



**CITY OF EAST PALO ALTO
Action Minutes**

By: *Minette Warren*

**REGULAR JOINT CITY COUNCIL
AND REDEVELOPMENT AGENCY MEETING
Tuesday, May 5, 2009
Closed Session 6:30p.m.
Appointments to Community Advisory Committee (CAC) 7:00p.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

Present: Martinez, Romero, Woods, Abrica (Evans/Excused Absence)

I. APPROVAL OF REGULAR JOINT CLOSED SESSION AGENDA

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

II JOINT CLOSED SESSION COMMUNITY FORUM: None

III. CLOSED SESSION

A. Potential/Pending Litigation Pursuant to Government Code Section 54986.9

1. Rent Stabilization (*Vincent Ewing, City Attorney, Valerie Armento, Legal Consultant*)

Adjournment

7:00 P.M JOINT REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

JOINT CALL TO ORDER: 7:10p.m.

ROLL CALL: Present: Martinez, Romero, Woods, Abrica (Evans/Excused Absence)

I. APPROVAL OF AGENDA

II. *Appointments to the Community Advisory Committee (CAC) (Sean Charpentier, RDA Coordinator II)*

Although Councilmember Evans was absent, it was decided that the interview process would be done and appointments made.

Per Staff Member Charpentier: Mailing was done to community and Advisory Bodies and received 17 applicants and 15 of those were present for the interview and appointment process.

Council to hear why they are suited to be on the advisory committee. Mayor Abrica asked that the applicants come in alphabetical order

<u>Applicants</u>	<u>Appointed</u>
No	Yes
DaLela Adolfo	
Ken Alsman	X
Duane Bay	X
Alfredo Bryant	X
Kimberly Carlton	X
Tracy Craig	
Douglas Fort	X
Leland Francois	(NOT PRESENT)
Bernardo Huerta	X
	* (Three way tie broken and Mr. Huerta received 2 votes On the second series of votes, Officially breaking tie) and taking the last available position
Brenda Naranjo	NO
Jeff Pesch	No

1. **2897**-Approval of the Menlo Park Fire District Resolution (*Carlos Martinez, RDA Division Manager*)
2. **2898**-Resolution Approving and Accepting the Investment Policy – (*Stephanie Osaze, Director Finance Department*)
3. **Motion**-Acceptance of the Third Quarter Treasurer’s Report ending March 31st, 2009– (*Stephanie Osaze, Director Finance Department*)
4. **2899**-Approval of the appointment of Mayor Ruben Abrica to the Bay Area Water Supply and Conservation Agency (BAWSCA), and San Francisco Regional Water System Financing Joint Powers Authority
5. Minutes *Minette Warren, Deputy City Clerk*
 - a. 04-07-09 Regular CC/RDA Meeting Minutes
6. Proclamation

Immigrant Legal Resources Center (ILRC) Ruben Abrica, Mayor
7. Claims (*Rafael Alvarado, Deputy City Attorney*)
 - a. Gloria Martinez
 - b. Monica Patterson
 - c. Sanjay Prakash

Recommendation: That Council Approve the Consent Calendar

IV. Written Communication: Request for Fee Waiver for the Annual Collard Green Festival – *Nobantu Ankoanda*

V. Special Presentations

Association of Bay Area Governments (ABAG) Risk Management- (*Marcus Beverly, CPCU, AIC, ARM, Risk Manager and Secretary, Mary Beth O’Connell, RN, ABAG Consultant*)

Asst. City Manager ML Gordon introduced Mary Beth O’Connell and Marcus Beverly and informed Council that after the presentation, at a future meeting, staff would bring the City’s Risk Management Policy to Council for deliberation and approval. He also informed Council that over the past few years, the City’s Risks had declined .

VI. Oral Reports

A. Reports Out of Closed Session

City Attorney Ewing: Reported: No Action Taken, Direction Given to staff

B. Reports from Staff:

1. 965 Weeks – Vacant Lot, (*Frank Rainone, Chief Building Official, Building Services Division*),
2. Willow and Newbridge – Vacant Lot (*Frank Rainone, Chief Building Official, Building Services Division*),
3. 1551 Kavanaugh – (*Frank Rainone, Chief Building Official, Building Services Division*),
4. Housing Element Community Meeting May 14, 2009 (*Wilbert Lee, Director, Housing Services*)
5. Courtyard at Bay Road (*Alvin D. James, City Manager, Vincent C. Ewing, City Attorney, Wilbert Lee, Director Housing Services*)
6. School Crosswalks (*Jay Farr, Maintenance Division Manager*)
7. Stimulus Funding Package Information – (*Alvin D. James, City Manager*)
8. Swine Flu Epidemic Informational Update - (*Ronald Davis, Police Chief, The Ravenswood Center Health Clinic and The San Mateo County Department of Health*)

C City Council/Redevelopment Agency Reports

Mayor Abrica stated he would like to establish 5 Council committees to work on various Issues for Council to work on and address with staff

School District Committee:	Vice Mayor Woods, Mayor Abrica
Cooley Landing:	Councilmember Evans, Mayor Abrica
Economic Development:	Councilmember Romero, Vice Mayor Woods
Housing:	Councilmember Romero, Vice Mayor Woods
Community Health & Safety:	Councilmember Martinez, Mayor Abrica

Mayor Abrica stated he would like to see a consistent record of the work of committees and Minutes to be kept; a work plan developed; Guidelines for committees, Noticing of the committee meetings for the public and reports given to Council with information made available. He also stated If Council members wanted to work on other issues they could do so, but report back to Council in the instance where policy decision needed to be made.

D. Mayor's Report

VII. Community Forum

VIII Policy and Action Items

A. Redevelopment Agency

Contracts, Motions, Other Actions and Informational Reports

1. **RDA656** -Consideration of a resolution that includes findings that:
1) the City of East Palo Alto has an adopted Housing Element; 2) that the East Palo Alto Redevelopment Agency (Agency) has not had a major violation as defined by the California Redevelopment Law in the last three years, and that the Agency does not have an excess surplus in its Housing Fund *(Sean Charpentier, RDA Coordinator II)*

Recommendation: That the Agency Approves the resolution

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

Contracts, Motions, Other Actions and Informational Reports

B. City Council

Contracts, Motions, Other Actions and Informational Reports

1. Rent Stabilization (Vincent Ewing, City Attorney)
 - A. Ordinance **(Continued from (4/21/2009 Regular Meeting)**

Recommendation: That Council Provides Direction to Staff

Mayor Abrica wanted to point out that for the record Council would not want to approve the ordinance as is as discussed from the meeting of 04-21-09. Attorney Alvarado stated that the changes would certainly be reflected in the ordinance before it would be brought back for adoption.

Discussion was held and the attorneys provided clarification for Council on their earlier questions and concerns.

(PLEASE NOTE: If the Public wishes to have the detailed discussion of the Council concerns and staff's analysis and clarification of those concerns, the City Clerk's office retains Audio and Visual records of the meeting including said discussion. The Public may contact the Clerk's office, in writing or via telephone 650-853-3127, for information on how to obtain a copy.)

Action: Council Unanimously agreed to have a draft brought back of the ordinance with the amendments

- B. Agreement for Preparation of Revisions to Rent Stabilization Ordinance for November 2009 Ballot *(Vincent Ewing, City Attorney; Rafael Alvarado, Deputy City Attorney)*

Recommendation: By motion, authorize the City Manager to execute a retainer agreement with Andrew Schwartz of Shute, Mihaly & Weinberger to draft revisions to the Rent Stabilization Ordinance in an amount not-to-exceed \$30,000

City Attorney wanted a correction on the record to substitute negotiate for the word execute on a question of a matter of conflict of interest for one of the proposed drafters of the revisions before the motion was made.

Motion was made with the change in the language of the recommendation.

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

2. Jack Farrell Park Improvements: (Meda Okelo, Community Services Director)

(Continued from 04/21/09 Regular CC-RDA Meeting)

- a. **2896**-Authorize the City Manager to award the Jack-Farrell-Improvement-Project contract to Blossom Valley Construction and to negotiate with said company an agreement with said company in an amount not to exceed \$117,753.54

Recommendation: That Council Approve the Resolution

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

3. City Council Strategic Policy Framework – Next Steps (*Ruben Abrica, Mayor; Alvin D. James, City Manager.*) **(Continued from 04/21/09 Regular Meeting)**

Recommendation: That Council review and discuss the Core Values of the Policy Framework and, that Council accept and file Report

Mayor Abrica asked that Item 3 be postponed and that Council should take up Item 4

4. Council Discussion Regarding Expectations for the Measure C Program as well as the Criteria, Process and Timeline for Allocation of Measure C Funding (*Alvin D. James, City Manager, Ronald L. Davis, Police Chief, Stephanie Osaze, Finance Director, Meda*

Councilmember Martinez gave the report with City Manager James. Timeline has been changed. Proposals, with specific operational requirements of funding, etc., done by the end of June. With the actual Funding Program beginning at beginning of July. Summary with amounts of money available with 50% of first year's amount being granted to the police department per the Measure "C" Parcel Tax Ordinance.

Clarification on WHO would make the actual funding decisions?

Answer: The City Council

Recommendations:

1. Discuss this report and provide direction to staff
2. Adopt the attached Measure C Timeline, including the funding process and schedule
3. Forward the City Council's direction, in response to this report, to the Measure C Oversight Committee

Council set forth Requirements for requests for funding In the form of a "Call for Proposals" process with standard requirements to be met by all requestors with allowances for extra documentation from said requestors, (by both public entities and the city).

- **Give priority to those entities that are all ready running successful programs because of time constraints? Take all applications now from those operational and those starting up?**
- **Action was called by Council to extend meeting beyond the midnight hour. Council unanimously agreed to continue meeting.**
- **Staff and Oversight committee would review Calls for Proposals then rate them and make recommendations to Council for their review and decisions on funding.**
- **Use recommendations by ad hoc committee as a guideline for the Oversight Committee review of Calls for Proposal with the flexibility to make the recommendations. All requestors for funding applicants should have access to the information; and made available to ensure fairness to All.**

Should there be a specified amount/limit of funding required?

- **There should be some type of set amount or range so that requestors will have a set amount to work within and have a target to operate within, and have it established before the "Calls for proposals go out.**

- **Council agreed to have the range not to exceed the \$40,000 amount.**

Should requestors who do not live within the City be allowed to apply?

- **Council restated that Policy questions should ONLY be decided by the Council as the legislative body and not by the committees**
- **Council considered that requestors applying who did not live within the city but provided a service and had been doing so or would do so should be considered with the caveat that the funding be used to serve East Palo Alto residents. Fiscal agents can also be considered.**

Should there be a one time grant?

Council stated it had to be an actual program that delivers an ongoing service,

- **There should be no one time granting**

Should there be leveraging of funds?

- **If there should be two or more, the one with the greater capacity for services should be considered.**

City Manager James re-iterated that the next Oversight Committee meeting would be held at 219 Demeter on Thursday, Time: 6:30 to 8:30p.m.

Council unanimously concluded that these deliberations are policy as stated. That however, should there be other questions they could be clarified as they occur

Adjournment: 12:50a.m.