



## CITY OF EAST PALO ALTO ACTION MINUTES

REGULAR JOINT CITY COUNCIL  
AND REDEVELOPMENT AGENCY MEETING  
**TUESDAY - JULY 18, 2006**  
Closed Session 6:00p.m.  
Regular Meeting 7:30p.m.  
City Council Chambers, 2415 University Avenue

### 6:00 P.M. REGULAR JOINT CLOSED SESSION

Present: Rutherford, Foster, Abrica (Evans, Woods – Excused Absence)

#### JOINT CLOSED SESSION CALL TO ORDER AND ROLL CALL

1. APPROVAL OF REGULAR JOINT CLOSED SESSION AGENDA
2. JOINT CLOSED SESSION COMMUNITY FORUM: None
3. CLOSED SESSION \*See oral report out under Item 5
  - A. Potential/Pending Litigation Pursuant to Government Code Section 54596.9
    1. Tea Court Subdivision – 2191 Clarke Avenue
    2. East Palo Alto Hotel Development LLC, et al v. City of East Palo Alto
  - B. Personnel Matters Pursuant to Government Code Section 54957
    1. City Attorney Evaluation
  - C. Labor Relations Pursuant to Government Code Section 54957.6
    1. Labor Negotiations Regarding International Federation of Technical and Professional Engineers (IFTPE) – Local 21

#### Adjournment

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

#### JOINT CALL TO ORDER AND ROLL CALL

Action: Motion/Second: Rutherford/Foster Vote: 3-0

1. APPROVAL OF AGENDA

**2. CONSENT CALENDAR**

A. Resolution, Motions and Informational Reports

- 1. Informational Report - Authorizing the City Manager to renew a contract increasing the not-to-exceed amount from \$84,000 to \$98,000 and, retain lobbying services with The Ferguson Group (**Attachment added: Ferguson Group Contract/Agreement**).

**Recommendation:** That Council accept and file the report

- 2. Authorizing the City Manager to accept and appropriate a grant in the amount of \$25,000 from the Philanthropic Ventures Foundation to purchase lockers and purchase equipment for strategy room at the new police facility located at 141 Demeter Street

**Recommendation:** That Council approve the resolution

- 3. Proclamation

- A. In celebration of the life of His Royal Highness, Prince Tu'ipelehake, Her Royal Highness, Princess Kaimana and their Staff member Vinisia Aloose Hefa

- 4. Planning Commission actions of the meetings of June 26 and status of Planning applications for June, 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

**Action: Motion/Second: Rutherford/Foster Vote: 3-0**

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

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

3. **Written Communication:** None

4. **Special Presentations:** None

**5. Oral Reports**

Reports Out of Closed Session

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

- 1. Tea Court Subdivision – 2191 Clarke Avenue

**Report out by Atty. Lawson : Council agreed to have no litigious mediation**

2. East Palo Alto Hotel Development LLC, et al v. City of East Palo Alto

**Report out by City Atty. Lawson : Item discussed, No Reportable Action**

- B. Personnel Matters Pursuant to Government Code Section 54957
  3. City Attorney Evaluation

**Report out by Mayor Abrica: Adjustment to compensation at 7% of Step B action to be agendized by resolution at next meeting**

- C. Labor Relations Pursuant to Government Code Section 54957.6
  1. Labor Negotiations Regarding International Federation of Technical and Professional Engineers (IFTPE) – Local 21

**Report out by City Atty. Lawson: Item discussed, no reportable action taken**

- B. Reports from Staff
  1. Fireworks complaints – Chief Davis
  2. Stop Signs-Westminster/Newbridge & Laurel/Newbridge- Public Works
  3. Status of Romic chemical release – Debra Schechter/USEPA
  4. Children’s Preservation Network (CPN) Letter Response-A. James
- C. Advisory Bodies: Planning Commission
- D. City Council/Redevelopment Agency Reports

**6. Community Forum**

**7. Policy and Action Items**

**Redevelopment Agency**

- A. Resolutions
  1. Authorizing the Selection of a retail broker to recruit a developer/retailer for Pad D, and authorization for Redevelopment Agency Executive Director to negotiate and execute a contract with broker

**Recommendation:** That the Redevelopment Agency select CB Richard Ellis (CBRE) for retail broker services for Pad D, and authorize the Redevelopment Agency Executive Director to negotiate and execute a contract with CB Richard Ellis (CBRE)

**Action: Motion/Second: Rutherford/Foster Vote: 3-0**

4. **R621**-Authorizing the Executive Director to accept an award of \$9,250 from

The Redevelopment Agency training fund to the sponsored employment program to pay for the employment of five young adults for the Summer of 2006

**Recommendation:** That the Redevelopment Agency approve the resolution

**Action: Motion/Second: Foster/Rutherford Vote: 3-0**

**City Council**

B. Informational Reports, Discussions and Resolutions

1. Possible features of a violence and crime prevention tax measure for the November 7, 2006 general municipal election

**Recommendation:** That Council:

- A. Discuss and provide guidance on key features of a violence and crime prevention parcel tax measure for the November 7, 2006 general municipal election

**Action: Motion/Second: Foster/Rutherford Vote: 3-0**

- B. Call a public hearing on July 25, 2006 to take community input and finalize language for the parcel tax measure and submit to the voters at the November 7, 2006 general municipal election

**Action: Motion/Second: Foster/Rutherford Vote: 3 0**

2. Status of Senior Center Lease Negotiations

**Recommendation:** That the Council

- A. Authorize the City Manager to commit staff resources to conduct a complete building assessment of the Senior Center, including expenditure of funds not exceeding \$5,000 for materials and/or external testing services; and

**Action: Motion/Second: Foster/Rutherford Vote: 3 0**

- B. Schedule September 5, 2006 for Council consideration of the new lease and operating agreement with East Palo Alto Senior Center Inc.

**Action: Motion/Second: Rutherford/ Foster Vote: 3-0**

3. **2594**-Authorizing the City Manager to enter into a contract with Corbin Willits Systems, Inc., for an amount not-to-exceed \$9,309 to provide a Human Resources Information System (HRIS)

**Recommendation:** That the Council approve the resolution

**Action: Motion/Second: Rutherford/ Foster Vote: 3-0**

4. **2595**-Authorizing the City Manager to enter into a Contract with CDCE Inc., to purchase and install six (6) mobile Panasonic computers in the newly purchased police vehicles at a cost not to exceed \$44,266.56

**Recommendation:** That the Council approve the resolution

**Action: Motion/Second: Foster/Rutherford Vote: 3 0**

5. **2596**-Authorizing the City Manager to accept and appropriate a \$219,228 traffic-safety grant from the State of California Office of Traffic Safety (OTS)

**Recommendation:** That the Council approve the resolution

**8. Public Hearings:**

**A. ( Continued from 06-20-06 and 07-05-06 Regular Council/RDA Meeting AND REQUEST TO BE CONTINUED TO 09-05-06)**

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/Acclaim 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

**Continued to September 5, 2006**

**Action: Motion/Second: Foster/Rutherford Vote: 3-0**

**B. Public Hearing:**

Final Environmental Impact Report (EIR 05-30), General Plan Amendment to High Density Residential, and Rezoning to R-M-500 - (GPA, ZC 05-11)

**Location:** 965 Weeks St., between Clarke and Pulgas Avenues, East Palo Alto, CA 94303

**Owner/Applicant:** The Iwasaki Living Trust / The Olson Company

**Proposal:** The applicant is requesting that the City Council certify the Final Environmental Impact Report (EIR) for the 55-unit Clarke and Weeks Townhomes Project. The Final EIR consists of the Draft EIR and the Response to Comments Document. The applicant is requesting that the City Council adopt a General Plan Amendment (GPA 05-11) to change the land use designation of the site from Industrial Buffer to High Density Residential in order to permit the construction of the 55-unit Clarke and Weeks Townhomes Project. The applicant is also requesting that the City Council approve a Rezoning (ZC 05-11) of the project site from Industrial Buffer to Multi-Family Residential (R-M-500).

**General Plan Land Use Designation:** Industrial Buffer

**Zoning/APN:** Industrial Buffer / 063-232-210, 063-232-220, 063-232-230

**Recommendation:** That Council open, take testimony, close the public hearing and;

**Open the hearing:**

**Action: Motion/Second: Foster/Rutherford Vote: 3-0**

**Appellant and Public Comments**

**Council discussion**

**Close the Hearing:**

**Action: Motion/Second: Rutherford/Abrica Vote: 3-0**

1. **2609- APPROVE GENERAL PLAN AMENDMENT (GPA 05-11)** to change the property's General Plan Land Use Map Element diagram designation from Industrial Buffer to High Density Residential

**Action: Motion/Second: Rutherford/Abrica Vote: 3-0**

2. **2610-APPROVE REZONING (Z 05-11)** from Industrial Buffer (MB) to Multi-Family Residential (R-M-500)

**Action: Motion/Second: Foster/Rutherford Vote: 3-0**

3. **REFER TO TRANSPORTATION COMMISSION FOR RECOMMENDATION** a proposal to establish a RESIDENTIAL PERMIT PARKING REQUIREMENT on the east side of Weeks Street

**C. Public Hearing:**

General Plan Amendment; Rezoning; and Appeal of the Planning Commission Determination on Planned Unit Development Permit (PUD 05-12), Tentative Tract Map (TTM 05-12), Architectural Supervision (AS 05-12), and Mitigated Negative Declaration (MND 05-30).

**Location:** 2470, 2477, and 2485 Pulgas Avenue; and, 1860, 1950 Bay Road, East Palo Alto, CA 94303

**Owner/Applicant:** Byrd Development, LLC; Brock & Company; and, DKB Homes LLC

**Proposal:** The City Council will consider a General Plan Amendment, Rezoning and an appeal requesting reversal of the Planning Commission decision denying the entitlements needed to construct the proposed new development comprised of fifty-one (51) residential units, including seven (7) live/work units, and 22 industrial condominiums, all with public and private street, landscaping, recreational, parking, and utility improvements.

The proposed project site is located in the northeastern portion of the City of East Palo Alto, within the Ravenswood Business District, which lies within the Ravenswood Redevelopment Area.

The project site spans nine parcels and a portion of a tenth parcel on both sides of Pulgas Avenue, with a total project site area of 7.99 acres. The site is located near the intersections of Bay Road with Pulgas Avenue and with Clarke Avenue/Demeter Street. The applicants have requested a General Plan amendment, rezoning, a lot line adjustment to ensure continuity of access and parcel format standardization, architectural supervision of building and site designs, a Planned Unit Development (PUD) permit, and tentative and final map approvals under the Subdivision Regulations to reconfigure the parcels noted above.

**General Plan Land Use Designation:** General Industrial (2.0:1 F.A.R.)

**Zoning/APN:** Light Industrial / 063`-231-180, 063-231-190, 063-231-200, 063-231-290, 063-240-210, 063-240-220, 063-240-320, 063-240-330, 063-240-340 (partial), 063-240-350

**Recommendation:** That Council take the following actions:

1. Conduct *de novo* Public Hearings and take testimony on both the General Plan Amendment (GPA) and Rezoning to Planned Unit Development (PUD) Legislative Proposals.
2. Adopt the Mitigated Negative Declaration

3. Decide Whether or Not to Approve the GPA ( if Approval – By Resolution)
4. If GPA is approved, Consider PUD Rezoning (if Approval --- 1<sup>st</sup> Reading of Ordinance)
5. Consider PUD 2<sup>nd</sup> Ordinance Reading on September 5<sup>th</sup> Meeting Agenda

Council requested that this tem be continued to Special CC RDA Meeting of July 25, 2006

**Action: Motion/Second: Foster/Rutherford Vote: 3-0**

**ADJOURNMENT: In Honor and Memoriam of:** His Royal Highness, Prince Tuipelehake, Her Royal Highness, Princess Kaimana and their Staff member Vinisia Alose Hefa