org

Recommendation:

Approve resolution authorizing the Mayor to execute an employment agreement for Robert B. Bell for the position of Interim City Manager.

A RESOLUTION AUTHORIZING MAYOR TO EXECUTE TERMS OF EMPLOYMENT FOR ROBERT B. BELL FOR THE POSITION OF INTERIM CITY MANAGER

 [View Associated Packet Document \(pdf\)](#)

6.4 Section – Claims and Checks

A. Approve checks dated November 22, 2010 and the usual and necessary payments through December 6, 2010.

Staff Contact: Brian Ponty, Director of Finance 780-7073
bponty@redwoodcity.org


7. STUDY SESSION

A. Study Session – Bayfront Canal Storm Drainage System.

Staff contact: Grace Le, Senior Civil Engineer 780-7258
gle@redwoodcity.org

Recommendation:

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

 [View Associated Packet Document \(pdf\)](#)

8. PUBLIC HEARING

A. Appeal of Architectural Permit AP2010-09 for 448 Saint Francis Street.

Staff contact: Blake Lyon, Senior Planner 780-5934
blyon@redwoodcity.org


- 1) Staff Report;
- 2) Open public hearing;
- 3) Hear public comment;
- 4) Close public hearing;
- 5) Council discussion;

Recommendation:


1. Consider the request, by the appellants, for the continuation of the Public Hearing for the appeal of Architectural Permit AP2010-09 for 448 Saint Francis Street.

2. Uphold the decision of the Zoning Administrator based on the findings and conditions of approval pursuant to the associated Notice of Official Action, thereby denying the appeal.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AFFIRMING THE DECISION OF THE ZONING ADMINISTRATOR IN APPROVING THE ARCHITECTURAL PERMIT AP2010-09 FOR 448 SAINT FRANCIS STREET, AND THEREBY DENYING THE APPEAL

 [View Associated Packet Document \(pdf\)](#)

9. MATTERS OF COUNCIL INTEREST**A. City Council Member Reports of Conference/Meeting Attendance.**

 [View Associated Packet Document \(pdf\)](#)

10. ADJOURNMENT: Motion to adjourn or to continue Closed session if needed.

The next Joint City Council/Redevelopment Agency Board meeting is scheduled for December 6, 2010.

City Council agenda materials, released less than 72 hours prior to the meeting, are available to the public at the City Clerk's Office, 1017 Middlefield Road, Redwood City, CA 94063 and are available in the rear of the Council Chambers on the night of the meeting.

Alternate Agenda Formats: The City Council will provide materials in appropriate alternative formats to comply with the Americans with Disabilities Act. Please send a written request to Dora Wong, Acting City Clerk, at 1017 Middlefield Road, Redwood City, CA 94063 or e-mail address [dwong@redwoodcity.org](mailto:d Wong@redwoodcity.org) including your name, address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least seven calendar days before the meeting.



© Copyright 1996-2010 City of Redwood City

Please read our [Terms of Service](#)

Please email any comments or suggestions to webmaster@redwoodcity.org

Unless otherwise noted, all phone numbers are in area code 650.

REPORT

To the Honorable Mayor and City Council
From the City Manager

November 22, 2010

SUBJECT

Amendment to Redflex Red Light Photo Enforcement Contract

RECOMMENDATION

By Motion, approve an amendment to the Redflex Photo Red Light Enforcement contract

BACKGROUND

In April 2007, the City entered into an agreement with Redflex Traffic Systems to provide automated red light photo enforcement services. This agreement is effective through March 2013. Pursuant to this agreement, the City pays Redflex a fixed monthly fee of \$6,200.00 per monitored intersection approach in exchange for Redflex's automated service, which stores and delivers images of red light violations to the Police Department's photo enforcement program. With the City currently operating two intersection approaches, the current payment to Redflex is \$12,400.00 per month or \$148,800.00 annually.

The purpose of the amendment is to remove existing contract language to avoid what some courts have viewed as a conflict with California Vehicle Code section 21455.5(g), which prohibits a public entity from compensating a photo enforcement vendor based solely on the number of citations generated. The purpose of this state law is to avoid any financial incentive for either the government or the vendor to issue more citations than warranted.


The original agreement contained a "cost neutrality" provision, which provided that if the contractual fees paid to Redflex in a twelve month period exceed the amount in fines collected by the City, Redflex will either absorb the shortfall or reimburse the difference if the City has already paid the fees to Redflex. The City has not implemented this provision, instead continuing to pay a flat monthly fee of \$6,200 per monitored intersection approach. Therefore the City has remained in compliance with state law. This amendment is an administrative correction to conform the agreement to the City's practice and state law.


ALTERNATIVES

Decline to amend the contract and leave the language in place, running the risk that citations could be invalidated by the courts on the basis of the cost neutrality clause.

FISCAL IMPACT

This amendment has no fiscal impact because the City has paid, and expects to continue to pay, the flat fee of \$6,200 per monitored intersection approach pursuant to the original agreement.



Ashley Osborne
Sergeant

Louis A. Cobarruviaz
Chief of Police

Robert B. Bell
Interim City Manager

ATTACHMENTS

Amendment No. 1 to the agreement between the City of Redwood City and Redflex Traffic Systems, Inc.

RELATED DOCUMENTS IN CITY CLERK'S OFFICE

Original Agreement between the City of Redwood City and Redflex Traffic Systems, Inc. dated April 23, 2007.

**AMENDMENT NO.1 TO AGREEMENT FOR
PHOTO RED LIGHT ENFORCEMENT SERVICES
Redflex Traffic Systems, Inc.**

This Amendment No.1 is entered into and effective as of the ____ day of _____, 2010, amending the agreement dated April 23, 2007 (the "Agreement") by and between the City of Redwood City, a charter city and municipal corporation ("City" or "Customer"), and Redflex Traffic Systems ("Redflex") (collectively, the "Parties") for photo red light enforcement services.

RECITALS

A. On April 23, 2007, the Parties executed an Agreement under which Redflex provides services and equipment for City's Photo Red Light Enforcement Program; and

B. The Parties desire to modify and amend certain portions of the Agreement.

NOW, THEREFORE, in consideration of these recitals and the mutual covenants contained herein, the Parties agree as follows:

1. Deletion of Cost Neutrality Provision, Section 6.5. Section 6.5 of the Agreement, "Cost Neutrality," is hereby deleted from the Agreement in its entirety.

2. Deletion of Cost Neutrality Related Terms and Conditions, Exhibit D. All language pertaining to Cost Neutrality in Exhibit D is hereby fully removed and deleted. Exhibit D of the Agreement, "Compensation and Pricing," is hereby amended to read as follows:

"Commencing on the date of execution of this Agreement, Customer shall be obligated to pay Redflex a fixed fee of \$6,200 per month for each Designated Intersection Approach ("Fixed Fee") as full remuneration for performing all of the services contemplated in this Agreement.

All newly constructed red light camera systems beyond the existing 2 systems will be charged at \$6,200 per monitored approach.

Business Assumptions for all Pricing Options:

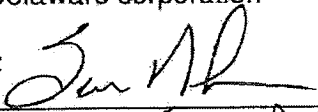
1. Redflex construction will be able to utilize existing conduit for installation where space is available.
2. Each year the pricing will increase by the CPI. CPI will be derived from the publication of the U.S. Department of Labor Consumer Price Index for U.S. City average.
3. Customer agrees to pay Redflex within thirty (30) days after the invoice is received. A monthly late fee of 1.5% is payable for the amounts remaining unpaid 60 days from the date of the invoice."

3. All other provisions of the Agreement, as may have been amended from time to time, will remain in full force and effect.

4. All requisite insurance policies to be maintained by Consultant pursuant to the Agreement, as may have been amended from time to time, will include coverage for this Amendment.

5. The individuals executing this Amendment and the instruments referenced in it on behalf of Consultant each represent and warrant that they have the legal power, right and actual authority to bind Consultant to the terms and conditions of this Amendment.

Redflex Traffic Systems, Inc.,
a Delaware corporation

By: 

Karen Finlay Sean Nolen
President and CEO
Chief Financial Officer
10-22-10

CITY OF REDWOOD CITY, a charter
city and municipal corporation of the
State of California

By: _____
Peter Ingram
City Manager

ATTEST:

Silvia Vonderlinden, City Clerk