



CITY OF EAST PALO ALTO ACTION MINUTES

By: *Minette Warren*

**REGULAR JOINT CITY COUNCIL
AND REDEVELOPMENT AGENCY MEETING**
Tuesday, April 7, 2009
Closed Session 6:30p.m.
Regular Meeting 7:30p.m.
City Council Chambers, 2415 University Avenue

6:30 P.M

REGULAR JOINT CLOSED SESSION

JOINT CLOSED SESSION CALL TO ORDER: 6:30p.m.

ROLL CALL: Martinez, Romero, Evans, Woods, Abrica

I. APPROVAL OF REGULAR JOINT CLOSED SESSION AGENDA

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

II JOINT CLOSED SESSION COMMUNITY FORUM: None

III. CLOSED SESSION

A. Potential/Pending Litigation Pursuant to Government Code Section 54956.8

1. Nicholson Company v. City of East Palo Alto
2. Page Mill Properties et al v. City of East Palo Alto et al

B. Labor Relations Pursuant to Government Code Section 54957

1. Service Employees International Union (SEIU) Local 521 CTW

Adjournment

7:30 P.M

JOINT REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

JOINT CALL TO ORDER AND ROLL CALL

NOTE: Mayor Abrica announced that the Closed Session would continue after the close of the regular Open session was completed.

I. APPROVAL OF AGENDA

II. Consent Calendar

A. Contracts

1. **2884**-Authorize the City Manager to Augment the Rent Stabilization Hearing Examiner's Budget in the amount of \$14,000(Wilbert Lee, Housing Services Director)
2. **Motion**-Authorize the City Manager to re-apply to Public Allies Silicon Valley for two (2) Public Allies' interns for FY 2009-10
3. **Motion**-Council authorization to submit a Public Works grant application to the US Economic Development Administration (EDA), in the amount of \$4 million for design and construction of drainage improvements from Runnymede to O'Connor St. (Russell Averhart, RDA Project Manager)
4. **2886**-Authorize the City Manager to enter into a contract with the law offices of Marty Mayer for Professional Services in an amount not to exceed \$15,000 (Ronald Davis, Chief of Police)

Recommendation: That Council authorize staff to submit a grant application

B. Motions, Other Actions and Informational Reports

1. **Motion**-Approval of Request for Qualifications for City Sponsored Loan Services for existing Housing loans (Wilbert Lee, Housing Services Director)
2. Claims: None
3. Minutes
 - A. 02/24/09 Special CC Meeting
 - B. 03/03/09 Regular CC-RDA Meeting
 - C. 03/17/09 Regular CC-RDA Meeting

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

Recommendation: That Council Approve all items on Consent Calendar

Written Communication:

3. Special Presentations
 - A. Acknowledge The Peninsula Sports Academy (PSA) Efforts In Serving East Palo Alto Youth and Encourage The Academy's Basketball Team As It Participates In the AAU Basketball Schedule For 2009
 - B. The Ravenswood District. Study conducted and presented by Mundie & Associates, Consultants in Land Use and Economics. (Russell Averhart, RDA)

V. Oral Reports

A. Reports Out of Closed Session

B. Reports from Staff

1. Housing Element Community Meetings Schedule – (Wilbert Lee)
2. Announcement Regarding Invitation to apply to the Community Advisory Committee (CAC) for the Dumbarton Rail Transit Station Specific Plan - (Sean Charpentier, RDA)
3. Announcement Regarding Invitation to Apply For Available Vacancies On City Council Advisory Boards and Commissions – (Minette Warren, Deputy City Clerk)

C. Advisory Bodies:

D. City Council/Redevelopment Agency Reports

E. Mayor's Report

VI. Community Forum

VII. Public Hearing (*Lance Bayer, Outside Counsel; 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; and Close the Hearing make a determination regarding the hearing officer’s order to demolish
(Continued from 03-03-09 Regular CC/RDA Meeting)

Open hearing: Motion/Second: Woods/Abrica Vote: 5-0

Counsel Bayer, Dep. City Attorney Alvarado, Building Official Rainone and Code Enforcement Officer Calauquib gave verbatim detail on the process of the discovery of the code violations and the City’s notifications process, Mr. Larry Belfied and several other family members gave testimony regarding appellant’s effort regarding 1137 Westminster; Council deliberated and issued the following directive:

The hearing is to be continued. The appellant is to be allowed forty five (45) days to obey the directives given in so far as the outside illegal structures to be demolished and other work to be done. At the end of the 45 day grace period, the hearing is to be continued at the 1st Regular July, 2009 Council meeting – Date: July 7.

Close Hearing: Motion/Second: Woods/Romero Vote: 5-0

By Unanimous decision of Council, this item was *Continued* to a future meeting in order to allow time for the Belfields to correct the code enforcement/building violations; the appeal hearing it is then to be brought back for Council decision on progress of compliance and/or lack thereof.

The appellant was not present, the enforcement information was received by (Appellant's son), Mr. Larry Belfied, who stated he was acting as the appellant's agent.

**Action to approve decision of Council - Motion/Second: Romero/Abrica
Vote: 3-2 (Evans & Woods – No)**

VIII Policy and Action Items

A. City Council

Contracts, Motions, Other Actions and Informational Reports

1. **2881**-Council consideration to adopt the Draft Engineering Plan (DEPLAN) for the Ravenswood Business District, and Designating the DEPLAN to serve as the basis of design for Bay Road Phase II Item

Recommendation: That Council adopts the resolution adopting and designating the DEPLAN to serve as the basis of design for Bay Road Phase II. (Sean Charpentier, RDA Project Coordinator) Continued from 03-17-09 CC RDA Meeting

**Action: Continued to Next Regular Council meeting
Motion/Second: Woods/**

2. Possible Revisions to Rent Stabilization Ordinance for November 2009 Ballot – (*Valerie Armento, Interim City Attorney*)

Recommendation: That Council provide direction o staff

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

3. SBWMA Contract Service provisions for Transfer State facility *Anthony Docto, Public Works Director*)

Recommendation: That Council discuss item and provide direction to staff

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

2. Informational Report – Council retreat Proposal on Priorities

Recommendation: That Council Accept information and Provide Direction to Staff

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

Adjourned to Closed Session: 12:10p.m.

Open Session

Report Out of Closed Session:

Interim City attorney Armento reported out: Items Discussed, Direction Given to Staff

Let the Record note that Councilmember Evans did not participate in the continued Closed Session.

3. **ADJOURNMENT: 12:32a.m.**