



CITY OF EAST PALO ALTO ACTION MINUTES

**REGULAR JOINT CITY COUNCIL
AND REDEVELOPMENT AGENCY MEETING**
Tuesday, March 7, 2006
Closed Session 6:30p.m.
Regular Meeting 7:30p.m.
City Council Chambers, 2415 University Avenue

6:30 P.M

REGULAR JOINT CLOSED SESSION

JOINT CLOSED SESSION CALL TO ORDER AND ROLL CALL

Present: Woods, Rutherford, Foster, Abrica (Vice Mayor Evans arrived at 6:40PM after roll call and approval of agenda)

1. APPROVAL OF REGULAR JOINT CLOSED SESSION AGENDA

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

2. JOINT CLOSED SESSION COMMUNITY FORUM:

J. C. Hill

3. CLOSED SESSION *(See Item 3A1)

A. Potential/Pending Litigation Pursuant to Government Code Section 54596.9

1. Wind River v. City of East Palo Alto et al.
2. LDW Resorts
3. J. C. Hill v. City of East Palo Alto et al.
4. Brooks v. City of East Palo Alto et al.

Adjournment

7:30 P.M

JOINT REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

JOINT CALL TO ORDER AND ROLL CALL

Woods, Rutherford, Foster, Evans, Abrica

1. APPROVAL OF AGENDA

Rutherford/Woods Vote: 5-0

Redevelopment Agency (RDA) Chair Evans asked that RDA items 5B1 and 2 be pulled as staff had not had consultation with him prior to the meeting regarding the items being placed on the agenda)

Note: Requests to Speak on Items 2 and 3 will be heard during Item 4 -Community Forum

2. Written Communication:

- A. Request for Fee Waiver from Rebuilding Together Organization- Mr. Mark Fagerstrom
- B. University Commons (2330 University Avenue) (The "Project")
M r. Mark C. Johnson, Managing Member, Bridgeport LLC
- C. Request for Fee Waiver – Ravenswood Little League: Mr. Tommie Roberts
- D. Request for Resolution to Recognize April 24-30, 2006 in City as "West Nile Virus; Mosquito and Vector Control Awareness Week" – San Mateo County Mosquito Abatement District

3. Oral Reports

- *A. Reports Out of Closed Session
 - 1. Wind River v. City of East Palo Alto et al. **(City Atty. Michael Lawson – Discussed, No Reportable Action)**
 - 2. LDW Resorts **(RDA Counsel Karen Tiedeman - Discussed, No Reportable Action)**
 - 3. J. C. Hill v. City of East Palo Alto et al. **(City Atty. Michael Lawson – Discussed, No Reportable Action)**
 - 4. Brooks v. City of East Palo Alto et al. **(Atty. Michael Lawson – Discussed, No Reportable Action)**
- B. Reports from Staff
 - 1. Street Naming Process – Public Works **(City Engineer Bravo – Not Present, will bring report at 03/21/06 City Council meeting)**
- C. Advisory Bodies: Senior Advisory Committee **(Per Community services Director Okelo, the Committee was not ready to report, per Mayor Abrica they had given a recent report to Council)**
- D. City Council/Redevelopment Agency Reports
 - 1. Emergency Disaster Preparedness for Winter Storms

(City Manager James and Lt. R. Sibley gave update on recent storm and City's Emergency Proclamation to FEMA and the Army Corp of Engineers regarding possible Levy Breach if City experienced heavy rains and high tides)

Council ratified the Proclamation with a Unanimous vote: 5-0

4. Community Forum

5. Policy and Action Items

CITY COUNCIL

A. Proclamations

- 1. Mr. Roy Adger, Sr. – Long Time City Resident and Local Businessman
- 2. Mr. Israel Harris, Sr. – Long Time City Resident and Local Businessman
- 3. Mrs. Willie Artilla Stewart – Grandmother of Mr. Joe (Councilmember Donna) Rutherford; Long Time Resident and Community Activist

Residents and Council spoke of the service the above three residents had provided to the community and asked that their legacies be remembered. Councilmember thanked the Council, Staff and Community for their assistance and condolences

B. Resolutions, Motions, Informational Reports

- 1. 2556-A Resolution Authorizing the City Manager to purchase, via sole source, thirty (30) Glock, 40 caliber pistols for the Police Department from LC Action of San Jose at an approximate cost of \$14,000 (this includes \$429 each firearm plus 8.5% sales tax).

Recommendation: That Council Approve the Resolution

Motion/Second: Woods/Foster Vote: 4-1 (Evans-No)
Vice Mayor Evans stated his opinion was that the staff report information was insufficient and felt that the proper supporting documents for the Sole Source Provider had not been provided.

2. 2557-A Resolution Authorizing the City Manager to accept and appropriate from San Mateo County, the Year 2005 California Supplemental Law Enforcement Services Funds (SLEF) in the amount \$100,000 for the Police Department, and use said funds to purchase a property and evidence storage shed to address an evidence and property overflow, and secure technical services to enhance existing evidence and property policies and procedures.

Recommendation: That Council Approve the Resolution

Motion/Second: Foster/Rutherford Vote: 4-1 (Evans/No)
Vice Mayor Evans Stated his concerns and opinions about the staff report being insufficient and the in his opinion the resolution was worded improperly in giving authority to the City Manager to Accept and Appropriate for the expenditures as listed in the staff report.

3. 2558-A Resolution Authorizing the Executive Director to Submit Grant Application to U.S. Economic Development Administration to plan for Ravenswood Business District Infrastructure Phasing and Funding in the amount of \$350,000

Recommendation: That Council Approve the Resolution

Motion/Second: Foster/Rutherford Vote: 5-0

4. 2559-A Resolution Authorizing the City Manager to Enter into Contract Agreements for Professional Services for Water Supply and Demand Impact Analysis with Integrated Resource Management, LLC for an amount not to exceed \$60,000 for the Clarke-Weeks Town homes Project, Pulgas Avenue Homes Project and Tara Road Project.

Recommendation: That Council Approve the Resolution

Motion/Second: Woods/Foster Vote: 4-1 (Evans/No)
Vice Mayor Evans stated that in his opinion. the Staff report was in error, that the three projects could not be considered for CEQA at the same time. That in his opinion the Developers should not be allowed to circumvent the City's Ordinances.

4. 2561-A Resolution Authorizing the City Manager to enter into an Agreement with the East Palo Alto Senior Center Inc. for utility reimbursements for FY 2005-06 in an amount not to exceed \$30,000.00.

Let the Record reflect that the wording "FY 2006-07" as reflected on the Meeting agenda and Item cover was in error, it should have read "FY 2005-06" as changed for the recording of these Minutes.

Recommendation: That Council Approve the Resolution

Motion/Second: Woods/Foster Vote: 5-0

B. Redevelopment Agency

1. Resolution Authorizing the Executive Director to execute an amended and restated Exclusive Negotiating Rights Agreement (ENRA) with Blake Hunt Ventures Inc., (BHV) to extend it 90 days, with the Executive Director authorized to extend it an additional 90-days, for a total of 180 days

Recommendation: That the Redevelopment Agency Approve the Resolution

2. Resolution Authorizing the Agency's Executive Director to issue a Request for Qualifications (RFQ) to identify a qualified broker that will seek and obtain interest from interested developers, and represent the Agency in the negotiations of a Ground Lease for the development of Pad D, a site located in the Gateway 101 Retail Center.

Recommendation: That the Redevelopment Agency Approve the request By Motion

Both of the above listed Redevelopment Agency Items were pulled during the approval of the meeting agenda process by Vice Mayor Evans. He asked that these two be pulled as he was not aware that they would be presented at this meeting. Items were pulled by unanimous agreement of Council, with Item 5B1 to be presented at the Special City Council Meeting of 03/14/06 and Item 5B2 to be brought back at the 03/21/06 Regular City Council/ Redevelopment Agency

ADJOURNMENT: Meeting adjourned at 10:48 PM with Mayor Abrica called for adjournment In Memoriam of the below listed citizens:

1. **Mrs. Zelma R. Lawson, Mother of City Attorney Michael S. Lawson; and Long-time Bay Area Resident and Pediatrics Nurse**
2. **Mr. Roy L. Adger, Long-time Resident, Community Activist, Planning Commissioner and Local Businessman**
3. **Mr. Israel W. Harris, Sr., Long-time Resident, Local Businessman and Community Activist**
4. **Mrs. Willie Artilla Stewart , Grandmother of Joe (Councilmember Donna) Rutherford; Long-time Resident and Community Activist**