



# City of East Palo Alto ACTION MINUTES

DATE POSTED (Amended): Monday, June 4, 2007 Time: 7:48A.M. By: Minette Warren

SPECIAL CITY COUNCIL MEETING  
(ADVISORY BODY APPOINTMENTS)  
REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING  
**TUESDAY, June 5, 2007**

Special City Council Meeting: 6:15p.m.

Regular Joint Closed Session: 6:45p.m.

Regular Joint Meeting - 7:30p.m.

2415 UNIVERSITY AVENUE

Council Chamber

**6:15P.M**

SPECIAL CITY COUNCIL MEETING

CALL TO ORDER AND ROLL CALL

Present: Evans, Abrica, Rutherford, Foster, Woods

## Approval of Agenda

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

***Please Limit Public Comments to Agenda Items Only***

### 1. Advisory Bodies Interviews and Appointments

#### Applicants:

A. Senior Advisory

1. Barbara Perkins

**Ms. Perkins was not present for the interview process**

B. Planning Commission

1. Nancy Edelson

2. Robert Allen Fisk
3. Melvin Earl Gaines
4. Maurice McDonald
5. Alex Quezada
6. David Tschang

**Votes:**

**Evans: Allen-Fisk as Regular  
Gaines as Alternate**

**Foster: Quezada as Regular  
Gaines as Alternate**

**Rutherford: Allen-Fisk as Regular  
Gaines as Alternate**

**Woods: Allen-Fisk as Regular  
Gaines as Alternate**

**Mr. Allen selected and appointed to Seat 6 - Regular term (3years)  
Mr. Gaines Selected and Appointed to Seat 8 - Alternate (1 year)**

**2. Adjournment 6:45P.M. Regular Joint Closed Session Call to Order and  
Roll Call**

**1. Approval of Joint Closed Session Agenda**

**2. Joint Closed Session Community Forum**

**3. CLOSED SESSION**

**A. Potential/Pending Litigation Pursuant to Government Code Section  
54956.9**

1. Maria Banico Claim
2. Hartley v. Canty
3. Potential and Pending Litigation
4. Potential and Pending Litigation

**B. Personnel Matters Pursuant to Government Code Section 54957**

1. City Attorney Evaluation

**4. Adjournment**

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

**Joint Call to Order and Roll Call**

**Present:** Evans, Rutherford, Foster, Woods (Abrica absent for roll call, let the record note that he arrived at 8:00p.m.)

**1. APPROVAL OF AGENDA**

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

**2. CONSENT CALENDAR**

**Items listed here may be spoken on if a request is given to the City Clerk to pull a particular item before approval of the Consent Calendar; and at the discretion of Council**

**A. City Council/Redevelopment Agency Resolutions/Reports - Approval Actions and Motions**

**Items 1 and 2A & B pulled for discussion**

1. 2690-Adopt a Resolution Dedicating the Police Facility, Located at 141 Demeter, to Officer Richard Allen May

**Action: Motion/Second: Rutherford/Foster Vote: 3-1**

**(Evans/No: Does not agree, suggested it could be named after someone living within the community.)**

2. Claims

A. Palo Mobile Estates Associates

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

B. Maria Banico

**Action: Motion/Second: Rutherford/Foster Vote: 3-1**

**(Evans/No, feels claim should not be rejected, feels Ms. Banico was unjustly terminated)**

3. Proclamation

A. Juneteenth Recognition

B. Huck and Betty Robertson ( Sunrise Towing) Service to Community & Golden Wedding Anniversary

4. Minutes

- A. 04/06/07 Regular City Council RDA Meeting
- B. 04/17/07 Regular City Council RDA Meeting

**Item 4 B. Vote should be corrected to read and 3-0-1 (with Rutherford Abstaining)**

**Item 4B. Woods recused himself on this vote**

- C. 04/24/07 Special City Council Meeting

**Recommendation:** That Council adopt the resolution; Reject the Claims, Approve the Proclamation and Minutes By Motion

**Items 3 and 4 approved as follows:**

**Action: Motion/Second; Foster/Rutherford Vote: 4-0**

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

**Items 3, 4 and 5 may be addressed during Community Forum only, unless otherwise approved by Council**

**3. Written Communications:**

- A. Request for Fee Waiver

**4. Special Presentation: None**

**5. Oral Reports**

- A. Reports Out of Closed Session – City Attorney Lawson

- Item 3A1 Discussed – No Action
- Item 3A2 Discussed – No Action
- Item 3A3 Discussed – No Action
- Item 3A4 Discussed – No Action

**B. Oral Staff Reports: None**

- 1. Status of Mobile Home Park Conversion Moratorium

**C. Advisory Bodies: None**

**D. City Council/Redevelopment Agency Reports**

**6. Community Forum**

**7. Public Hearing**

- A. 2691-Adoption of Bay Access Master Plan

**Recommendation:** That Council Open the Public Hearing, Take testimony and adopt as resolution approving the East Palo Alto Bay Access Master Plan (BAMP) in concept and a CEQA finding of No Significant Impact in Negative Declaration (ND 07-02); and direct Planning staff to prepare a General Plan Amendment for the BAMP

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

**Public Comment  
Council Discussion**

## **8. Policy and Action Items**

### **A. Redevelopment Agency Resolutions/Reports – Actions and Motions**

1. Revised Project Alternatives for the development of the Southeast Corner of Bay and University (Post Office Corner)

**Recommendation:** That the Agency Members provides direction to staff regarding a preferred project alternative

**Council discussed and voiced a majority approval of Option 2**

**Action: Motion/Second: Rutherford/Abrica Vote: 4-1(Evans-No)**

2. Rail spur: Granting of Rail spur easements between Clarke and Pulgas Avenue for the purpose of soil testing, contamination remediation, landscaping and maintenance to: DKB Homes and the Olson Company.

**Recommendation:** Resolution Authorizing the Executive Director to Execute a Joint Easement Agreement with Olson Urban Housing, LLC, and DKB Homes to Clean-up, Remediate, Improve and Maintain the Agency- owned Rail Spur adjacent to their Development Projects

**Mayor Woods recused himself and left the meeting**

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

3. Assignment of University Palms Owner Participation Agreement and Development Agreement

**Recommendation:** That the City Council approve the assignment of the University Palms Development Agreement to the TMG Group that the Agency approve the

assignment of the University Palms Owner  
Participation Agreement to the TMG Group

**Mayor Woods recused himself and left the meeting**

**Action: Motion/Second” Rutherford/Abrica                      Vote: 3-1(Evans – No)**

**B. City Council Resolutions/Reports – Actions and Motions**

1. Authorize the City Manager to Enter into a Revised and Expanded Contract with Parking Company of America for Operation of East Palo Alto Shuttle Programs in an Amount Not to Exceed \$864,407.10

**Recommendation:** That Council adopt the resolution

**Action: Continued to 06-19-07 Meeting**

2. Authorize the City Manager to enter into a Three Year Agreement with ShotSpotter, Inc. to establish a one-half square mile area of the City as a Test-Site

**Recommendation:** That Council adopt the resolution

**Action: Continued to 06-19-07 Meeting**

3. 2692-JUNETEENTH 2007
  - A. Request by festival organizers for the waiver of \$7,612 in fees associated with the Juneteenth 2007 Parade and Festival
  - B. Request by festival organizers for \$3,000 from the Children Youth Seniors and Family Fund (CYSFF) in financial assistance to support Juneteenth 2007

**Recommendation:** That Council

1. Authorize the City Manager to waive \$7,612 in fees associated with the Juneteenth Parade and Festival on June 16, and 17 2007
2. Authorize the City Manager to provide \$3,000 in grant support from the Children Youth Seniors and Family Fund for Juneteenth 2007 conditional to organizers getting \$10,000 in Support from sponsors and donors

**This item approved with the recommendation that information be brought back to the 06-19-07 Meeting in reference to Cinco de Mayo reimburse of May 2007 expenses**

**Action: Motion/Second: Rutherford/Abrica Vote:3-1 (Ebans-No)**

**Items 4, 5 and 6 to be continued to 06-19-07 Meeting**

4. Youth Services Proposal

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

5. EAST PALO ALTO YMCA
  - A. Reimbursement of the YMCA from the Murray Hayden Urban Park and Youth Service Program State Grant in the amount of \$236,000 for expenses relating to the construction of Youth Center facilities within the East Palo Alto YMCA
  - B. Use of Park-in-Lieu funding in the amount of \$64,047.51 to offset expenses relating to architectural design and other design related services of the East Palo Alto YMCA facility

***Recommendation:*** That Council by resolution:

1. Authorize the City Manager Reimburse the YMCA \$236,000 in expenses related to the construction of “youth center” facilities. Funds to be drawn from the Murray Hayden Urban Park Service Program State Grant of the same amount
  2. Reimburse the City’s general fund a total amount of \$64,047.51 from the Park in Lieu fund to offset expenses incurred paying for architectural design and other services for the East Palo Alto YMCA
6. Adjournment