



City of East Palo Alto

ACTION MINUTES

DATE POSTED: _____ Time: _____ p.m. By: _____

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

TUESDAY, April 15, 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, Foster Absent for Roll Call: Evans, Rutherford

I. Approval of Closed Session Agenda

Action: Motion/Second: Abrica/Woods Vote: 3-0 Evans in at 6:41P.M.

II. Closed Session Community Forum - None

III. Closed Session

A. Labor Relations Pursuant to Government Code Section 59547.6

1. International Federation of Technical and Professional Engineers

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

1. Post Office corner

Adjournment

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

Joint Call to Order: 7:45p.m.

Roll Call

Present: Evans, Abrica, Woods, Rutherford, Foster

I. APPROVAL OF AGENDA

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

Vice Mayor Rutherford in at 7:41p.m.

1. **2774**-Approval of the CalPers Retirements Enhancement Plan for Sworn/Non-Sworn personnel (ML Gordon, Assistant City Manager)

Pulled for discussion member of the public

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

- 2 **2775**-Authorizie the City Manager/Executive Director to Execute Agreements and Submit a Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2008/2009 TDA Article 3 Funds to Support conversion of an abandoned Rail Spur into a Bicycle and Pedestrian Trail totaling \$100,000

Pulled for discussion by Councilmember Evans

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

4. **2776**-Authorization for the City Manager to Accept , Appropriate and Expend Department of Education Safe Route to School grant funds in an amount not-to-exceed \$76,000

5. Claims: None

Recommendation: That Council Adopt the Resolutions

6. Planning Actions of the March 10 and 24, 2008 Planning Commission and Planning Applications for the Month of March
(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

7. **2778** Authorize the City Manager to accept and appropriate grants funds from the United States Department of Education Office of Innovation and Improvement for after school programs for youth in the amount of \$76,637

Items 4, 5, 6 and 7 approved

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

Amended 10/29/08 by Deputy City Clerk Warren to add Missing (by oversight) Item # 7.

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

III. Written Communications: None

IV. Special Presentation: Sponsored Youth Summer Program (10 Minutes)

V. Oral Reports

A. Reports Out of Closed Session

Interim City Attorney Armento reported Out:

Item A – No Action Taken

Item B - Discussed and direction given to staff, No Action Taken

B. Oral Staff Reports

1.

C. Advisory Bodies: Public Works and Transportation Commission

D. City Council/Redevelopment Agency Reports

VI. Community Forum

VII Hearing(s)

- A. *Continued from 03-04-08 CC RDA Mtg – Further Council Discussion*
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, Acting 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
2. 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.

Council continued hearing and adopted the categorical exemption

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

- B. **Hearing** (*Carried over from 04-01-08 meeting*)

1. Public *de novo* hearing regarding Use Permit (UP 07-34) and Categorical Exemption (CE 07-51) to sell beer, wine and spirits at the relocated Countrytime Market at 2200 University Avenue
(Brad Tarr, Acting Planning Manager)

Recommendation: To Open the Hearing, Take Testimony, Close the Hearing and Uphold the Planning Commission Decision

Council discussed the item

Opened hearing

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

Public gave testimony

Closed Hearing

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

Council granted owner/applicant permission for limited sales

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

VIII. Policy and Action Items

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

1. Request Authorization for the City Manager to amend contracts with Peninsula Volunteers, Inc., and Career Resources for services Provided to the Senior Congregate Nutrition Program (*Meda Okelo, Community Services*)

Recommendation:

There were two resolutions for Item 1.

2779A for amendment of the agreement with Peninsula Volunteers, Inc., for the provision of daily lunches

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

2779B Authorization to spend an additional \$2000 not to exceed \$9500 for a contract with Career Resources to provide personnel to assist in the Senior Center Congregate Nutrition Program

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

2. **2780**-Authorize the City Manager to waive fees for building permits for Rebuilding Together renovation projects in East Palo Alto scheduled for the 2008 National Rebuilding Together Day on April 26, 2008 (*Wilbert Lee, Housing Director*)

Recommendation: That Council approve the resolution

Action: Motion/Second: Rutherford/Woods Vote: 4-1 Evans(no)

- 3 **2781** - Authorize the City Manager to waive \$1579 in permit fees associated with the 2008 Cinco de Mayo festival

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