



City of East Palo Alto

ACTION MINUTES

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, JANUARY 22, 2008

CLOSED SESSION - 6:30P.M.

Regular Meeting - 7:30p.m.

2415 UNIVERSITY AVENUE

Council Chamber

6:30 P.M CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

Joint Call to Order and Roll Call

Present: Abrica, Woods, Rutherford, Foster (Evans-Not present for roll call)

I. Approval of Closed Session Agenda

Action: Motion/Second: Rutherford/Woods

Councilmember Evans in at 6:40p.m.

II. Closed Session Community Forum: None

III. CLOSED SESSION

A. Personnel Matters Pursuant to Government Code Section 54957

1. City Attorney's Employment Agreement
2. City Attorney Recruitment
(*ML Gordon, Assistant City Manager*)

B. Potential/Pending Litigation Pursuant to Government Code Section 54956.9

1. Jane Doe v. City of East Palo Alto
2. Potential/Pending Litigation (One Case)
3. Page Mill Properties v. City of East Palo Alto
(*Rafael Alvarado, City Attorney*)

Adjournment

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

Joint Call to Order and Roll Call

Present: Evans, Abrica, Woods, Rutherford, Foster

I. APPROVAL OF AGENDA

Items 2 and 5 pulled by Evans for discussion.

Items 1, 3, & 4 approved

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

Councilmember Evans made the Motion and Rutherford seconded Item 5 as Councilmember Woods called it up for Council Action Vote: 5-0

II. CONSENT CALENDAR

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

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

1. **310-2nd** Reading – An Ordinance of the City of East Palo Alto Amending the Contract with CalPERS to Provide Section 21031 (Public Service Credit for Limited Prior Service) and Section 20938 (Limit Prior Service to Members Employed on Contract Date) for Local Safety Members (*ML Gordon, Assistant City Manager*)
2. Proclamation (*Meda Okelo, Community Services Director*)
 - a. Black History Month
3. Claims (*Rafael Alvarado, City Attorney*)
 - a. Rosalyn Granger
 - b. Nicholson Development Company
 - c. Austin Briscoe (*Items c & d are related*)
 - d. CA State Automobile Association
4. **2752-Resolution** In Support of academic and vocational education that is more affordable and accessible to the people of California - (Prop 92)

Recommendation: That Council Adopt the Ordinance, Approved the Resolution; and Approve Proclamation and Reject the Claims by Motion

5. Planning Commission Informational Report
(Brad Tarr, Planning Manager)

Planning Actions of the December 10, 2007 and status of Planning Applications for December, 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

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

III. **Written Communications:** None

IV. **Special Presentation:** Public Works and Transportation Commission:
Charles King and Bernardo Huerta (10 Minutes)

V. **Oral Reports**

A. Reports Out of Closed Session

Personnel Matters Pursuant to Government Code Section 54957
(*ML Gordon, Assistant City Manager*)

1. City Attorney's Employment Agreement – **No Reportable Action**
2. City Attorney Recruitment - **No Reportable Action**

Potential/Pending Litigation Pursuant to Government Code Section 54956.9
(*Rafael Alvarado, City Attorney*)

1. Jane Doe v. City of East Palo Alto – **No Reportable Action**
2. Potential/Pending Litigation (One Case) – **No Reportable Action**
3. Page Mill Properties v. City of East Palo Alto **No Reportable Action, directions to Outside Legal Consultants Jarvis Fay**

B. Oral Staff Reports

1. Mr. William Branner's Request for Assistance

(Carlos Martinez, RDA Division Manager)

2. YMCA construction fence update (Alvin D. James, City Manager)
3. Hydrogen Shuttle Event Information (Anthony Docto, Public Works Director)

C. Advisory Bodies: Senior Advisory Committee

D. City Council/Redevelopment Agency Reports

VI. Community Forum

VII. Policy and Action Items

A. City Council Ordinances/Resolutions/Informational Reports – Approval Actions and Motions

1. First Reading: Ordinance of the Council of the City of East Palo Alto Amending Ordinance No. 303 to establish a fee to support Public, Education and Government access once the California Public Utilities Commission grants a State Franchise grants a State Franchise to Comcast of California IX, Inc., and the current cable franchise, issued by the City of East Palo Alto to Comcast of California IX, Inc., is thereby terminated (Russ Averhart, RDA Project Manager)

Recommendation: That the City Council Approve the First Reading

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

2. **2753-Five-Year Capital Improvement Program (CIP) - Streets and Traffic Improvement Projects** (Kamal Fallaha, Project Engineer)

Recommendation: That the Council Approve the 2007-2012 Capital Improvement Program (CIP) includes Streets and Traffic Improvements Projects with an estimated total cost of \$19,200,000. The fiscal year 2007/2008 CIP proposal totals \$2,920,000 \$840,000 are unexpended funds being carried over from previous fiscal years and \$2,080,000 to be approved for fiscal year 2007/2008. Therefore, it is recommended that the \$2,080,000 be approved for Street and Traffic Improvements Projects for fiscal year 2007/2008

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

VIII. *Adjournment*