



CITY OF EAST PALO ALTO ACTION MINUTES

By: Minette Warren

SPECIAL CITY COUNCIL MEETING

MONDAY, August 3, 2009

Special City Council Closed Session - 6:30p .m

Special City Council Meeting: 7:30p.m.

Council Chamber - 2415 UNIVERSITY AVENUE

6:30 P.M.

SPECIAL CITY COUNCIL CLOSED SESSION

CALL TO ORDER: 6:30

ROLL CALL: Romero (in late after roll call), Martinez, Evans, Abrica
Woods (Absent)

I. **Approval of the Special Closed Session Agenda (Government Code
Section § 54957.7(a))**

ACTION: Motion/Second: Romero/Martinez Vote: 4-0

**Public Comment May Be Taken Before the Start of the Closed Session and
Related Only to Agenda Items**

II. CLOSED SESSION

A. **Conference with Legal Counsel (Vincent C. Ewing), City Attorney) –
Existing Litigation (Government Code § 54956.9 (a))**

1. Woodland Park, LLC v. City of East Palo Alto, et al.
2. EPMA v. City of East Palo Alto, et al.

B. **Burke, Williams & Sorenson, LLP Proposed Agreement Re: Existing
Litigation**

C. Personnel Matter (Government Code § 54957.6)

City Manager's Contract

**Adjournment
7:30P.M.**

SPECIAL CITY COUNCIL MEETING

Call to Order

**Roll Call: Martinez, Romero, Evans, Abrica
Woods (Absent)**

**Public Comment May Be Taken at the Discretion of Council and Related Only to
Agenda Items**

II. Approval of Consent Calendar

A. Resolutions, Actions, Motions

1. Discussion and Approval of Alvin D. James' City Manager's Contract
2. Proposed Agreement with Burke, Williams & Sorenson LLP, as the City's defense counsel in the matters: East Palo Alto Merchants Association v City of East Palo Alto and Woodland Park Management, LLC v City of East Palo Alto, et al Vincent Ewing, City Attorney, City Attorney's Office

Recommendation: By Motion, authorize the City Manager to execute an agreement with Burke, Williams, & Sorenson LLP, as the City's defense counsel in the matters East Palo Alto Merchants Association v City of East Palo Alto and Woodland Park Management, LLC v. City of East Palo Alto, et al. in an amount not to exceed \$150,000

3. Authorize the City Manager to augment the FY 2008 - 2009 adopted budget allocation for the Rent Stabilization Program legal fees for an amount not to exceed \$143,000 Wilbert Lee, Director, Housing Services Department
4. August Recess - Minette Warren, Deputy City Clerk, City Clerk's Office -
 - a. Approval of a Resolution Calling for a Recess from the Regular Meetings of the East Palo Alto City Council **After** August 4th and for the Remainder of the Month of August, 2009

- b. Approval of a Resolution Calling for a Recess from the Regular Meetings of the East Palo Alto Redevelopment Agency **After** August 4th and for the Remainder of the Month of August, 2009
- 5. Authorize the City Manager waive \$5,830 in fees associated with EPA United Soccer Club's use of the Martin Luther King Park multi-purpose field for its 2009 season Meda Okelo, Director, Community Services
- 6. Minutes Minette Warren - Deputy City Clerk, City Clerk's Office
 - a. 07-07-09 Regular CC/RDA Minutes (Continued from 07-28-09 Meeting)
 - b. 07-15-09 Special City Council Meeting

Recommendation: That Council Approve All Items on the Consent Calendar

III. Oral Reports

- A. Reports Out of Closed Session

IV. Hearing

- A. **Housing Element** (*Brad Tarr, Acting Planning Division Manager, Planning Division*)
(Continued from the 07/28/09 Special CC Meeting)

Recommendation: Staff recommends that the City Council:

- a) Continue testimony and deliberations
- b) Solicit and direct incorporation of input into a revised draft
- c) Close the Hearing
- d) Approve the draft element and authorize its submittal to the State Office of Housing and Community Development (HCD) for review

V. Policy and Action

A. Resolution, Actions and Motions

- 1. Proposed Revisions to the Rent Stabilization Ordinance for the November 2009 Ballot

Recommendations:

- a. Discuss and provide guidance on key features in order to finalize the language revising the City of East Palo Alto Rent Stabilization Ordinance; and
- b. Consider a Resolution submitting the Ordinance to a vote of the People at the November 3, 2009 Municipal Election; and

Consider a Resolution requesting the County of San Mateo to consolidate the Municipal Election with the Countywide General Election held on November 3, 2009 (*Rafael Alvarado, Deputy City Attorney, City Attorney's Office*)
(Continued from 07/28/09 Council Meeting)

- 2. Adoption of Criteria, Process and Date for Evaluating the City Attorney Ruben Abrica, Mayor

Recommendation: That Council discuss and by motion, adopt the Criteria and Process and set a date for the evaluation

- 3. 324-Urgency Ordinance Adding Section 6105 and Amending Section 6550 of the Zoning Ordinance to Modify Procedures for Amending Procedural Provisions of the Zoning Ordinance and to Extend City Approvals for Development Projects with Tentative Maps (4/5ths Vote Required) Russell Averhart, Redevelopment Project Manager, Redevelopment Agency; Brad Tarr, Acting Planning Manager, Planning Division

RECOMMENDATION: It is recommended that the City Council approve an Urgency Ordinance to add Section 6105 and amend Section 6550 of the Zoning Ordinance to modify procedures for amending procedural provisions of the Zoning Ordinance and to extend City approvals for development projects with Tentative Maps (4/5ths Vote Required)

- 4. Request for Transient Occupancy Tax (TOT) funding for Community Services Department Programs *Meda Okelo, Director, Community Services*
 - a) Accept report on expenditure of TOT funding for Community Services Department Programs for FY 08-09
 - b) Authorize the funding of the Youth in Government and Community Outreach Programs in Fiscal Year (FY) 2009/10 in an amount not to exceed \$174,004 out of the TOT Children, Youth, Seniors and Families Fund

Recommendation: That Council Approve the expenditures in Item 4a and Approve the Funding in 4b

5. Authorize the City Manager to enter into a contract with Americorps for the provision of two interns for an amount not to exceed \$31,554 Meda Okelo, Director, Community Services

Recommendation:

Adjournment