



CITY OF EAST PALO ALTO ACTION MINUTES

By: *Minette Warren*

REGULAR JOINT CITY COUNCIL
AND REDEVELOPMENT AGENCY MEETING
Tuesday, July 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

Present: Martinez, Romero, Evans, Woods, Abrica (Romero not present for Roll Call but was present for Closed Session)

I. APPROVAL OF REGULAR JOINT CLOSED SESSION AGENDA

Action to Approve - Woods/Romero Vote: 5-0

II JOINT CLOSED SESSION COMMUNITY FORUM: None

III. CLOSED SESSION

A. Potential/Pending Litigation Pursuant to Government Code Section 54986.9 (*Vincent C. Ewing, City Attorney*)

1. Rent Stabilization: 1643 Woodland, LLC
2. Page Mill Properties (*Vincent C. Ewing, City Attorney*)
3. William Branner v. City of East Palo Alto
4. James C. Hill v City of East Palo Alto
5. Spepa, LLC v Calhoun Brother's Paving & Grading, Inc.
6. United Rental Northwest v City of East Palo Alto

B. Property Acquisition Pursuant to Government Code Section 54956.8 (*Karen Tiedemann, Counsel Wilbert Lee, Director, Housing*)

1. The Court Yard at Bay Road

Adjournment

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

JOINT CALL TO ORDER: 7:35p.m.

ROLL CALL

Action to Approve with Consent Calendar going before the Measure "C" item and Items 2 and 3 being pulled for clarification

Woods/Romero Vote: 5-0

Item 2 pulled by Councilmember Romero, who stated Resolution should read differently after the last Whereas in the "therefore be it resolved area".

Staff Member Wilbert Lee, Housing Director clarified by saying that an amended document had been done, but that it had arrived to late for the packet which had been delivered. He in turn, had it passed out at the meeting and stated that the changes would be reflected in the amended resolution submitted for signatures.

Action to approve Item 2: Motion/Second: Romero/Woods Vote: 5-0

Item 3 pulled by Councilmember Evans, who stated that the resolutions does not reflect the date of the event as the letter of request for fee waiver does. He would make the motion to approve if the resolution as amended and date event added.

Staff directed to amend resolution to reflect date of event.

Action to Approve:Motion/Second: Evans/Romero Vote: 5-0

II. Approval of Consent Calendar

A. Resolutions, Actions, Motions

1. **Reso # 2933** - Appeal of Nuisance Abatement at 1137 Westminster Avenue

Recommendation: By motion, that the City Council continue its public hearing to July 21, 2009, regarding the alleged public nuisance at 1137 Westminster Avenue, East Palo Alto (*Rafael Alvarado, Deputy City Attorney-Office of the City Attorney, Francis Rainone, Chief Building Official, Building Division*)

Recommendation: Provide Direction to Staff on a Request for continuance of Appeal to the 07-21-09 Regular Joint CC-RDA Meeting

2. **Reso # 2927** - Authorize the City Manager to inform the San Mateo County Office of Housing of the City of East Palo Alto's intent to commit \$500,000 in support of the

Revolving Loan Fund for the Neighborhood Stabilization Program (*Wilbert Lee, Director, Housing Department*)

3. Fee Waiver:

Reso # 2928 - Authorize the City Manager to Waive Fees not to exceed \$350.00 associated with the 11th Annual Collard Green Festival and contribute \$1,500 from the Children, Youth, Family and Seniors Fund towards the festival's expenses (*Meda Okelo, Director, Community Services Department*)

4. **Motion** - Authorizing the release of a Request for Proposals for qualified contractor to accomplish timely completion of storm drain improvements to the Runnymede storm drain system.

5. Claims for Rejection:

- a. California State Automobile Association (Daniel Macleod)
- b. Michael Brand
- c. Lana Daniels
- d. Helen Tamplin

Recommendation: That Council Approve the items on the Consent Calendar

APPROVAL OF AGENDA

I. **Measure C: Council Deliberation on Measure C Oversight Committee's Recommendations regarding Requests for Funding Submittals**

Recommendation: That Council Review the Oversight Committee's Recommendations; Hold Deliberations on and Award the Funding Requests; and Give Appropriate Direction to Staff

Mayor Abrica thanked the Oversight Committee for their hard work in putting the materials together on the 40 proposals.

Mr. Woods, Mr. James and himself put together a spread sheet tallying the proposals and funding. He further stated that Council would not go through the entire 40 proposals in detail but would look at the significant information and deliberate on the steps needed to process the requests.

City Manager James thanked committee as well and went through the steps taken to get the matter ready for tonight's session.

Stewart Hyland, Measure Committee spoke of the work done by the committee. That there were areas that still needed work by the committee.

Anna Tuner gave a brief report on findings of the committee while reviewing Measure C Proposals, such as, missing documentation, statistical information missing. Those were the major changes and differences in the two reports submitted otherwise they were the same.

Committee had to create bylaws and procedures for decisions on recommendations, also spoke on conflict of interests that may occur as the proposals were gone over and submitted to Council.

The Measure "C" Oversight Committee documents can be found on the City's website at www.ci.east-palo-alto.ca.us.

Council deliberated on whether or not there should be a second round, once some of the problematic issues of the process have been resolved. Vice Mayor Woods and Councilmember Romero felt allocation of the money and set aside some for a Next Round.

Councilmember Evans stated that there should be facilities in the community for the young people. Must be creative in realizing how funding is utilized. Feels it is a good proposal but city use commonsense approach to using the money, rather than continuing to feed it to the non-profits. Use the set-aside funding to build something for the community.

Councilmember Martinez agreed there should be a set aside, if there is a \$150,000 then it should be set aside and give the requestors who did not maybe complete their documents properly a chance in a second round.

Mayor Abrica stated that the majority of the residents saw Measure C as an aide to the community in violence prevention, Youth assistance, and more. First time City has engaged with so many organizations so it will take time to work out all the issues, but, it is a positive step and that he was optimistic about the project.

Councilmember Romero do a 25 to 30% reduction in amounts requested over \$20,000 and allocate the funding. Then the set aside could be \$150,000 to \$180,000.

Mayor Abrica allotted time for the audience to speak and Testimony was then taken from the public

Mayor Abrica stated that allocations were now, that Mr. Evans had left recommendations as they were. If there were differences then they could take those up if a meeting was held on the following Monday to consider the balance. That by three votes of Council the choices tonight could be approved. But, if there were changes for others to be considered when brought back, they could be discussed then in the scheduled Monday meeting.

The final tabulation of the results on those selected was done and announced. A list of those receiving funding at the July 7, 2009 Regular CC RDA Meeting can be found on the City's website at www.ci.east-palo-alto.ca.us.

III. Written Communication - None

IV. Special Presentations - None

V. Oral Reports

A. Reports Out of Closed Session

City Attorney Ewing: Council gave direction and No Action Taken
City Attorney Ewing: RDA gave direction and No Action Taken

B. Reports from Staff:

4th of July Fireworks – *(Ronald Davis, Chief, Police Department)*

Captain Chalmers reported out for Chief Davis and stated that preparations had been started in several months prior to the 4th to make the public aware that fireworks were illegal and would not be allowed for the holidays or at anytime. The police department had worked with the Menlo Fire District on the flyers that were passed out to residents through many sources including the school district by sending flyers homes with the community's children. He also stated that the police did patrol the city on the holiday and while they managed to stop some of the illegal fireworks activity, it still was a problem and many people did not obey the ban on the fireworks, but stated there was no major damage or fires

C. City Council/Redevelopment Agency Reports

D. Mayor's Report

City of East Palo Alto's 26th Anniversary Celebration & 4th of July Parade

Mayor Abrica thanked the community for participating and that the event went off well. It was a source of East Palo Alto pride. The idea for a City flag and its design was well received and there were two senior groups involved, and the festivities were enjoyed.

VI. Community Forum

VII. Hearings: - None

VIII. Policy and Action Items - None

Resolutions, Actions and Motions

1. Metropolitan Transportation Commission *(Sean Charpentier, RDA Coordinator II, Redevelopment Agency) (Continued from 06-29-09 Special Meeting/Budget Study Session/Hearing)*
 - a) **RESO # 2929** - Approving a Metropolitan Transportation Commission (MTC) Grant Agreement for \$360,000 for the East Palo Alto Dumbarton Station Area Specific Plan
 - b) **Reso # 2930** - Authorizing the City Manager to Execute a Contract between Design, Community and Environment and the City in an amount not to exceed \$645,781

Recommendation: That Council Approve the Resolutions

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

IX. ADJOURNMENT: 12:20p.m.