



# City of East Palo Alto

## ACTION MINUTES

### REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

**TUESDAY, FEBRUARY 19, 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: 6:30P.M.**

#### **Roll Call**

**Present: EVANS. ABRICA, WOODS, RUTHERFORD (Foster - Absent/III)**

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

**Action: Motion/Second: Woods/Abrica Vote: 4-0**

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

#### **III. Closed Session (See Oral Report Item 5A for Report Out)**

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

1. City Attorney Recruitment

##### **B. Pending Litigation Pursuant to Government Code Section 54956.9 (Rafael Alvarado, Deputy City Attorney)**

1. Pinkey O. Gibson v City of East Palo Alto

##### **C. Property Acquisition Pursuant to Government Code Section 54956.8 (Carlos Martinez, RDA-EDA Division Manager)**

1. County surplus property, Southeast corner of University Avenue and Bay Road, Post Office corner: 1600 Bay Road, APN: 063221010

## Adjournment

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

Joint Call to Order: 7:30p.m.

#### Roll Call

Present: Evans, Abrica, Woods. Rutherford (Foster – Absent/III)

#### I. APPROVAL OF AGENDA

Action: Motion/Second: Woods/Abrica Vote: 4-0

#### II. Hearing(s)

Councilmember Evans raised the question as to whether or not the Planning Commission's 3-0 vote on the 2777 Hunter Street item was legal

Motion was made to carry this item over to 03-04-08 Council meeting

Action: Motion/Second: Abrica/Woods Vote: 4-0

- A. Council call-up of Architectural Supervision (AS 07-12), Use Permit (UP 07-36) and Categorical Exemption (CE 07-26) for 2777 Hunter Street-- Review of Planning Commission approval of December 10, 2007  
(Brad Tarr, Planning Division Manager)

**Recommendation:** The Planning Division staff recommends that the City Council:

1. HOLD public Hearing; Open and Hear Testimony and: Close Public Hearing; And
2. ADOPT the Categorical Exemption for this project, finding that there is no potential for this project to have a significant effect on the environment; and
3. Affirm or Deny the Planning Commission's decision to Approve the Architectural Supervision (AS 07-12) and Use Permit (UP 07-36). If the City Council decides to affirm the prior decision, it should base its' decision on the findings and subject to the conditions located in the attached Planning Commission's staff report [on pages 5 and 6], with additional or modified conditions as deemed appropriate. The City Council should also direct the City Attorney to modify the language of Condition #11 to more clearly state the intent which is to require that the applicant indemnify and hold the city harmless from any potential legal action that might arise in connection with the approval decision.

**NOTE:** The Council indicated a desire to review the subject application at its last meeting, following an oral report by the Acting Planning Manager. A public hearing was announced and noticed, which affords the Council the greater latitude of action rather than just as an expanded informational item.

### III. Policy and Action Items

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

1. Discussion: Fiscal Year 2007-2008 Mid-Year Budget Update (ML Gordon, Asst. City Manager, Stephanie Osaze, Finance Director)

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

**Action: Motion/Second: Abrica/Woods Vote: 3-1 (Evans-N0)**

2. Measure “C” Parcel Tax Advisory Committee

#### **RECOMMENDATION**

- a. That the City Council adopt a Resolution that authorizes the formation of the 12-member Measure C Ad Hoc Advisory Committee.
- b. That the City Council authorize the City Manager to initiate the outreach process for selection of members of a Measure C Ad Hoc Advisory Committee and present the interested applicants for City Council consideration at its regular meeting of Tuesday, March 18, 2008.

**Council held discussion on this item and gave direction to staff to develop an informational flyer and application for Ad Hoc Committee members.**

**Councilmember Woods stated that he would pick his 3 members for the Oversight Committee from the Ad Hoc applicants, Councilmember Rutherford stated that she already had in mind her choice for 3 community members for the Oversight Committee.**

**Council stated that they wanted information back to them at the March 18<sup>th</sup> meeting on the Ad Hoc recruitment.**

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

III. Written Communications: None

**IV. Special Presentation:**

**A. East Palo Alto Community Roundtable Health Summit** Janine Bishop, MPH. Community Advocacy Program Lucille Packard Children's Hospital; Bernestine Benton, Coordinator, Prenatal Advantage Black Infant Health Project-San Mateo County Health Department; Wolfram Alderson, Executive Director, Collective Roots; Ruben Abrica, Councilmember-East Palo Alto City Council

**B. A proclamation honoring the work of members of the Community Health Roundtable**

**Recommendation:** That Council Accept and file the Report and Approve the proclamation by motion

**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 Recruitment  
**Asst. City Manager Gordon stated that per direction from Council, interviews for Interim City Attorney would be held at a Special City Council Closed Session meeting on Tuesday, February 26, 2008; Time: 6P.M. -( :00p.m.**

**B. Pending Litigation Pursuant to Government Code Section 54956.9**  
*(Rafael Alvarado, Deputy City Attorney)*

1. Pinkey O. Gibson v City of East Palo Alto

**C. Property Acquisition Pursuant to Government Code Section 54956.8**  
*(Carlos Martinez, RDA-EDA Division Manager)*

2. County surplus property, Southeast corner of University Avenue and Bay Road, Post Office corner: 1600 Bay Road, APN: 063221010

**B. Oral Staff Reports:**

1. University Plaza Relocation and Replacement Housing Update  
*(Carlos Martinez, Redevelopment/EDA Division Manager)*

2. Domino Club at Senior Center *(Meda Okelo, Community Services Director)*

- 3. Al Moore – Al's Towing Garbage Issue (*Anthony Docto, Public Works Director*)
- C. Advisory Bodies: Planning Commission (*Robert Sherrard, Chair*)
- D. City Council/Redevelopment Agency Reports
  - A. Saturday, 02-09-08 Transportation Event (Hydrogen Shuttle) (*Patricia Foster, Mayor*)

**VI. Community Forum**

**VII. 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. **2758**-Authorize the City Manager to Enter into a One-Year Extension of an Existing Contract with the Transit Resource Center for a Mobility Manager and Transit Planning Services and to Increase the Contract Amount by \$75,416.00 to a Total Amount not to Exceed \$194,259.00 (*Anthony Docto, Public Works Director*)
- 2. **2759**-Authorization to the City Manager to accept and appropriate \$8,400 in donations for the 1<sup>st</sup> Annual East Palo Alto Health Expo and Cultural Fair and the Martin Luther King Park Concession Building Mural Project. (*Meda Okelo, Community Services Director*)
- 3. Claims (*Rafael Alvarado, Deputy City Attorney*)
  - A. Heavenly Senegal
- 4. Proclamation (*Minette Warren, Deputy City Clerk*)
  - A. March 2008 recognized as American Red Cross month

5. Planning Actions of the January 14, 28, and February 11, 2008 Planning Commission and Planning Applications for the Month of January (*Brad Tarr, Planning Manager*)

**Recommendation:** Review the Action of the Planning Commission and By Motion and majority vote, Call-up or Take Jurisdiction on any of the items Described in the report

**Note: Councilmember Evans pulled and Abstained on Item VIIA3A**

**Items 2 and 4 were pulled for Discussion**

**Item 5: Out of the Planning Commission Actions for January, the Council “Called-up” Planning Commission Item: 2200 University Avenue, for Discussion for the Tuesday, March 4, 2008 Regular City Council meeting**

**Action: Motion/Second: Woods/Abrica 301 (Evans/ Abstained) .**

**VIII. Adjournment: 11:41**