



CITY OF EAST PALO ALTO
ACTION MINUTES

Tuesday, June 20, 2006
REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
CLOSED SESSION - 6:30PM - 7:30PM
REGULAR CITY COUNCIL/RDA MEETING - 7:30PM
City Council Chambers, 2415 University Avenue

6:30 P.M JOINT REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION

JOINT CLOSED SESSION CALL TO ORDER AND ROLL CALL

Woods, Rutherford, Foster, Abrica (Evans in just after Roll Call and after Motion to approve agenda)

1. APPROVAL OF CLOSED SESSION

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

2. JOINT CLOSED SESSION COMMUNITY FORUM: None

3. CLOSED SESSION (See 5A1 for report out of closed session)

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

- 1. LDW Resorts**
- 2. Tea Court, 2191 Clarke Avenue**

B. Personnel Matters Pursuant to Government Code Section 54957

- 1. Personnel Complaint**
- 2. City Attorney Evaluation**

Adjournment

7:30P.M JOINT REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
JOINT CALL TO ORDER AND ROLL CALL

Woods, Rutherford, Foster, Evans, Abrica

1. APPROVAL OF AGENDA

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

2. CONSENT CALENDAR

A. Resolutions, Motions and Informational Report

1. **2573**-Authorization for the County to Collect the City of East Palo Alto's National Pollution Discharge Elimination System (NPDES) Fees and Refuse Fees on the property tax rolls

2. Minutes

A. 02-04-06 Special CC/RDA Study Work Session

B. 02-07-06 Regular CC/RDA Meeting

C. 02-21-06 Regular CC/RDA Meeting

Recommendation: That Council approves Items 2A1 and 2A2 by resolution and Item 2A3 by motion

3. Planning Commission Actions of the Meetings of May 22 and June 12, 2006 and Status of Planning Applications for May, 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 2, 3 and 4 will be heard during Community Forum

3. Written Communication: None

4. Oral Reports

A. Reports Out of Closed Session
Report out given by City Attorney Lawson

Potential/Pending Litigation pursuant to Government Code Section 54596-9

1. LDW Resorts – **Authorized litigation for August (Vote: 4-1 (Foster dissenting))**

2. Tea Court – **(No action taken)**

3. Personnel Complaint **(This item was move here per Council, discussion held and it was decided that City seek outside Counsel for this complaint)**

Mayor Abrica reported out that City Attorney's evaluation and request for dependent coverage allowance was discussed Vote: 4-1(Evans/No on dependent care)

1. City Attorney Evaluation

B. Reports from Staff

1. Blake Hunt Ventures status
2. Romic spill status
3. Truck route regulations
4. Animal Control complaint follow-up
5. 2415 University Building Security Changes

C. Advisory Bodies: None

D. City Council/Redevelopment Agency Reports

5. Community Forum

6. Public Hearings:

(Continued from 06-06-06 Regular Council/RDA Meeting)

A. Protest of Park in-lieu fee and appeal of tandem parking requirement related to the "University Commons" project; 2330 University Avenue

Protestant/Appellant: Bridgeport LLC/Aclaim Homes (Mark C. Johnson, Managing member)

Recommendation: Deny the protest regarding the park in-lieu and appeal of parking requirement related to the "University Commons" project
(To be continued to July 5, 2006 Regular Council/RDA Meeting)

Open the Hearing:

Action: Motion/Second: Woods/Rutherford Vote: 5-0

Applicant and public gave information

Council held discussion

Close the Hearing:

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

Information on the Park in-lieu fees questioned and there was continued discussion of Parking requirements issues related to the "University Commons Project, Council directed this item to be continued to July 5, 2006 Regular City Council Meeting.

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

(Continued from 05-16-06 Regular City Council/RDA Meeting):

- B. 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 Lot 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.

Open the Hearing:

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

Applicant and public information given

Council Discussion

Close the Hearing:

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

The three actions requested under recommendation was approved by Council

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

7. Policy and Action Items

A. City Council Resolution and informational reports

1. 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

Action: Continued to next meeting – **Council Vote:** Unanimous

2. Resolution authorizing the City Manager to release noticed unclaimed checks held over 3 years Pursuant to CA Government Code Section 50050 and 50053 to the City of East Palo Alto

Recommendation: That Council Approve the Resolution

Action: Continued to next meeting – **Council Vote:** Unanimous

3. **2576**-Resolution authorizing the City Manager to amend and increase the original contract amount of \$65, 415 with LSA Associates, Inc., with an amount not-to-exceed \$24,800 for performance of additional environment and contract planning work, including detailed cultural resources study and an Environmental Impact Report for the Clarke and Weeks Town homes Project at 965 Weeks Street (Between Clarke and Pulgas Avenues); with this requested increase, the contract total is \$90, 215

Recommendation: That Council Approve the Resolution

Action: Motion/Second: Woods/Rutherford Vote: 5-0

4. Status of Recruitment of Advisory Bodies

Recommendation:

1. Schedule interviews with applicants for advisory bodies; and
2. Provide direction regarding recent applicants who were not selected for advisory bodies

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

5. **2577**-Authorize the City Manager to enter into an extended Memorandum of Agreement (MOA) between the City of East Palo Alto and the Department of the Army, U.S. Army Corps of Engineers (Corps) for the December 17th, 2005 to June 30th, 2006 time period (Attachment 1) for the continuation of the U.S. Army Corps of Engineers Liaison Position (Corps Liaison). According to the proposed agreement the City would provide half of the \$63,453 required to continue the Corps Liaison position through this time period

Recommendation: That Council Approve the Resolution

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

6. **2578**-Resolution authorizing renewal of the Box Lunch Company to provide Senior Center Meals in an amount not-to-exceed \$ 32,000

Recommendation: That Council Approve the Resolution

Action: Motion/Second: Woods/Rutherford Vote: 5-0

7. Discussion of process for placing parcel tax measure on the ballot to enhance revenues for youth services and police services

Recommendation: Give direction to staff regarding both meeting date and alternatives to be presented for Council consideration

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

ADJOURNMENT