



City of East Palo Alto

ACTION MINUTES

By: Minette Warren, Deputy City Clerk

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

TUESDAY, May 6, 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: Evans, Abrica, Rutherford, Foster; Woods (Excused Absence)

I. Approval of Closed Session Agenda

Item IIIB was Continued to the next Regularly Scheduled Council Meeting

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

II. Closed Session Community Forum: None

III. Closed Session

A. Labor Relations Pursuant to Government Code Section 54957.6

(ML Gordon, Assistant City Manager)

1. International Federation of Technical and Professional Engineers (IFTPE) Local 21

B. Property Acquisition Pursuant to Government Code Section 54956.8

(Carlos Martinez, RDA-EDA Division Manager)

1. Post Office corner, Southeast corner of Bay Road and University Ave: APN: 063-221-010

Adjournment

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

Joint Call to Order and Roll Call

Present: Evans, Abrica, Rutherford, Foster; Woods (Excused Absence)

I. APPROVAL OF AGENDA

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

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

Items 1, 2 and 3 were pulled for Discussion

1. Accept and file the Quarterly Treasurer's Report for third quarter ending March 31, 2008 (*Stephanie Osaze, Finance Director*)

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

2. **2782**-Approval of Measure "C" Ad Hoc Committee Appointees (*ML Gordon, Assistant City Manager*)

Action: Motion/Second: Rutherford/Abrica Vote: 3-1 Evans/no

3. **2783**-Approval in Support of Service Employees International Union's "Justice for Janitors" Campaign (*Ruben Abrica, Councilmember*)

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

Recommendation: That the Motion and Resolutions be approved and adopted

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

III. Written Communications:

- A. East Certified Farmer's Market – Cornelia Fletcher

B. Boys & Girls Clubs of the Peninsula – Amy A. Liebert

IV. Special Presentation:

- A. Introduction of Police Captains – *Chief Ronald Davis*
- B. East Palo Alto Farmer’s Market Information – *Cornelia Fletcher*

V. Oral Reports

- A. Reports Out of Closed Session
- B. Oral Staff Reports
 - 1. Graffiti and Vandalism Problems in Martin Luther King Park- *Meda Okelo, Community Services Director*
 - 2. University Plaza Relocation Update – *Carlos Martinez, Redevelopment Agency Manager*
 - 3. Foreclosure Information-*Wilbert Lee, Housing Services*
- C. Advisory Bodies: Planning
- D. City Council/Redevelopment Agency Reports

VI. Community Forum

VII Hearing(s)

Action:

Open Hearing

Motion/Second: Rutherford/Abrica Vote: 4-0

- A. Hearing/First Reading on Proposed Amendment to Zoning Ordinance Section 6581.2 to Expand Council Call-Up Process *Brad Tarr, Acting Manager - Planning*

Recommendation: Introduce ordinance amending the Zoning Ordinance to clearly delineate the role of individual council members in reviewing the decisions of the Planning Commission.

Close Hearing:

Motion/ Second: Abrica/Rutherford Vote: 4-0

After Council discussion, vote was taken to approve First Reading

Action: Motion/Second Rutherford/Abrica Vote: 3-1 Evans/No

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Open Hearing

Motion/Second: Rutherford/Abrica Vote: 4-0

- B. Hearing/First Reading on Proposed Amendment to Zoning Ordinance Sections 6271(b) and 6281(a) to Eliminate Hazardous Waste Treatment and Recycling Facilities as Allowable Uses in Industrial Zones *Brad Tarr, Acting Manager - Planning*

Recommendation: Introduce ordinance amending the Zoning Ordinance to eliminate the establishment, expansion or enlargement of hazardous waste treatment or recycling facilities in areas of the City zoned for industrial uses.

After Council discussion vote was taken to approve First reading

Action: Motion/Second: Rutherford/Abrica Vote: 3-1 Evans/No

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Open Hearing

Motion/Second: Abrica/Rutherford Vote: 4-0

- C. Hearing/First Reading: Introduction of Ordinance to Amend the City's Contract between the Board of Administration, California Public Employees' Retirement System *ML Gordon, Assistant City Manager*

Recommendation: Receive the introduction Ordinance to amend the City Contract between the Board of Administration, California Public Employees' Retirement System (CalPERS) and the City of East Palo Alto City Council to provide Section 21354.4 (2.5% @ 55 Full Formula) for local miscellaneous (non-sworn) members; and, Section 21363.1 (3% @ 55 Full Formula) for local safety (sworn) members

After Council discussion vote was taken to approve First reading

Action: Motion/Second: Rutherford/Abrica Vote: 3-1 Evans/No

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Open Hearing

Motion/Second: Abrica/Rutherford Vote: 4-0

- D. Hearing/First Reading: Proposed Amendment to Municipal Code to Clarify Fireworks Regulations *Valerie J. Armento, Interim City Attorney*

Recommendation: Introduce ordinance amending the Municipal Code to adopt new regulations regarding fireworks, and repeal current language

After Council discussion vote was taken to approve First reading

Action: Motion/Second: Rutherford/Abrica Vote: 3-1 Evans/No

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VIII. Policy and Action Items

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

1. **2784**-Information Technology Update and Professional Services Agreement *ML Gordon, Assistant City Manager*

Recommendation: a). Accept and File the Update Report from the Redwood City Information Technology Manager;
b). Adopt a Resolution authorizing the City Manager to enter into a multi-year Professional Services contract agreement between the City of East Palo Alto and the City of Redwood City for Information Technology services and support from July 1, 2008 through June 30, 2011; not to exceed \$255,424 the first year (FY2008-2009); and, not exceed 6% adjustments annually during the life of the agreement, budget permitting

Action: Motion/Second: Rutherford/Abrica Vote: 3-1 Evans/No

2. **2785**-Professional Services Contract for Construction Documents for Tenant Improvements at the East Palo Alto Government Center 2415 University Avenue *ML Gordon, Assistant City Manager*

Recommendation: approve a Professional Service contract with KRJ Design Group, to prepare Construction Documents for Tenant Improvements for 8,343 square feet of office space in the East Palo Alto Government Center, located at 2415 University Avenue, in an amount not to exceed \$8,350

Action: Motion/Second: Abrica/Rutherford Vote: 3-1 Evans/No

3. **2786**-Installation of new prefabricated Restroom Concession Building at Jack Farrell Park, Utilizing Workforce Housing Reward Grant and In Lieu Pack Funds *Meda Okelo, Community Services Director*

a. Authorize the City Manager to install a new prefabricated restroom concession building at Jack Farrell Park using the services of California Multi Award Schedule (CMAS) to award a contract to one of three companies [CXT Incorporated (Spokane Washington); Nevada Restroom Facilities Ltd (Reno, Nevada) and Oregon Romtec Inc (Roseburg, Oregon)] to be funded by a Workforce Housing Reward Grant (Grant Program – Contract No. 04-WFH-019 in an amount not to exceed \$291,200

b. Authorize the City Manager to solicit bids for the demolition of the existing restroom/storage facility at Jack Farrell Park and construction of certain site improvements, (including the water supply system upgrade) required to accommodate the new prefabricated restroom concession building in an amount not to exceed \$45,000.

c. Authorize the City Manager to use Park In-lieu funds to cover project costs either ineligible to be covered by the Workforce Housing Reward Grant or that exceed amount of funds available from that source, up to an amount not to exceed \$45,000.

RECOMMENDATION: Staff recommends that the City Council approve the attached two resolutions authorizing the City Manager to use the California Multi Award Schedule (CMAS) to award a contract to one of three companies CXT Incorporated (Spokane Washington); Nevada Restroom Facilities Ltd (Reno, Nevada) and Oregon Romtec Inc (Roseburg, Oregon) to manufacture and install a restroom concession building at Jack Farrell Park in an amount not to exceed \$291,200 and to solicit bids for the demolition of the existing restroom/storage facility at Jack Farrell Park.

**Action: Motion/Second: Rutherford/Abrica Vote: 3-1
Evans/No**

4. Request for Partial Funding of Citywide Cultural Events
Councilmember Ruben Abrica

Recommendation: Approval of Request for Partial Funding of Citywide Cultural Events

Council agreed to Continue this item to next Regularly scheduled meeting

5. YMCA *Meda Okelo, Community Services Director*
- a A Resolution approving the negotiated sub-lease agreement between the City of East Palo Alto and the YMCA of the Mid Peninsula for the occupation and use of a 1500 square foot space located within the East Palo Alto YMCA for the purpose of providing youth programs and activities as well as office space
- b A Resolution of the City of East Palo Alto approving and authorizing the execution of the 2nd Amendment to Ground Lease between the City of East Palo Alto and the

YMCA of the Mid-Peninsula shrinking on the south side, thereby adding to the footprint of the park and extending it slightly on the west side

- c. Resolution approving the proposed fence configurations separating the ground lease area and Bell Street Park.

Recommendation: approve a resolution approving the negotiated sub-lease agreement between the City of East Palo Alto and the YMCA of the Mid Peninsula for the occupation and use of a 1500 square foot space located within the East Palo Alto YMCA facility and, as authorizing the City Manager to take steps necessary, including execution of agreements, necessary to install tenant improvements for the purpose of providing youth programs and activities

1. That the City Council approve the second amendment to the ground lease between the City and the YMCA of the Mid-peninsula adjusting the geographic boundary of portions of acreage leased to the YMCA to provide for mutual better usage of parkland and YMCA leased area
2. That the City Council, by motion, approve the proposed YMCA fence design and location configuration as recommended by the planning staff.

**Action: Motion/Second: Rutherford/Abrica Vote: 3-1
Evans/No**

6. **Adjournment 10:45p.m.**