CITY COUNCIL OF THE CITY OF SAN MATEO
REDEVELOPMENT AGENCY OF THE CITY OF SAN MATEO
COUNTY OF SAN MATEO

Minutes of Regular Meeting of September 16, 1996

The meeting convened at 8:00 p.m. in the Council Chambers of City Hall and was called to order by Mayor Paul Gumbinger, who led the Pledge of Allegiance to the flag.

MEETING AS CITY COUNCIL AND REDEVELOPMENT AGENCY

Those present were Council Members Sue Lempert, Gary Yates, Jerry Hill, Claire Mack, and Paul Gumbinger.

1. Minutes of the Regular Meeting of September 3, 1996 were approved as amended upon motion by Yates, seconded by Hill, and carried unanimously (5-0) by amending Item 10, fourth paragraph, to read: *"Council Member Yates stated he had noted possible wiring discrepancies in the parking lot area."*

CONSENT CALENDAR

The matters numbered 2 through 11 below were considered to be routine by the City Council, to be enacted by one motion without discussion.

The items having been read by the City Clerk, motion was made by Yates, seconded by Lempert, and carried unanimously (5-0) to adopt the Consent Calendar with the exception of Item 2, as follows:

2. Award of Contract - Gateway Entry Feature Project

Removed from the Consent Calendar and considered following Item 11.

3. Award of Contract - Root Foaming

Concur in the recommendation of the Director of Public Works and award a contract to Duke's Sales and Services, Inc. for application of root retardant to approximately 42,000 linear feet of sanitary sewer pipe at specified streets and rear easements throughout City, in the amount of $29,260.00; and adopt:

(a) Resolution No. 114 (1996) Approving and Authorizing Execution of the Agreement Between the City of San Mateo and Duke's Sales and Service, Inc. for the Application of Root Retardant to Sanitary Sewer Pipe at Specified Streets and Rear Easements throughout the City (Not to Exceed $29,260.00).

(MINUTE ORDER NO. 207-96)

4. Award of Contract - 1996 Sanitary Sewer Repair/Rehabilitation - Various City-wide Locations

Concur in the recommendation of the Director of Public Works and reject all bids for the 1996 Sanitary Sewer Repair/Rehabilitation - Various Citywide Locations and authorize staff to readvertise the project for construction bids at a later date. (MINUTE ORDER NO. 208-96)

5. Commendatory Resolution - Phillip R. Derr, Police Department

Concur in the recommendation of the Police Chief and adopt:

(a) Commendatory Resolution No. 4 (1996) Commending Phillip R. Derr for His Services with the San Mateo Police Department, September 1, 1966 - August 1, 1996.

3c-1

6. Agreement - Volunteer Center of San Mateo County - Volunteer Program

Concur in the recommendation of the Acting Personnel Director and approve agreement between the City of San Mateo and the Volunteer Center of San Mateo County to provide a Volunteer Program funded through grant proposal by David and Lucile Packard Foundation; and adopt:

(a) Resolution No. 115 (1996) Approving and Authorizing Execution of the Agreement Between the City of San Mateo and The Volunteer Center of San Mateo County to Provide the Volunteer Program Funded through a Grant Proposal by the David and Lucile Packard Foundation. (MINUTE ORDER NO. 209-96)

7. Ordinance for Adoption - Amending Sewer Service Charge Ordinance, San Mateo Municipal Code Chapter 3.54

Concur in the recommendation of the Director of Public Works and adopt:

(a) Ordinance No. 1996- 19 Amending the Sewer Service Charge Ordinance. (MINUTE ORDER NO. 210)

8. Park and Recreation and Marina Lagoon Rules and Regulations Changes

Concur in the recommendation of the Park and Recreation Commission and adopt changes to the Park and Recreation and Marina Lagoon Rules and Regulations as outlined in Exhibit B to the Administrative Report.

(a) Resolution No. 116 (1996) Adopting Changes to Park and Recreation and Marina Lagoon Rules and Regulations.
(MINUTE ORDER NO. 211-96)

9. FY 1995-96 Community Development Block Grant (CDBG) Grantee Performance Report

Concur in the recommendation of the Director of Community Development and accept and approve the Twenty First Year CDBG Grantee Performance Report, and direct staff to submit it to Department of Housing and Urban Development (HUD) prior to September 30, 1996. (MINUTE ORDER NO. 212-96)

10. Resolution Regarding Employee Retirement Contributions - IRS Code 414 (h)(2) - Management Unit/ City Attorney

Concur in the recommendation of the Acting Personnel Director and adopt:

(a) Resolution No. 117 (1996) Regarding Contributions Under IRS Code 414(h) (2) For Management. (MINUTE ORDER NO. 213-96)

11. Resolution in Opposition to Proposition 218 - Voter Approval for Local Taxes, Limitations on Fees, Assessments, and Charges

Concur in the recommendation of the Council Legislative Committee and take position of "Non-Support" for Proposition 218; and adopt:

(a) Resolution No. 118 (1996) Stating the Position of the San Mateo City Council as Non-Support for Proposition 218 November 5, 1996 Election Ballot.
(MINUTE ORDER NO. 214-96)

END OF CONSENT CALENDAR

REMOVED FROM CONSENT CALENDAR

2. Award of Contract - Gateway Entry Feature Project

Following removal from the Consent Calendar, City Attorney Roy Abrams advised the Gateway Entry Feature Project was a joint project of the Redevelopment Agency and the City of San Mateo and that two actions were necessary.

Motion was made by Lempert, seconded by Yates, and carried unanimously (5-0) to approve the use of Redevelopment Agency funds and adopt the following findings:

1. The improvement is of benefit to the Downtown Project Area and the immediate Gateway neighborhood in that it will draw attention to the Gateway and Downtown areas as described in the Administrative Report;
2. There are no other resources available to finance the improvement;
3. The payment of funds for the improvement will assist in the elimination of blight by bringing economic and aesthetic health to the Downtown and the adjacent neighborhood.

Motion was made by Lempert, seconded by Mack, and carried unanimously (5-0) to concur in the recommendation of the Director of Parks and Recreation and award a contract to the Jensen Corporation in the amount of $313,777.00 for execution of Base-Bid items for the Gateway Entry Feature Project; and adopt:

(a) Resolution No. 119 (1996) Approving and Authorizing Execution of the Agreement Between the City of San Mateo and Jensen Corporation for the Execution of Base-Bid Items for the Gateway Entry Feature Project ($313,777.00).

PUBLIC HEARINGS

The Mayor opened the public hearing and the Council considered:

12. Approval of Citizens Option for Public Safety (COPS) Funds

Police Chief John Stangl gave the staff presentation which included transparencies.

There being no one present who wished to speak to the item, the Mayor closed the public hearing.

Motion was made by Hill, seconded by Mack, and carried unanimously (5-0) to concur in the recommendation of the Police Chief; and adopt:

(a) Resolution No. 120 (1996) Authorizing the Chief of Police to Expend State Appropriated Citizen's Option for Public Safety (COPS) Funds.

(MINUTE ORDER NO. 216-96)

The Mayor opened the public hearing and the Council considered:

13.* PA 95-022 Bridgepointe Development, Master Plan for Redevelopment of the Fashion Island Site, 1900 Arthur E. Hansen Way (APNs 035-451-080, 090, 100, 150, 160, 170)

City Planner Gaye Quinn and Associate Planner Steven Scott gave the staff presentation which included transparencies.

Mike Anderson, Director of Development, Sand Hill Property Company, 1900 Arthur Hansen Way; Ken Rodrigues, 18 North San Pedro, San Jose; Ted Korth, Korth Architects, 1 Bush Street, Suite 430, San Francisco, and Bill Burns, Sobrato Development Companies, 10600 N. De Anza Blvd., Suite 200, Cupertino, gave the applicant's presentation.

Linda Hedges, 904 Wharfside Drive; Larry Atkinson, 1825 S. Grant Street, #280; Anne Le Clair, San Mateo Chamber of Commerce, 1021 S. El Camino Real; Tom Bormes, 1596 Parkwood Drive; Jim Lyons, Real Estate, representing Home Depot, 15725 Eilers Road, Aurora, Oregon; Richard Hedges, 904 Wharfside Drive; David Larson, 2271 Armada Way; Carl Guardino, representing Hewlett-Packard, 3000 Hanover Street, Palo Alto; Robert Winters, representing Mariners Plaza Condo Offices, 56 Valley View Court; Tony Day, 612 Port Drive; Vivian Nalbone, 1046 Shoreline Drive, spoke to the item.

There being no one else present who wished to speak to the item, the Chair/Mayor closed the public hearing.

Following discussion, motion was made by Mack, and seconded by Hill, to approve Certification of the Final Environmental Impact Report as adequate to assess the impacts of the project; adopt the Specific Findings and Mitigation Measures; Statement of Overriding Considerations; and approve the Mitigation Monitoring and Reporting Program, based upon the Findings attached as Exhibit 3.

Motion was made by Yates, seconded by Mack, and carried unanimously (5-0) to amend Mitigation 3.1-3a to read: "Provide physical improvements, such as sidewalk improvements, landscaping and the installation of bus shelters and bicycle parking that would act as incentives for pedestrian, bicycle and transit modes of travel. However, if pedestrian and vehicular access and safety issues can be adequately accommodated, perimeter sidewalks and other public improvements on Site 2 may be phased subject to the review and approval by the Director of Public Works."

Motion was made by Lempert, seconded by Hill, and carried unanimously (5-0) to add the following language to Mitigation 3.2-6: "Pre-drilling and placement of piles may be permitted during normal construction hours allowed by the City of San Mateo."

Motion was made by Hill, and seconded by Mack to direct staff to conform the Findings with the Mitigation Monitoring changes made.

Motion was made by Yates, seconded by Mack, and carried unanimously (5-0) to modify Mitigation 3.2-3 to read: " Parking structures shall have solid walls on the side of the structure facing the residences and developer shall provide other sound mitigation measures as necessary to reduce the maximum noise levels to those required by the City and State."

Motion made by Yates, seconded by Lempert, and carried unanimously (5-0) to amend Mitigation 3.4-5, second paragraph, first sentence to read: "It is further required that the applicant work with SamTrans to identify other transit amenities..."

The original motion made by Hill, seconded by Mack, to direct staff to conform the Findings with the Mitigation Monitoring changes made was carried unanimously (5-0).

The Mayor reopened the public hearing to discuss the intersection of Chess Drive and Vintage Park. There being no one present who wished to speak to this issue, the Mayor closed the public hearing.

Motion made by Mack, seconded by Lempert, to approve the Bridgepointe Master Plan based upon the findings attached as Exhibit 3 and subject to Conditions of Approval attached as Exhibit 4.

Motion made by Yates, seconded by Hill, and carried by a vote 4-1 (Lempert opposed) to delete the following Condition 2 B from the Conditions of Approval: "The 50% residential / 50% office proposal for Site 2 (Page 12) shall be eliminated from the Master Plan."

Motion made by Hill, seconded by Lempert, and carried unanimously (5-0) to amend Condition to 2 C to read: "Design details of the proposed sign towers shall be reviewed as part of a future Site Plan and Architectural Review application."

Motion made by Lempert, seconded by Hill, and carried unanimously (5-0) to amend Condition 2 D to read: "Landscaping on the Master Plan and the subsequent planning permits shall be as shown on Sheet #5 of the project plans. Parking lot landscaping shall be in accordance with the City's standards for parking lot landscaping. A dense landscaping buffer shall screen the loading and service areas from SR92.

*add Motion

Motion made by Lempert seconded by Mack, and carried unanimously (5-0) to amend Condition 2 E to read: "The applicant shall submit with any future application for approval of a Site Plan and Architectural Review for Site 2, revised site plans for review and approval by the Planning Commission, which substantially increase the landscaping and buffering between the proposed residences and the proposed parking garage."

Motion made by Hill, seconded by Mack, and carried unanimously (5-0) to amend Condition 18 entitled Public Benefit as follows:

1) A $60,000 one-time fee shall be paid immediately following the approval of the first SPAR application for Site 2, which shall be credited to subsequent public benefit fees after the second office building is constructed.
2) The developer shall pay at the time of issuance of a building permit for the first two buildings over 55 feet in height, a fee of $0.725 per square foot, up to a total of 300,000 square feet.
3) The developer shall pay at the time *of* issuance of a building permit for the remaining buildings over 55 feet in height, a fee of $0.725 per square foot up to a total of 540,000 square feet.

Motion made by Mack, seconded by Lempert, and carried unanimously (5-0) to amend Condition 16 entitled Access Easement to read:

1) provide a site plan which clearly shows the easement that provides access to the adjacent property to the north;
2) provide details on the landscaping adjacent to the proposed parking at the property line to ensure that said landscaping is provided on the subject property;
3) prior to approval the SPAR for Site 3 the applicant shall provide assurance, satisfactory to the City Attorney, that the easement for property to the north has been modified or eliminated so as not to interfere with the proposed development, or that the easement, if not eliminated or modified, will not interfere with the development.

Motion made by Yates, seconded by Hill, and carried unanimously (5-0) to amend the Findings for Approval, Statement of Overriding Considerations, item number 4 to read: "Changes or alterations to avoid or substantially lessen the significant environmental effect identified as Mitigation 3.4-3 and Mitigation 3.4-22..."

*Correction made at October 7, 1996 Meeting to add motion: "Motion was made by Yates, but failed for lack of second to amend Condition 2E to read as follows: The applicant shall submit with any future applications for approval of a Site Plan and Architectural Review for Site 2, revised site plans and building elevations, for review and approval by the Planning Commission, which limit the height of the parking structures to 55', substantially increase the buffering and landscaping between the residences and garage, and result in the reduction of the massing of the proposed structures."

The original motion was made by Mack, and seconded by Hill, to approve Certification of the Final Environmental Impact Report as adequate to assess the impacts of the project; adopt the Specific Findings and Mitigation Measures; a Statement of Overriding Considerations; and approve the Mitigation Monitoring and Reporting Program, based upon the Findings attached as Exhibit 3, as amended, was carried unanimously (5-0)

The original motion made by Mack, seconded by Lempert, to approve the Bridgepointe Masterplan based upon the Findings attached as Exhibit 3 and subject to Conditions of Approval attached as Exhibit 4, as amended, was carried unanimously (5-0).

Motion made by Lempert, seconded by Hill, and carried unanimously (5-0) to amend the proposed ordinance by revising Section H, subsection 4 to read: "there written documentation from a lending institution that the project (at least in substantial part) is capable of being financed and the applicant is credit worthy."; approve the Code Amendment modifying Section 23.06.035 of the City's Municipal Code, to permit the issuance of a demolition permit prior to the issuance of a building permit, based upon the Findings attached as Exhibit 3 as amended; and introduce, as amended:

(a) Ordinance No. 1996 - __ Amending Section 23.06.035 Regarding Demolition of Structures. (MINUTE ORDER NO. 217)

Redevelopment Chair/Mayor called for a brief recess at 11:15 p.m. and the meeting reconvened at 11:30 p.m.

The Redevelopment Agency Chair/Mayor opened the public hearing and the Redevelopment Agency/City Council considered:

14. Proposed Downtown Redevelopment Plan Amendment; Negative Declaration, and First Amendment to Implementation Plan

Special Redevelopment Agency Counsel Nicole Murphy and Economic Development and Business Assistance Manager Diana Whitecar, summarized the plan amendment process, provided supplemental information on the Legislative Report, and entered necessary documents into the public record.

Gary Royce, Esquire, 421 Grand Avenue, So. San Francisco, representing Louise Fragulia, Kelly Moore Store, 616 So. B. Street; Art Weiner, 6 Fairoaks Court, representing Beresford/Hillsdale Neighborhood Association; Louis Dell'Angela, 1818 Gilbreth Road, #111, Burlingame, representing San Mateo Lumber, 501 S. Claremont; Laurie Watanuki, 1007 East Fifth Avenue, representing the Central Neighborhood Association and the Watanuki family; and Carol Boes, 285 Hamilton Avenue, Palo Alto, representing Nikko Capital and NCC Sandhill II, spoke to the item.

There being no one else present who wished to speak to the item, the Redevepment Chair/Mayor closed the public hearing.

Motion made by Yates, seconded by Lempert, and carried unanimously (5-0) to schedule for the next regular meeting of the Redevelopment Agency and City Council on October 7, 1996, the consideration and action of matters pertaining to Amendment No. 1 to the Downtown Redevelopment Plan, the Amended Negative Declaration for the Amendment and the First Amendment to the Implementation Plan, in light of the fact that written objections were received from affected taxing agencies and/or property owners. (MINUTE ORDER NO. 218-96)

3c-6

The Redevelopment Agency Chair/Mayor opened the public hearing and the Redevelopment Agency/City Council considered:

15. Proposed Shoreline Redevelopment Plan Amendment; Negative Declaration and First Amendment to Implementation Plan

Special Redevelopment Agency Counsel Nicole Murphy and Economic Development and Business Assistance Manager Diana Whitecar, summarized the plan amendment process, provided supplemental information on the Legislative Report, and entered necessary documents into the public record.

Carol Boes, 285 Hamilton Avenue, Palo Alto, representing Nikko Capital and NCC Sandhill II, spoke to the item.

There being no one else present who wished to speak to the item, the Redevelopment Chair/Mayor closed the public hearing.

Motion made by Yates, seconded by Lempert, and carried unanimously (5-0) to schedule for the next regular meeting of the Redevelopment Agency and City Council on October 7, 1996, the consideration and action of matters pertaining to Amendment No. 1 to the Shoreline Redevelopment Plan, the Amended Negative Declaration for the Amendment and the First Amendment to the Implementation Plan, in light of the fact that written objections were received from affected taxing agencies and/or property owners. (MINUTE ORDER NO. 219-96)

16. OTHER BUSINESS - Not listed above.

The Mayor asked for any other business to come before the Council and there was none.

17. ADJOURNMENT

There being no further business to come before the Redevelopment Agency and City Council, Chair/Mayor Gumbinger adjourned the Redevelopment Agency and City Council meeting at the hour of 12:15 a.m.

Norma Gomez, Secretary of the
Redevelopment Agency,
City Clerk and Clerk of the City Council
City of San Mateo

* NOTE: This is a final decision concluding all administrative proceedings. Judicial review may be had only if a petition is filed with the Court not later than the 90th day following the date the decision is made. Judicial review of the environmental determinations may be subject to a time period for litigation as short as 30 days following the date the decision is made.

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