



# City of East Palo Alto **ACTION MINUTES**

## **REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**TUESDAY, OCTOBER 16, 2007**

**Regular Joint Closed Session: 6:30p.m.**

**Regular Meeting - 7:30p.m.**

**2415 UNIVERSITY AVENUE**

**Council Chamber**

**6:30 P.M**

**Regular Joint Closed Session**

**Regular Joint Closed Session Call to Order: 6:30P.M.**

**Roll Call:**

**Present: Evans, Abrica, Rutherford, Foster, Woods**

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

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

**II. Joint Closed Session Community Forum: None**

**III. CLOSED SESSION**

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

1. Maria Banico Claim

**B. Labor Relations Pursuant to Government Code Section 54957.6**

1. SEIU Local 521 CTC (Service Employees International Union)

2. East Palo Alto POA (Police Officers Association)

**Adjournment**

Joint Call to Order and Roll Call

I. APPROVAL OF AGENDA

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

II. CONSENT CALENDAR

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

Items pulled for discussion Staff requested that Item 1 be pulled and carried over to 11/06/07 CC Meeting

Councilmember Evans stated that Items 2 and 4, should not have been placed on Consent Calendar, requests that they be pulled and brought back under Policy and Action at next Council meeting.

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

- 1. 2<sup>nd</sup> Reading – Density Bonus Ordinance

**Recommendation:** That Council adopt the ordinance

**Carried over to 11/06/07 Council Meeting for amendments with unanimous approval by Council**

- 2. Resolution Declaring Rail Spur between Pulgas Avenue and Bay Road Surplus Agency Property and Authorizing the Executive Director to Dispose of Tracks, Ties and Spikes per Easement Agreement between the Agency, the Olson Company and DKB Homes

**Recommendation:** That the Redevelopment Agency Adopt the Resolution

**Carried over to 11/06/07 Meeting and to be moved to Policy and Action with unanimous approval by Council**

- 3. **639**-Resolution Authorizing the Executive Director to Accept and Appropriate Grant Funding in the amount of \$50,000 from the U.S. Economic Development Administration to Facilitate Planning Infrastructure Improvements in the Ravenswood Business District

4. Resolution authorizing the City Manager to accept Improvements Constructed by Eastside College Preparatory School (*Carried over from 10-02-07 Regular Joint CC/RDA Meeting*)

**Carried over to 11/06/07 Meeting and to be moved to Policy and Action with Unanimous Approval by Council**

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5. **2727**-Resolution authorizing the amendment of the Code Enforcement Legal Services Agreement
6. **2728**-Resolution authorizing the City Attorney's employment agreement renewal

7. Minutes

- A. 10/02/07 Regular CC RDA Meeting

**Recommendation:** That Council adopt the resolutions and; Reject the Claim(s) and Approve the Minutes by motion

**Minutes pulled for correction--10/02/07 Minutes stated No Quorum on Consent Calendar item IIIA1, let the record note there was a quorum on Item I**

8. Planning Actions of the September 10 and September 24, 2007 Planning Commission and Status of Planning Applications for September, 2007

**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: 5-0**

**With Exception for Item 6 Vote: 4-1 (Evans/No)**

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

**III. Written Communications:**

- A. Support for the U.S. Conference of Mayors' Resolution Reforming America's Agricultural Policy-San Mateo County Food System Alliance (SMFSA)
- B. Correspondence requesting a fee waiver for a Use Permit (UP 07-31) application

**IV. Special Presentation:**

- A. Fire Department, regarding recent fires in East Palo Alto **(Not Present, will present at 11/06/07 meeting)**
- B. YUCA, regarding Community Benefits Agreement

**V. Oral Reports**

- A. Reports Out of Closed Session

**City Attorney Lawson reported out of closed session: No Reportable Action on Potential/Pending litigation and No Reportable Action on Labor Relations**

- B. Oral Staff Reports
  - 1. Information on Shuttle Logo
- C. Advisory Bodies: None
- D. City Council/Redevelopment Agency Reports

**VI. Community Forum**

**VII. Hearings**

- A. **2729-Recovery of Costs for Nuisance Abatement at 1923 – 1925 Bay Road (at Tara Road); Owner: Melvin R. Curtaccio**

**Recommendation:** That Council Open the Hearing, Take Testimony, Close the Hearing and uphold cost recovery in the amount of \$7,144.52

**Code Enforcement Decision Upheld**

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

- B. **Adoption of the East Palo Alto Redevelopment Agency Five Year Implementation Plan**

**Recommendation:** Open the Public Hearing, take testimony; close the Hearing and Adopt the Redevelopment Five Year Implementation Plan

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

**VIII. Policy and Action Items**

- A. **City Council Informational reports and resolutions**

**Item 7 was moved before Item1 to be discussed**

1. 2006-2007 Civil Grand Jury Report: Proposed Responses from East Palo Alto.

**Recommendation:** That Council Approve the responses

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

2. Resolution No. 738: Selection of Mayor and Vice-Mayor

**Recommendation:** That Council hold discussion and provide direction to staff

**This item carried over to 11-06-07 Meeting by unanimous Council approval**

3. Proposed Amendment of Resolutions 2082 and 2264, regarding; funding of community-based organizations

- Establishing a combined "children, youth, seniors and family fund" for providing financial assistance to local non-profit organizations serving residents of East Palo Alto.
- Adopting additional procedures and requirements for City funding of community-based non-profit organizations.

**Recommendation:** That Council provide direction to Staff

**This item carried over to 11-06-07 Meeting by unanimous Council approval**

4. Consideration of a request to waive the processing fee for a Use Permit (UP 07-31) application

**Recommendation:** That Council Deny the Fee waiver Request

**This item carried over to 11-06-07 Meeting by unanimous Council approval**

5. City Council/Planning Commission Committee Report: Consider Long Range Planning Blueprint and direct staff to return with detailed Blueprint implementation cost estimates and/or contracts.

**Recommendation:** That Council Accept the recommendation and given direction to staff

**This item carried over to 11-06-07 Meeting by unanimous Council approval**

6. **2730**-Resolution authorizing the City Manager to award the contract to the lowest bidder Responsible Roofing, Inc. in Redwood City California for the installation of new roof and gutters including building permit for building one and building two of the Police Department located on 141 Demeter

Street in East Palo Alto for an amount not-to-exceed \$22,500 from the Economic Development Initiative (EDI) Grant Fund

**Recommendation:** That Council Approve the Resolution

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

7. **2731**-Adoption of Resolution acknowledging the City of East Palo Alto's participation in the San Mateo County Sub-region or the Regional Housing Needs Allocation (RHNA) process and acceptance of the assigned housing share in accordance with the RHNA Technical Advisory Committee and RHNA Policy Advisory Committee recommendations for the 2007 – 2014 RHNA planning period

**Recommendation:** That Council Approve the Resolution

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

**IX. Adjournment** 11:50P.M.