



## CITY OF EAST PALO ALTO ACTION MINUTES

***Tuesday, May 16, 2006***  
**REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**  
**CLOSED SESSION - 6:30p.m.**  
**REGULAR City Council/RDA MEETING - 7:30p.m.**  
**City Council Chambers, 2415 University Avenue**

**6:30 P.M**

**REGULAR CITY COUNCIL/RDA CLOSED SESSION**

### **JOINT CALL TO ORDER AND ROLL CALL**

**Present: Councilmembers Woods, Foster; Vice Mayor Evans, Mayor Abrica  
Councilmember Rutherford – Excused absence**

#### **1. APPROVAL OF AGENDA**

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

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

#### **3. CLOSED SESSION (See Item 4A for Report out by City Attorney Lawson)**

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

1.     Scherzer v. City of East Palo Alto
2.     LDW Resorts

### **Adjournment**

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

### **JOINT CALL TO ORDER AND ROLL CALL**

**Present:       Councilmembers Woods, Foster; Voce Mayor Evans, Mayor Abrica  
Councilmember Rutherford: Absent**

#### **1. APPROVAL OF AGENDA**

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

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

#### **2. Written Communication:       None**

3. **Special Presentations:** None

4. **Oral Reports**

A. Reports Out of Closed Session

**Closed Session Items 3A1 & 2 Per City Atty Lawson - No Reportable Action**

B. Reports from Staff

1. City Council meeting schedule for May/June/July 2006

**City Manager James discussed proposed budget meetings and other Meetings through the month of July.**

C. Advisory Bodies: None

D. City Council/Redevelopment Agency Reports

1. East Palo Alto designated as Satellite Universal Voting Center – Mayor Ruben Abrica

5. **Community Forum**

6. **Public Hearings:**

A. General Plan Amendment, Architectural Supervision, Planned Community Permit, Conditional Use Permit, Mitigated Negative Declaration (GPA, AS, PC, CUP 05-06, MND 05-11)

**Location:** Vacant lLot on northeast corner of Newbridge Street and Willow Road, East Palo Alto, CA 94303

**Owner/Applicant:** Mohammed Karwash / Belcan Engineers

**Recommendation:**

That Council Open the Public Hearing, take testimony, close the Hearing; and

1. **Adopt** a Mitigated Negative Declaration (MND 05-11) for the Newbridge Place project.
2. **Adopt** the draft resolution to amend the General Plan land use map for the site bounded by Willow Road, Newbridge Street and Saratoga Avenue (APNs: 062-114-210, 220) from Medium-High Density Residential to Neighborhood Commercial to allow the construction of the Newbridge Place project.

3. **Uphold** the Planning Commission's approval of Architectural Supervision (AS 05-06), Planned Community Permit (PC 05-06) and Conditional Use Permit (CUP 05-06) to allow the construction of the Newbridge Place project.

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

Item of concern: There was an issue with proposed parking- not enough for business/residential. Growth in the city is impacting Parking. For every 40 parking spaces, need at least 1 for disabled parking.

After discussion it was decided that this item needed further discussion and the hearing was continued to June 20, 2006, Staff will take to Planning Commission for advice.

**Close Public Hearing Motion/Second: Foster/Woods Vote: 4-0**

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

## 7. Policy and Action Items

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### A. City Council

1. Informational Report – Councilmember's request to meet with staff

**Recommendation:** That Council accept and file the report  
**(Continued from May 2, 2006)**

2. 2571-A Resolution authorizing an extension of, and compensation Adjustment to, the City Manager's employment agreement

**Recommendation:** That Council approve the resolution  
**(Continued from May 2, 2006)**

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

- 3.. Authorization for the City Manager to Make the Necessary Facility Modifications and Improvements for Utilization of the Tate Street Property as a City Hall Annex and to develop a plan and budget to accomplish the relocation of existing employees for Council consideration

**Recommendation:** That Council Authorize the City Manager to make the necessary modifications and improvements for utilization of the Tate Street Property as a City Hall Annex and to develop a plan and budget to accomplish

the relocation of existing employees for Council consideration

Council Discussion: Mayor and Councilmembers spoke on the possible health issues and the lease expiration date for 2200 University Avenue and directed staff to implement the move with no specified length of time for staff stay. Vice Mayor Evans felt that staff should be housed there permanently.

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

4. **Continued to next meeting** -Adopt a resolution authorizing the City Manager to submit a completed "Race-neutral DBE Implementation Agreement for future Federally Funded Projects as part of the final contract with the recently approved low-bid contractor for construction of the Bay Road, Phase I project and to explore options with the California Department of Transportation (Caltrans) Division of Local Assistance for allowing the Bay Road Project, Phase I, which has a previously approved DBE Program, to proceed to construction.

**Recommendation:** That Council approve the resolution

**Per staff because of Federal Law changes regarding Local Business Enterprises, this item must be continued until conversation with Cal-Trans on how to proceed.**

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

5. **Continued to next meeting-** A Resolution authorizing the City Manager to pay the San Jose Pavilion \$20,138.49 and Spangler Mortuary, in Menlo Park, \$8,267.59 for costs associated with the funeral of East Palo Alto Police Officer Richard May

**Recommendation:** That Council approve the resolution

6. **Continued to next meeting-**A Resolution authorizing the City Manager to solicit competitive bids via Request for Proposal (RFP) to outfit fourteen (14) police vehicles with emergency equipment at an estimated cost of \$60,000.

**Recommendation:** That Council approve the resolution

7. **Continued to next meeting-**A Resolution authorizing the City Manager to accept a Project Safe Neighborhoods grant and approve a workplan for expending the grant funding in an amount not-to-exceed \$75,000

**Recommendation:** That Council approve the resolution

8. **Continued to next meeting-**A Resolution authorizing the Mayor to enter into a second amendment of the Joint Powers Agreement the San

Mateo County Narcotics Task Force for continued joint law enforcement support

**Recommendation:** That Council approve the resolution

**B. Redevelopment Agency**

1. Authorization for the Agency Chair/Vice Chair to sign a letter to U.S. Housing Urban Development Department (HUD) requesting support to Reallocate a \$5 Million Section 108 HUD Loan and a \$700,000 BEDI Grant from its original purpose of doing infrastructure improvements in the Ravenswood Business District, to its new purpose of site acquisition for the supermarket site at the North East Corner of Bay Road and University Avenue

**Recommendation:** That the Agency by motion, authorize the Agency Chair/Vice mayor to sign the letter

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

**Note: Councilmember Foster left meeting at this point.**

2. **620-**Authorize the Agency Executive Director to enter into a contract with Hoexter Consulting. Inc. to conduct a Phase II Environmental Site Assessment at the property at the northeast corner of University Avenue and Bay Road (APN 063-111-230), in an amount not to exceed \$11,406

**Recommendation:** That The RDA approve the resolution

**Motion/Second: Woods/Foster Vote: 3-0**

**ADJOURNMENT:12:00PM**