



CITY OF EAST PALO ALTO ACTION MINUTES

REGULAR JOINT CITY COUNCIL
AND REDEVELOPMENT AGENCY MEETING
TUESDAY – September 5, 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

JOINT CLOSED SESSION CALL TO ORDER AND ROLL CALL

Present: Woods, Rutherford, Foster, Evans, Abrica

1. APPROVAL OF REGULAR JOINT CLOSED SESSION AGENDA

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

2. JOINT CLOSED SESSION COMMUNITY FORUM: None

3. CLOSED SESSION *See Oral Reports Item 5A for Report-out

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

1. Discussion of Potential Litigation
2. East Palo Alto Hotel Development LLC, et al v. City of East Palo Alto
3. Claim of Troy Henderson
4. Status of Investigation re: Complaint of Discrimination Due to Hostile Workplace Environment

Adjournment

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

JOINT CALL TO ORDER AND ROLL CALL

1. APPROVAL OF AGENDA

2. CONSENT CALENDAR

Acton: Woods/Rutherford **Vote:** 5-0

A. Resolution, Motions and Informational Reports

1. **2604**-Authorize the City Manager to Modify the List of Employees authorized to deposit and withdraw funds in the local agency investment fund
2. **2605**-Approve City Manager's Recommendation Regarding Surplusing of Specified City Vehicles Determined To Be Obsolete or Otherwise No Longer fit for Service and authorizing City Manager to take the Appropriate Actions Related to Disposal of the Designated Vehicles

Recommendation: That Council Approve the resolutions

3. Proclamation

- A. Declaring September 15-October 15, 2006 Latino Culture and History Month

4. Minutes

- A. 05/16/06 Regular CC/RDA Meeting
- B. 06/06/06 Regular CC/RDA Meeting
- C. 06/07/06 Special CC./RDA Budget Study Session
- D. 06/14/06 Special CC./RDA Budget Study Session 06/20/06

Recommendation: That Council approve the Proclamation and Minutes by motion

Item 1 was pulled for discussion by Vice Mayor Evans
Item 4B pulled by Councilmember Woods, Vote was 5-0 not 4-0

Action: Motion/Second: Woods/Foster Vote: 4-1(Evans/No)

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

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

3. Written Communication:

- A. EPA.Net request for funding-Michael Levin
- B. OEPA Request for Fee Waiver for September 30, 2006 Annual Picnic
- C. EPA Children Day Sponsors Request for Fee Waiver for September 23, 2006

4. Special Presentations:

- A. Introduction of Police Captain Kathy Samuels
- B. Announcement of Dumbarton Dialogue 2 Workshop

5. Oral Reports

- A. Reports Out of Closed Session
- B. Reports from Staff
 - 1. City's receipt of San Francisquito Creek Levee funding
 - 2. Status of Installation of Equipment related to Televising Council Meetings
 - 3. Signature Check (Ballot Measure) - City Attorney
- C. Advisory Bodies: None
- D. City Council/Redevelopment Agency Reports
- E. Mayor's Report
 - Proposed Meetings

6. Community Forum

7. Public Hearings

- A. 1800 West Bayshore Road appeal:

Public Hearing: Appeal of Variance (V 05-34), Architectural Supervision, Conditional Use Permit (CUP 05-34) and Categorical Exemption (CE 05-76).

Location: 1800 West Bayshore Road, East Palo Alto, CA 94303

Owner/Applicant: Andrew Lesser

Proposal: The City Council will consider an appeal of the Planning Commission approval of Conditional Use Permit (CUP 05-34), Architectural Supervision (AS 05-34) and Variance (V 05-34) to allow the operation of a laundromat business in an existing, currently vacant building at 1800 West Bayshore Road. The proposal would allow the construction of a five hundred and twenty-six (526) square-foot addition to the northwest end of an existing three thousand (3,000) square-foot building; demolition of two hundred and seventy-nine (278.7) square feet from the southwest end of the building; minor interior remodeling; renovation of the landscape; and, the creation of additional parking. The Variance would allow: a reduction in parking spaces from the required one (1) space for every 160 square feet of floor space to one (1) space per 198 square feet; and, a reduction in the required six (6) feet setback from the southwest property line in order to accommodate the existing eight (8) inch setback.

General Plan Land Use Designation: Neighborhood Commercial

Zoning/APN: C-1/S-3 (Neighborhood Commercial) / 063-501-290

Recommendation: Open the hearing, take testimony, close the hearing; Deny the appeal by sustaining the Planning Commission decision

8. Policy and Action Items

City Council

A. Discussions, Informational Reports, Resolutions and Ordinances

Ordinance (2nd reading)

1. **294**-Second reading of an ordinance re-zoning the property at 965 Weeks Street (063-232-210, 063-232-220, & 063-232-230) from M-B (Industrial Buffer) to R-M-500 (Multi-Family Residential)

Recommendation: That Council adopt the Ordinance

Action: Motion/Second: Rutherford/Foster 3-1(Evans-No; Woods recused conflict of interest)

2. Second Reading of An Ordinance re-zoning the property: APNs 063-231-180, 190, 200, 290; 063-240-210, 220, 320, 330, 340 (partial), and 350 (approximately 7.99 acres) related to consideration of approval of project known as Byrd, Brock, DKB Homes and, consideration of actions related to approval of the project , including: environmental determination, findings, conditions of approval

Recommendation: That the Council approve:

- a. 2nd Reading of Ordinance re-zoning property
- b. Actions related to project approval

B. Discussions, Resolutions

1. Council Consideration of Plan for Facility Completion Including Schedule, and proposed budget related to completion of needed remaining exterior and Interior Improvements and, Police Department Move In Connection With the 141 Demeter facility

Recommendation: That the Council approve the resolution

2. Council Discussion - Remaining Issues Related to Utilization of 1960 Tate Street for City Offices

Recommendation: That the Council consider the resolution

3. **2606**-Consideration of Resolution to Amend the City Attorney's Contract related to Compensation and Benefits

Recommendation: That Council approve the resolution

Action: Motion/Second: Foster/Rutherford Vote: 3-2 (Evans & Woods – No)

4. Fee Waivers:

- A. Authorize the City Manager to Waive Fees for OEPA for September 30, 2006 Annual Picnic
- B. Authorize a fee waiver for sponsors of for September 23, 2006 Children's Day in the Park

Recommendation: That the Council approve the resolution

Requests for waivers denied

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

- 5. **2607**-Authorize acceptance of the completed Rose Garden Project Subdivision Improvements and reduction of the bond amount

Recommendation: That the Council approve the resolution

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

- 6. **2608**-Authorize the acceptance of the completed Carroll Court Project Subdivision Improvements and reduction of the bond amount

Recommendation: That the Council approve the resolution

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

ADJOURNMENT