



## CITY OF EAST PALO ALTO ACTION MINUTES

By: Minette Warren

### REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

**TUESDAY, SEPTEMBER 1, 2009**

*Regular City Council/Redevelopment Agency Closed Session - 6:30p.m*

*Regular City Council/Redevelopment Agency Meeting: 7:30p.m.*

Council Chamber - 2415 UNIVERSITY AVENUE

6:30 P.M.

REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY  
CLOSED SESSION

CALL TO ORDER: 6:39p.m.

ROLL CALL: Martinez, Romero, Abrica (Evans-Absent for Closed Session,  
Woods – Excused absence for entire meeting)

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

Action: Motion/Second: Romero/Abrica Vote: 3-0

II. Closed Session Community Forum: None

III. CLOSED SESSION

A. Labor Negotiations (Government Code § 54957) ML Gordon, Asst. City Manager)

Police Officer's Association (POA)

B. Conference with Legal Counsel  
Existing Litigation ( Government Code § 54956.9 (a) )

1. Woodland Park Management, LLC, et al. (Page Mill) v. City of East Palo Alto
2. East Palo Alto Merchants Association (EPAMA) v. City of East Palo Alto
3. Woodland Park Management, LLC, et al. (Page Mill) v. City of East Palo Alto, City of East Palo Alto Redevelopment Agency, et al.

C. Personnel Matter (Government Code § 54957.6)

1. City Manager's Contract (Ruben Abrica, Mayor and City Council)

**Convene into Closed Session**

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

**A. Call to Order: 7:30p.m.**

**Roll Call: Martinez, Romero, Evans, Abrica (Woods/Excused Absence)**

**B. New City Staff Introductions**

**C. Approval of Agenda**

**Action: City Manager James requested Special Presentation Item IIV be moved to Policy and Action and given during the Item VIIA3 admin staff report to Council**

**The action as accepted by unanimous Council approval**

**II. Approval of Consent Calendar**

**Action: Motion/Second: Romero/Martinez Vote: 4-0**

**Consent Calendar**

**A. 2957-Resolution of the City Council of the of East Palo Alto Opposing the Release of Donald Robinson in Housing within the City of East Palo Alto - (Vincent C. Ewing, City Attorney)**

**Item IIA pulled for discussion – Councilmember Evans felt there should be substantive information on item in the resolution**

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

**Contracts**

**B. Resolutions**

1. **2958-City Council adopt a resolution to establish an overall project budget of \$288,863.00 to complete the Runnymede Storm drain Improvements Project and, authorize the City Manager to award a construction contract to Stoloski & Gonzalez, Inc., the lowest responsible and responsive bidder, for an amount not to exceed**

to construct the Runnymede Storm Drain Improvements Project. -  
Kamal Fallaha, P.E., City Engineer

2. **2959-Memorandum of Understanding Between City/County Association of Governments (C/CAG) of San Mateo County, City Of East Palo Alto, and City of Menlo Park for a Traffic Study to Evaluate Traffic Operation Improvements on Willow Road and University Avenue** - Kamal Fallaha, P.E., City Engineer
3. **2960-A Resolution By the City Council of the City of East Palo Alto Authorizing The City Manager to Accept and Appropriate and State of California Department of Transportation Safe Routes to School, Cycle 8 Grant for Fiscal Year 2008/09, in the Amount of \$574,200 and Approving a 10% Local Match For Fiscal Year 2008/09, in an Amount Not-To-Exceed \$63,800.**  
Kamal Fallaha, P.E., City Engineer
4. **2961-A Resolution of the City Council of the City of East Palo Alto Approving the Funding From American Recovery and Reinvestment Act (ARRA) of 2009 In the Amount of \$421,000; Approving the Project Plans for the Street Rehabilitation and Resurfacing Project- 2009/2010 and Authorizing the City Manager to Advertise the Project for Bids.** Kamal Fallaha, P.E., City Engineer
5. **2962-Resolution Authorizing the City Attorney to execute an agreement with the County of San Mateo extending the time period for the City to proceed with a lawsuit against the County (a tolling agreement for the recovery of property tax administration fees.** -  
Vincent C. Ewing, City Attorney
6. Adopt a Resolution authorizing the City Manager to enter into an agreement with EPA.Net for services relating to data gathering and management for the FY 09-10 Community Activity Guides for an amount not to exceed \$15,000.00 – Meda Okelo, Director, Community Services

**Item number IIA6 was continued by request of Council – Councilmember Martinez asked for a description of services the youth would be providing for the FY 09-10 Community Activity Guide, Staff directed to bring back information at next Council Meeting**

**C. Other Resolutions, Informational Reports and Motions**

1. **2963-That the City Council ratify the City Manager’s acceptance and appropriation and Expending of a \$69,300 risk-prevention grant from the Association of Bay Area Governments** - Ronald Davis, Chief, Police Department

2. **By motion**, receive and file the attached Treasurer's Report for the fourth quarter ending June 30th, 2009. – Stephanie Osaze, Director, Finance
3. Informational Report on accomplishments from two Brownfield grants from the US Environmental Protection Agency – Lily Lee,
4. Informational Report on community involvement plan for Cooley Landing - Lily Lee, Staff Consultant
5. Proclamation in Recognition of the 70 th anniversary of the Easy Palo Sanitary District
6. Minutes Minette Warren, Deputy City Clerk
  - a. 07/28/09 Special CC Meeting
  - b. 08/03/09 Special CC Meeting
  - c. 08/04/09 Special CC Meeting
  - d. 08/07/09 Special CC Meeting

**Recommendation:** That Council Approve All Items on the Consent Calendar

**Items III, IV and V may be spoke on at the Mayor's discretion or during Community Forum**

**III. Written Communications**

- a. Notice of intent to Request an Appeal of Relocation Settlement – Maria Miranda – Angel's Beauty Salon, Redevelopment Project Area Tenant
- b. East Palo Alto Youth Consortium and Young Adults Serving Agencies Consortium (EPAYYASAC) Information and Request for a Presentation to Council – Dorthy Burnside , Program Director

**IV. Special Presentation**

ONEPA Sponsored Summer Employment Program-Dr. Faye McNair Knox, Program Director

**Item IV moved to Policy and Action to be integrated into Item VIIA3**

**V. Oral Reports**

- A. Reports Out of Closed Session – Vincent C. Ewing, City Attorney
- B. Oral Staff Reports

1. City Attorney's report out of Closed Session:  
City Attorney Ewing report out that Items were discussed with No Action Taken
2. Measure "C" Status Report – Alvin D. James, City Manager

C. City Council/Redevelopment Agency Reports

D. Mayor's Report

**VI. Community Forum**

**VII. Policy and Action**

**A. Resolution, Actions and Motions**

1. Informational Report -- State Budget Impact Update – Stephanie Osaze, Director, Finance Department

**Recommendation:** That Council Accept and File report

2. Initial Discussion - Advisory Bodies, (Board, Commission, Committees) – Alvin D. James, City Manager **(To be Continued to next Regular CC/RDA Meeting)**

**Recommendation:** That Council hold discussion and provide appropriate direction to staff

3. Informational report – Summer Employment Program

**Recommendation:** That Council Accept and File the Report

**Action:** **Item IV moved to Policy and Action to be integrated into Item VIIA3**

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

4. Discussion of Resolution Approving the Censure of City Council Member Peter Evans for Violation of the Code of Conduct for East Palo Alto Council Members – Vincent C. Ewing, City Attorney

**Recommendation:** That Council discuss and provide guidance to staff regarding a resolution approving the censure of Council Member Peter Evans for violating the Code of Conduct for the City of East Palo Alto Council Members.

**Action: Item discussed, directions given to City Attorney.  
Councilmember Evans requested time and opportunity to prepare,  
address and answer alleged charges. Council by majority decision  
stated that he be allowed 30 days.**

**By: Motion/Second: Romero/Abrica Vote: 3-1 (Evans/No)**

**5. Adjournment:**