



# City of East Palo Alto ACTION MINUTES

By: *Minette Warren*

## JOINT SPECIAL CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

**TUESDAY, OCTOBER 13 , 2009**

**Time: 6:30pm**

**Council Chambers - 2415 UNIVERSITY AVENUE**

6:30 PM

Special City Council Meeting

Joint Call to Order

Roll Call:

Present: Martinez, Evans, Woods, Abrica (Romero, not present, late due to traffic)

### 1. APPROVAL OF AGENDA

Note for the Record: Mr. Evans stated that he would note that he did not receive an agenda or anything for Jack Farrell Park items in his packet so therefore he would not vote for it.

Motion/Second: Woods/Abrica Vote: 3-1 (Evans-No)

### 2. Discussion Regarding Rededication of Jack Farrell Park

It was pointed out that Jack Farrell Item was only a discussion of Council and Staff to determine and set a date for the re-dedication, that because of the weather there was a need to set something soon before inclement weather began.

### 3. HEARING - APPEAL

- A. EPA Merchants Association Appeal of Mi Pueblo Grocery Store  
Approval by the Planning Commission, 1731 E. Bayshore Rd. (Brent Butler, Manager, Planning Division) *(Continued from 10-06-09 Regular CC RDA Meeting)*

**Action:** Council determined to continue the hearing, staff gave a summary of Planning issues as far as architectural design was concerned.

Councilmember Evans spoke and stated that he felt the staff person who was in on the beginning of the project should be presenting the information

Councilmember Evans and Vice Mayor Woods had questions and concerns regarding the concentration of Liquor licenses in the area.

**Mayor Abrica asked if it was best if some of the public spoke but not all, that they pick maybe 10 people to speak for groups of those who'd not spoken during the 10/06/10 meeting.**

**Vice Mayor Woods stated that all the people who'd not gotten a chance to speak before should be allowed the opportunity to do so.**

**Mayor Woods asked the Clerk to then call the names of those wishing to speak starting with the saved slips of those that did not get the opportunity to speak at the 10/06 meeting.**

**Deputy City Clerk Warren called the speakers, starting with the remaining slips from the 10/6 meeting and then on to those that submitted slips dated 10/13 ) the current meeting).**

**There were many speakers who were for the market opening in East Palo Alto and many who were not.**

**Rafik Shuman of EPAMA and Pal Market spoke and stated that if Council would allow him to do so he would take full responsibility for opening and running a full-service supermarket for all the citizens of East Palo Alto not just one ethnic group.**

**Mayor Abrica ended the community forum portion after hearing the remainder of the speakers and asked for the closing motion of the public hearing:**

**Action/Motion: Romero/Abrica Vote: 5-0**

**Mayor also asked if there was any written documents submitted to the Council from the public and Deputy City Clerk Warren informed him that there was one submitted by Mr. Rafik Shuman and asked if the Mayor wanted it read into the record.**

**Mayor Abrica stated that Council should receive copies of it and yes, that's he should summarize it for the record. Deputy City Clerk Warren did so stating that the gist of letter related to various alleged violations by Mi Pueblo.**

**Mayor Abrica asked Council for their deliberations and questions.**

**Vice Mayor Woods wanted to know if Attorney Ewing had seen letter and any comments.**

**Atty Ewing stated that he had and had sent same with comments to Planning Manager Bent Butler.**

**Council held lengthy deliberation of appeal items as it was a de novo hearing and Council used the right to weigh in on findings and appellant evidence.**

**There were several areas of the findings that Council wanted detailed clarification on the motion and wanted it extracted from the record and written up as such, and staff agreed that could be done.**

***Recommendation:*** That the City Council continue the Public Hearing, Take Testimony, Close the Hearing And Uphold the Planning Commission's Decision

**Action: Deny the appeal and uphold the Planning Commission decision  
Motion/Second: Romero/Abrica Vote: 3-2 (Woods & Evans-No)**

### **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))**