



**CITY OF EAST PALO ALTO  
ACTION MINUTES**

**By: Minette Warren**

**REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**TUESDAY, OCTOBER 20, 2009**

**Closed Session 6:30p.m.**

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

**Council Chamber - 2415 UNIVERSITY AVENUE**

**6:30P.M. REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED  
SESSION**

**CALL TO ORDER: 6:30P.M.**

**ROLL CALL**

Present: Martinez, Romero, Evans, Abrica (Woods-Absent/Attending  
Conference)

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

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

**II. Closed Session Community Forum**

**III. Convene into Closed Session**

**IV. CLOSED SESSION**

**A. Conference with Legal Counsel**

**Potential/Pending Litigation ( Government Code § 54956.9 (a) )**

*(Vincent C. Ewing, City Attorney)*

East Palo Alto Merchants Association (Mi Pueblo)

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

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

**Roll Call**

**Present: Martinez, Romero, Evans, Abrica, (Woods/Absent-At Conference)**

**I. Approval of Agenda**

**Action:**

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

**Councilmember Romero asked that Item VIII A4a on Policy and Action be continued**

**Items from the Consent Calendar may be spoken on either at this point in the meeting via the audience's request to Council; and/or during Community Forum**

**II. Approval of Consent Calendar**

**Pulled for Discussion: Items IIA1, 2 and IIB1**

**Consent Calendar Approved Absent above listed Items**

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

**Consent Calendar**

**IIA INFO ONLY. New Appointments during the First Quarter 2009-2010**

**Recommendation:**

That City Council recognize and welcome new 19 regular, provisional and temporary employees appointed during the first quarter of Fiscal Year 2009 – 2010 (July 1 through September 30, 2009) (ML Gordon, Assistant City Manager)

**Contracts**

**A. Resolutions**

1. 2985-Accept and adopt a resolution of Tentative Agreements between the City of East Palo Alto and the Police Officers' Association and direct staff to prepare the Side Letters to the Memorandum of Understanding (MOU) for signatures between the parties. (ML Gordon, Assistant City Manager/HR Director)

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

2. 2986-Adopt a resolution authorizing the Interim City Manager to negotiate and enter into a Reimbursement Agreement with the County of San Mateo Aging and Adult Services for the provision of daily lunches under the Senior Congregate Lunch Program as well as transportation services for fiscal year 2009-10 for a total amount of \$47,119.00.– (*Meda Okelo, Director, Community Services Department*)

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

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

1. 2987-Authorize the Interim City Manager to accept and appropriate a \$400,000 grant from the United States Department of Justice, Office of Juvenile Justice & Delinquency Program (OJJDP) for anti-gang and youth initiatives (Ronald Davis, Chief, Police department )

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

2. Claims: None
3. Minutes (*Minette Warren, Deputy City Clerk*)
  - a. 09-22-09 Special CC RDA Meeting
  - b. 10-06-09 Regular CC RDA Meeting

**Item IIB3B Pulled for Discussion, Deputy City Clerk to Amend 10-6-09 Minutes**

**Consent Calendar Approved Absent above listed Items**

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

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

**III. Written Communications:**

**IV. Special Presentation**

- A. Youth Consortium - (*Dorothy Burnside, Parent-Student Coordinator- Sequoia School District*) (10 Minutes) **Not Present – Unable to Attend**
- B. San Mateo County Library System’s Annual Report - (*Laura Martinez, Councilmember; Anne-Marie Despaign, Director – Library Services; Patrick Sweeney, Manager, East Palo Alto Library*) (10 Minutes)
- C. Signs of Hope –Camp for Foster Youth – (*Larry Moody, Executive Director*) (10 Minutes)

**V. Oral Reports**

A. Oral Staff Reports

1. Report Out of Closed Session (*Vincent C. Ewing, City Attorney*)

**Per City Attorney Vincent Ewing-Items Discussed, direction given, No Action Taken**

2. Reports from City Manager's Office (*Alvin D. James, Interim City Manager*)
3. Reports from City Attorney's Office (*Vincent C. Ewing, City Attorney*)
4. Announcement regarding Oath of Office and Promotional Ceremonies – (*Ronald L. Davis, Police Chief, Police Department*)
5. Announcement regarding East Palo Alto Youth Summit - (*Ronald Davis, Police Chief, Police Department*)
6. Kick-off Meeting Update: Ravenswood & Four Corners area, Transient Oriented Development (TOD) Specific Plan.– (*Sean Charpentier, (RDA Project Coordinator II, Redevelopment Division)*)

B. City Council/Redevelopment Agency Reports

C. Mayor's Report (*Ruben Abrica, Mayor*)

1. Jack Farrell Park Renovation Celebration
2. Brentwood School-Safe Routes to School Renovation Celebration

**VI. Community Forum**

**VII. Hearings**

**A. Measure "C" Parcel Tax Exemption Appeals** (*Stephanie Osaze, Director – Finance Department*)

1. Lordis Trahan
2. Wyvonne Philyaw

**Recommendation:** That the City Council Open the Hearing, Take testimony, Close the Hearing and Uphold the Measure "C" Administrator's Decision

**Action:**

**Open Public Hearing,**

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

**Deliberation by Council**

**Action:**

**Close Public Hearing**

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

**Uphold Administrator's Decision**

**Action:**

**Motion/Second Romero/Abrica Vote: 3-1 (Evans-Abstained)**

**Direction was also given to staff to the City Attorney to research Measure "C" as passed by the voters regarding any time frame on Exemption appeals deadline**

**A. Density Bonus (Ordinance First Reading)**

Consideration of an ordinance to implement state legislation pertaining to awarding density bonuses for qualifying applications proposing the construction of dwellings for very-low, low- or moderate-income persons and/or the disabled; or donating land for such development; or providing child day care facilities; pursuant to the above statute.

**Recommendation:** That Council Open the Hearing, Take Testimony, Close Hearing and Approve the First Reading of the Ordinance *(Brent A. Butler, Manager, Planning Division)*

**Density Bonus Hearing Continued to 11/02/09 Meeting upon Unanimous Decision of Council**

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**VIII. Policy and Action (Continued)**

**A. City Council/Redevelopment Agency Resolutions, Action and Motions**

1. Amendment to the Agreement for Preparation of revisions to the Rent Stabilization Ordinance for the November 2009 Ballot *(Vincent C. Ewing, City Attorney)* **(Continued from 10/06/09 Regular City Council/Redevelopment Agency Meeting)**

**Romero made motion to pay – No Second, Motion Died**

**Deliberations held – Council decision: Do not pay requested additional funds**

**Action:**

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

2. 2988-Consideration of Approval for a Resolution to adopt the San Mateo County Energy Strategy; and a Presentation by CCAG

(Anthony Docto Jr., Director - Public Works Department and , Rich Napier, CCAG) (Continued from 10-06-09 Regular City Council/Redevelopment Agency Meeting)

**Recommendation:** That Council accept the Presentation and Adopt the Resolution

**Action:**

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

3. 2989-Adopt resolution and authorizing agreements required to participate in Proposition 1A Securitization Program (*Stephanie Osaze, Director- /Finance Department*)

**Recommendation:**     **a)2990-** Resolution approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the City's Proposition 1A Receivable (estimated in total by San Mateo County to be \$648,509) from the State; and directing and authorizing certain other required actions in connection therewith.

**Action:**

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

**b) 2991**Resolution approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the East Palo Alto Drainage Maintenance District's Proposition 1A Receivable (estimated by San Mateo County to be \$5,593) from the State; and directing and authorizing certain other required actions in connection therewith.

**Action:**

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

**c) 2992-**Resolution approving the form of and authorizing the execution and delivery of a Purchase and Sale Agreement and related documents with respect to the sale of the Ravenswood Highway Lighting District's Proposition 1A Receivable (estimated by San Mateo County to be \$15,356) from the

**Action:**

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

4. Discuss and direct staff on the process to follow in the recruitment and selection of a City Manager (ML Gordon, Assistant City Manager)

**Recommendation:**

- a. 2993-Adopt actions directing staff to initiate the recruitment in-house; or
- b. Adopt a Resolution directing staff to prepare and distribute a Request for Proposal (RFP) seeking interested Executive Search Firms to respond and return to City Council for selection of a Firm.

**Action:**

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

- 5. Informational Report – First Source Hiring (*Marie McKenzie, RDA Project Manager and Carlos Martinez, RDA Division Manager, Redevelopment Division*)

**Recommendation:**                      That Council receive and file the report

Accepted

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

- 6. **Adjournment: 11:30p.m.**