



CITY OF EAST PALO ALTO  
**Action Minutes**

**REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**Tuesday, February 7, 2006**

Closed Session 7:00p.m.

Regular Meeting 7:30p.m.

City Council Chambers, 2415 University Avenue

**7:00 P.M**

**REGULAR JOINT CLOSED SESSION**

**REGULAR JOINT CLOSED SESSION CALL TO ORDER AND ROLL CALL**

**Present:** Woods, Rutherford, Foster, Evans (Abrica-Absent)

**1. APPROVAL OF JOINT CLOSED SESSION AGENDA**

**Action:** Motion/Second: Rutherford/Woods Vote: 4-0

**2. REGULAR JOINT CLOSED SESSION COMMUNITY FORUM: None**

**3. CLOSED SESSION**

A. Potential/Pending Litigation Pursuant to Government Code Section 54956.9

1. Wind River et al. v. City of East Palo Alto

See Item 5A for Report out of Closed Session results

**Adjournment**

**7:30 P.M REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**CALL TO ORDER AND ROLL CALL**

**1. APPROVAL OF AGENDA**

**Action:** Motion/Second: Woods/Foster Vote: 4-0

**2. CONSENT CALENDAR**

**Action:** Motion/Second: Woods/Rutherford Vote: 4-0

A. Informational Reports/Motions

1. Proclamations

- A. In Celebration and Recognition of Feb, 2006 as Black History Month
- B. In Celebration of a Black History Film Festival
- C. In Celebration of the Lifework & Memory of; and recognize February 2006 as Mrs. Coretta Scott King Month in the City of East Palo Alto

**Recommendation:** That Council Approve the Proclamations by Motion

2. Minutes

- A. 11/15/05 Reg CC/RDA Minutes **(Amend Minutes to Reflect Councilmember Foster’s Abstention due to 11-15 Absence from Council Meeting)**
- B. 12/06/05 Reg CC RDA Meeting Minutes

**Recommendation:** That Council Approve the Minutes by Motion

**Action: Woods/Rutherford Vote: 4-0**

3. Planning Commission Actions of the Meetings of January 9, 2006 and January 23, 2006; and Status of Planning Applications for January 2006

**Recommendation:** Review the Actions of the Planning Commission and By Motion and Majority Vote, Call-up or Take Jurisdiction on any of the Items Described in the Report

.....**End of Consent Calendar**.....

**Note: Requests to Speak on Items 3, 4 and 5 will be heard during Community Forum**

3. **Written Communications:** None

4. **Special Presentations:** Water Contamination Video: Win Greich

5. **Oral Reports**

A. Reports Out of Closed Session

**Per City Attorney Lawson, Council Discussed but took no action**

B. Oral Staff Reports: None

C. Advisory Bodies: Rent Stabilization Board

**Report by Rent Stabilization Board Chair Robert Allen Fisk**

D. City Council/Redevelopment Agency Reports

6. **Community Forum**

## 11 Community Forum Speakers on various community topics

### 7. Public Hearings:

- A. Appeal of Planning Commission Denial of Sign Permit (SP 05-53), and Categorical Exemption (CE 05-74) for Off-Site Signage  
Appellant: Patrick Brock  
Applicant: New Directions Sign Service Regarding University Commons (Acclaim Homes)

Location: Vacant Lot adjacent to 2100-2118 University Avenue and the two contiguous vacant corner lots on Donohoe Street between Capital and Cooley Avenues, East Palo Alto, CA 94303;  
Owner: University Palms, LLC

**Recommendation:** That Council Open and Close the Public Hearing and Uphold the Planning Commission Denial Decision

**Action:** Uphold the Planning Commission Denial Decision - **Motion/Second: Evans/Rutherford Vote: 3-1 (Foster/Abstained)**

### 8. Policy and Action Items

#### A. City Council Resolutions/Informational Reports and Motions

1. Appeal of the City's Employee Relations Officer's Determination Regarding "Confidential" Positions

Recommendation: 1) Sustain the Determination of the City's Employee Relations Officer Regarding "Confidential" Positions

**Action: Motion/Second: Evans/Rutherford Vote:3-1 (Foster/Abstained)**

2. 2547-Resolution Adopting the Acceptance of the City's Investment Policy

**Recommendation:** That Council Approve the Resolution

**Action: Motion/Second: Rutherford/Foster Vote: 4-0**

3. Motion Accepting the Quarterly Investment Report for the City of East Palo Alto as of December 31, 2005

**Recommendation:** That Council Accept and File the Report BY Motion

**Action: Motion/Second: Foster/Rutherford Vote: 4-0**

4. 2548-Resolution Authorizing Acceptance of MLK Park Phase II Improvements and for the Public Works Director to File a Notice of Completion with the County of San Mateo.

**Recommendation:** That Council Approve the Resolution

**Action: Motion/Second: Woods/Foster Vote: 3-1 (Evans-No)**

5. 2549-Senior Services

A. Authorize the City Manager to accept a grant of \$7,450.00 in supplemental Older Americans Act One-Time-Only funding through the California Department on Aging to replace a dishwasher at the Senior Center and to provide other supplies to support the city-operated senior nutrition program.

**Action: Motion/Second: Rutherford/Foster Vote: 4-0**

B. Authorize the City Manager to augment grant with funds from the City's Park in Lieu fund.

**Recommendation:** That Council approve resolution accepting a grant of \$7,450.00 in supplemental Older Americans Act funds through the California Department on Aging to replace the current dishwasher at the Senior Center as well as purchase supplies to support the city-operated senior nutrition program

**Action: Motion/Second: Rutherford/Foster Vote: 4-0**

6. 2550-A Resolution Authorizing the First Amendment to and restatement of the Joint Powers Agreement Establishing the Peninsula Congestion Relief Alliance

**Recommendation:** That Council Approve the Resolution

**Action: Motion/Second: Rutherford/Foster Vote:4-0**

7. 2551-Resolution Authorizing the City Manager to Enter into a Funding Agreement with the San Mateo County Transit District (SamTrans) for Jobs Access Reverse Commute program grant funds in the amount of \$693,470 for the East Palo Alto Coordinated Shuttle Program

**Recommendation:** That Council Approve the Resolution

**Action: Motion/Second: Rutherford/Foster Vote: 4-0**

8. 2552-A Resolution Authorizing the City Manager to Enter into a One-Year Contract with the Transit Resource Center for Implementation of the First Phase of the East Palo Alto Coordinated Shuttle Program in an Amount not to Exceed \$51,947

**Recommendation:** That Council Approve the Resolution

**Action: Motion/Second: Rutherford/Foster Vote: 3-1(Evans-No, Felt Item should go out to bid)**

9. 2553-A Resolution Authorizing the City Manager to Enter into a Contract with PCA Transit for Shuttle Services in an amount not-to-exceed \$97,831

**Recommendation:** That Council Approve the Resolution

**Action: Motion/Second: Rutherford/Foster Vote: 4-0**

10. 2554-A Resolution Authorizing the City Manager to create a special Economic Development Fund to Sponsor Economic Development Activities, and the Establishment of Policies, Procedures and Criteria for acceptance and expenditure of funds

**Recommendation:** That Council approve the Resolution, to create an Economic Development Fund, (EDF) and establish Policies, Procedures and Criteria to accept, acknowledge, and spend donations from public and private institutions and individuals for Economic Development events and activities.

**Action: Motion/Second: Woods/Foster Vote: 4-0  
Amend Resolution to include #12 conferring information to Council's Economic Development Committee**

**Adjournment: In Celebration and in Memoriam of the Life of Mrs. Coretta Scott King, Civil Rights Activist and Wife of the Late Dr. Martin Luther King, Jr.**