

City of East Palo Alto

ACTION MINUTES

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, March 3, 2009

**Regular Meeting - 7:30p.m.
2415 UNIVERSITY AVENUE - Council Chamber**

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

Joint Call to Order: 7:30P.M.

Roll Call

Present: Martinez, Romero, Evans, Woods, Abrica

I. APPROVAL OF AGENDA

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

II. CONSENT CALENDAR

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

Items 2 and 3 pulled for discussion, item 3 continued to 03/17/09 Meeting

Items 1, 4, 5 and 6 approved

Action: Motion/Second: Woods/Romero Vote: 4-1 Evans/No

- 1. 2875-A Resolution of the City Council of the City of East Palo Alto Authorizing the City Manager to Enter Into a Three Year Contract With Maze & Associates to Perform audit Services For an Amount not to Exceed \$65,765 For Fiscal Year Ending 2009; \$68,394 For Fiscal Year Ending 2010 and \$71,131 For Fiscal Year Ending 2011 With an Option to Extend for 2 Additional Years. - (Stephanie Osaze, Finance)**

2. City Attorney Contract:

A. **2873**-Adopt a Resolution amending the Compensation Schedule for the City Attorney classification.

B. **2873**-Adopt a Resolution appointing Vincent Ewing to the position of City Attorney; and authorize the Mayor to sign the Employment Agreement, including Schedule A, between the East Palo Alto City Council and Vincent C. Ewing, outlining compensation and benefits agreed to between the parties.

Action: Motion/Second: Woods/Romero Vote: 4-1 Evans/no

3. **2874**-Resolution to support the American Recovery and Reinvestment Act of 2009 (ARRA) funding and authorizing the filing of an application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) funding and stating the assurance to complete the projects – (*Kamal Fallaha, Public Works*).

4. Request the City Council to authorize the City Manager to solicit Request for Qualifications from attorneys interested in serving on the panel of Hearing Examiners serving the East Palo Alto Rent Stabilization Program - (*Wilbert Lee, Housing Department*).

5. Claims: None

6. Proclamations

- a. Recognition of Peninsula Volunteers and the Meals on Wheels Program - (*Continued from 02-17-09 Regular CC RDA Meeting*)
- b. Recognition of March as National Women's Month

7. Minutes: None

Recommendation: That the City Council Approve all items presented on the Consent Calendar

Items III, IV, & V may be addressed during Community Forum only, unless otherwise approved by Council

III. Written Communications:

IV. Special Presentation: None

V. Oral Reports

- A. Reports out of Closed Session
- B. Oral Reports
 - 1. Free Compost Give-a-way – (*Jay Farr; Public Works Corporate Yard*)
Maintenance Manager
- C. Advisory Bodies: None
- D. City Council/Redevelopment Agency Reports
- E. Mayor’s Reports

VI. Community Forum

VII. Public Hearing - (*Rafael Alvarado, Deputy City Attorney*)

Appeal of a Code Enforcement Nuisance Abatement Decision
 Appellants: Magnolia Belfield and Larry Belfield
1137 Westminster, (APN: 062-122-140), East Palo Alto, CA 94303

Recommendation: That the City Council conduct a “de novo” public hearing ; open same and make findings regarding the alleged public nuisance at 1137 Westminster Avenue, East Palo Alto; close the hearing; Hear testimony, Make a determination regarding the hearing officer’s order to demolish

Item to be continued at the request of appellant’s representative, Reason; Appellant hospitalized, unable to attend and testify on own behalf.

Council considered request and made unanimous decision to continue Hearing, and directed staff to bring back the Hearing item at the April 7, 2009, Appellant’s representative agreed with the setting of the new date for Hearing

VIII. Policy and Action Items

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

- 1. **656**-Authorize the Agency Executive Director to finalize and execute Contract Amendment #1 for \$30,000 with Keyser Marston Associates. Amendment #1 will increase the existing contract approved through Resolution 648 in September 2008 from \$135,000 to \$165,000. Contract Amendment #1 will provide additional resources for potential consultations with taxing entities and responses to public comments, and the creation of a pass through management model. The total amended contract is for an amount not to exceed \$165,000.

Recommendation: That the Redevelopment Agency Authorize the Agency Executive Director to finalize and execute Contract Amendment #1 for \$30,000 with Keyser Marston Associates, increasing the total contract to an amount not to exceed \$165,000

Action; Motion/Second; Romero/Abrica vote: 4-1 Evans/no

2. Redevelopment Agency deliberation regarding approval or denial of National Retail Properties, Inc. (NRP) and Mi Pueblo San Jose Inc. (Mi Pueblo) tenant improvement plans at the Ravenswood Gateway 101 shopping center (G101), to meet the Center's Covenants, Conditions and Restrictions (CC&R's) - (Carlos Martinez, Redevelopment Agency)

Recommendation: That the Agency deliberates and by motion, provides direction to staff, regarding the approval or denial of NRP and Mi Pueblo's tenant improvements plans at the Gateway 101 shopping center, to meet the shopping center's CC&R's requirements

Action: Motion/Second: Romero/Abrica Vote; 3-2 Evans/Woods; No

B. City Council Ordinances, Resolutions, Reports-Approval Actions and Motions

1. Initiate the discussion regarding the formation of a Citizen's Advisory Committee (CAC) for the Dumbarton Rail Station Area Specific Plan (Specific Plan) and consider scheduling the appointment of CAC members at the City Council regular meeting of April 7, 2009. - (Carlos Martinez, Redevelopment Agency)

Recommendation: That the Agency Accept and file the information

Item continued by unanimous vote to regular meeting of CC/RDA of March 17, 2009

2. Continued Discussion of Criteria for Council Appointed City Officers Evaluations (Mayor Ruben Abrica and City Manager Alvin James)

City Manager
City Attorney

Recommendation: That Council provide direction to staff
(Continued from 02-17-09 Regular CC RDA Meeting)

Staff directed to seek professional facilitation services from facilitator, Marilyn Snyder

Action; Motion/second; Woods/Abrica Vote; 5-0

IX. *Adjournment:* 11:50p.m.