



CITY OF EAST PALO ALTO  
**ACTION MINUTES**

*By: Minette Warren*

**REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

***TUESDAY, SEPTEMBER 15, 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: 6:30p.m.**

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

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

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

**II. Closed Session Community Forum**

**III. Convene into Closed Session**

**IV. CLOSED SESSION**

**A. Personnel Matter (Government Code § 54957.6)**

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

**B. Conference with Real Property Negotiators Government Code § 54956.8)**

Property: 453 E. O'Keefe Street, #203  
East Palo Alto, Ca

City Negotiators: Wilbert Lee, Karen Tiedemann

Negotiating Parties: Jamie and Lorie Lozano

Under Negotiation: price and terms of payment

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**Open Session**

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

**A. Call to Order: 7:35p.m.  
Roll Call: Martinez, Romero, Evans, Woods, Abrica**

**B. Approval of Agenda**

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

**I. Approval of Consent Calendar**

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

**II. Consent Calendar**

**Items IIB1, 2, 3 Pulled**

**Item IIB1 pulled for clarification**

**Action: Motion/Second: Woods/Romero Vote: 4-1 (Evans/No)**

**Item IIB2 pulled for clarification (Council suggested change of language in Resolution))**

**Action: Motion/Second Woods/Romero Vote: 4-1 (Evans/No)**

**Item IIB3 pulled for Clarification Action**

**Action: Motion/Second:**

**Contracts**

**A. Resolutions**

- 2965-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) (Continued from 09-01-09 Regular CC RDA Meeting)**

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

- 2966-Authorize the City Manager to accept and appropriate a grant from the Cops Hiring Recovery Program (CHRP) grant from the United States Department of Justice to fund two police officer**

positions for three years in an amount not to exceed \$799,8440  
(Ronald Davis, Chief, Police Department)

2. **2967** Council consideration of a resolution requesting that the Sequoia Union High School District participate in the Dumbarton Rail Transit Station Specific Plan (Specific Plan) Process. – (Carlos Martinez, Manager; Sean Charpentier, Project Coordinator II, Redevelopment Agency)
3. **2968**-Authorize the City Manager to reallocate the first year Measure C 3.funds for the Police Department in an amount not to exceed \$192,400 (Ronald Davis, Chief, Police Department)

Please Note: Councilmember Martinez stepped out of the meeting prior to Items 3 through 6

**Action: Motion/Second: Woods/Romero Vote: 3-1**

1. Proclamations (Minette Warren, Deputy City Clerk, Ruben Abrica, Mayor)
  - a. In Celebration and Recognition of the Community Church of East Palo Alto's 90<sup>th</sup> Anniversary
  - b. Celebrating Latino Culture and History Month
5. Minutes Minette Warren, Deputy City Clerk
  - a. 08-03-09 Special CC Meeting
  - b. 08-04-09 Special CC Meeting
  - c. 08-07-09 Special CC Meeting

**Action: Motion/Second: Woods/Romero Vote: 3-1-1 (Evans/No; Martinez/Abstained-Reason Absent from August 3, 4 meetings)**

6. Claim

Claim of Kent Taylor

**Action: Motion/Second: Romero/Woods Vote: 4-1 (Evans/No)**

**Recommendation:** That Council Approve All Items on the Consent Calendar; and Reject the Claim by Motion

**III. Written Communications: None**

**IV. Special Presentations (10-15 Minutes for Each Presentation)**

- A. East Palo Alto Youth Consortium (Dorothy Burnside, Parent Involvement Coordinator Sequoia Union High School)
- B. SFPUC-Project – (Joe Ortiz, San Francisco Public Utilities Commission, SFPUC)
- C. Fluoride Video – (Michael Francois, Community Activist)
- D. Fair Rent Coalition- (Matthew Fremont, Chris Lund and Eric Oberle)

**V. Oral Reports**

- A. Reports Out of Closed Session – (Vincent C. Ewing, City Attorney)
- B. Oral Staff Reports
  - 1. City Attorney Report re: Recent Litigation - (Vincent C. Ewing, City Attorney)
  - 2. Completion of Brentwood School Drop off Project-(Kamal Fallaha, City Engineer)
- C. City Council/Redevelopment Agency Reports
- D. Mayor’s Report
  - 1. October 13, 2009 Ceremony re: Completion of Brentwood School Project
  - 2. Menlo Park Fire Protection District report regarding Page Mill/Woodland Park Management, LLC Fire Code and Public Health & Safety Issues

**VI. Community Forum**

**VII. Hearings**

**A. Appeal**

Maria Miranda d.b.a Angel’s Beauty Salon’s Appeal of Relocation Benefits from University Plaza (formerly known as University Palms) Carlos Martinez, Division Manager, Marie McKenzie, Project Manager, Redevelopment Agency Division)

**Recommendation:** That the Redevelopment Agency Appeals Board Open the hearing, hear the evidence regarding the above relocation matter and make a determination on the appropriate action

**Open Hearing: Motion/Second: Abrica/Martinez Vote: 5-0**

**Testimony Taken, Council Deliberation done Appeal Denied**

**Close Hearing: Motion/Second: Abrica/Romero Vote: 5-0**

**Appeal Denied Motion/Second: Romero/Woods Vote: 5-0**

**B. Merchants Association Appeal of Mi Pueblo Grocery Store** (Brent Butler, Manager, Planning Division)

**Recommendation:** That the City Council Open the Hearing, Take testimony, Close the Hearing and Uphold the Planning Commission's Decision

**This item VIIA Continued per Appellant's request to Next regular CC RDA Meeting per unanimous approval of Council.**

**VIII. Policy and Action**

**A. Resolution, Actions and Motions**

1. Continued Discussion - Advisory Bodies, (Boards, Commissions, Committees) – (Alvin D. James, City Manager) (**Continued from 09-01-09 Regular CC RDA Meeting**)

**Recommendation:** That Council discuss and provide direction to staff

**Council discussed item with emphasis on three decommissioned boards and commissions of particular interest: Public Safety; Community Services (Parks and recreation); Youth Commission**

**Staff to bring back further information on item**

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

2. Policy Discussion – Consideration of Policies to Mitigate Discrimination Against People Who Have Been in Prison or Convicted of Criminal Activity, and to Assist With Their Successful Reintegration Into the Community. (Alvin D. James, City Manager and Vincent C. Ewing, City Attorney)

**Recommendation:** That Council discuss and provide direction to staff

**Action: Motion/Second: Romero/Woods Vote: 4-1 (Evans-No)**

3. **2971-Consideration of Approval of an Official City Flag** – (Ruben Abrica, Mayor, Jay Farr, Manager–Maintenance Division)

**Recommendation:** That Council Adopt the City Flag

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

4. **2972** - Response to San Mateo County Local Agency Formation Commission Service Review and Sphere of Influence Update Regarding City of East Palo Alto – (Alvin D. James, City Manager)

**Recommendation:** That Council Adopt a Resolution Supporting the LAFCO Executive Officer's Conclusions and Recommendation that LAFCO Reaffirm the City's Sphere of Influence and that It Remain Coterminous as Presently Delineated.

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

## Adjournment

**Any person who needs disability-related accommodations in order to participate in this meeting should contact Minette Warren at 650-853-3127 as far in advance of the meeting as possible. (Gov. Code § 54954.2(a)(1))**