



CITY OF EAST PALO ALTO ACTION MINUTES

By: Minette Warren

REGULAR CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, NOVEMBER 17, 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 CLOSED SESSION

CALL TO ORDER: 6:30p.m.

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

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

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

II. Closed Session Community Forum: None

III. Convene into Closed Session

IV. CLOSED SESSION

Potential/Pending litigation (*Vincent C Ewing, City Attorney*)

1. Page Mill/Woodland Park v. City of East Palo Alto, et al., Litigation

	<u>Case Name</u>	<u>Case Number</u>
1.	Page Mill/Woodland Park v. CEPA, et al.	CIV 469315
2.	Page Mill/Woodland Park v. CEPA, et al.	CIV 474682
3.	Page Mill/Woodland Park v. CEPA, et al.	CIV 474521
4.	Page Mill/Woodland Park v. CEPA, et al.	CIV 474732
5.	Page Mill/Woodland Park v. CEPA, et al.	CIV 475139
6.	Page Mill/Woodland Park v. CEPA, et al.	CIV 478790
7.	Page Mill/Woodland Park v. CEPA, et al.	CIV 477568
8.	Page Mill/Woodland Park v. CEPA, et al.	CIV 477567
9.	Page Mill/Woodland Park v. CEPA, et al.	CIV 480138
10.	Page Mill/Woodland Park v. CEPA, et al.	CIV 480456
11.	Page Mill/Woodland Park v. CEPA, et al.	CIV 482848
12.	Page Mill/Woodland Park v. CEPA, et al.	CIV 486819
13.	Page Mill/Woodland Park v. CEPA, et al.	483884
14.	Page Mill/Woodland Park v. CEPA, et al.	Not assigned

2. Property Damage Claim- California State Automobile Association (Daniel Macleod)

3. East Palo Alto Merchants Association (EPAMA) v. CEPA, et al.

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

**Call to Order: 7:41pm (Mayor Abrica Apologized to audience for their delay
in in the Closed Session.**

Roll Call: Martinez, Romero, Evans, Woods, Abrica

I. Approval of Agenda

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

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

Approval of Items II1a 1 and Items IIB1, 2, 3 4 but absent Item IIB5b 19/13/09 Special Council Mtg. Minutes as pulled per Councilmember Romero for notation/clarification of Extracted Motion's 2nd to final statement of his Motion, at the 10/13/09 MI Pueblo hearing meeting. Deputy City Clerk will review and amend, if necessary, prior to posting of the Minutes.

Consent Calendar

Contracts

A. Resolutions

1. Authorize the City Manager to accept and appropriate the Edward Byrne Memorial Justice Assistance Grant (JAG), from the United States Department of Justice, Bureau of Justice Assistance (BJA), in the amount of \$34,110 (*Ronald Davis, Chief, Police Department*)

B. Other Resolutions, Ordinances, Informational Reports and Motions

1. 2nd Reading and Adoption 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 (*Brent Butler, Manager, Planning Division*)

Recommendation: That Council Adopt the Ordinance

2. Quarterly Treasurer's Report ending September 30, 2009 (Stephanie Osaze, Director-Finance Department)
3. Proclamation (*Minette Warren, Deputy City Clerk, City Clerk's Office*)

Recognizing November 2009 as Native American Month and celebrating November 25, 2009 as Native American day in the City (*Minette Warren, Deputy City Clerk, City Clerk's Office*)

4. Claims for Rejection: (*Rafael Alvarado, Deputy City Attorney*)
 - a. Claim of Maria and Jorge Gonzalez
 - b. Claim of Bill White

Recommendation: That Council Approve All Items on the Consent Calendar

5. Minutes (*Minette Warren, Deputy City Clerk, City Clerk's Office*)
 - a. 09/22/09 Special City Council Meeting
 - b. 10/13/09 Special City Council Meeting
 - c. 10/20/09 Regular Joint CC RDA Meeting
 - d. 11/03/09 Regular Joint CC RDA Meeting

Recommendation: That Council Approve all the above Agenda Items

Action for IIB55

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

III. Written Communications: None

IV. Special Presentation

- a. No Jails in San Mateo County, Dorsey Nunn, All of Us or None (10 Minutes)

V. Oral Reports

A. Oral Staff Reports

1. Report out of Closed Session

City Attorney Ewing Report Out on Closed Item IV: Page Mill/Woodland Park V City of East Palo Alto: Direction given - No Action Taken

2. City Attorney Reports

EPAMA Court Case Outcome

City Attorney Ewing stated: Court Rejected EPAMA's requested injunction on Mi Pueblo, the trial requested on other matters is set for 2010

3. City Manager Reports: None

B. City Council/Redevelopment Agency Reports

C. Mayor's Report

VI. Community Forum

VII. Hearings

A. 2007-08-2011/2012 Annual Capital Improvement Plan (*Brent Butler, Manager, Planning Division*)

Consideration of the adoption of the East Palo Alto Capital Improvement Program for Fiscal Years 2007/2008 – 2011/2012.

Recommendation: That Council Adopt a Capital Improvement Improvement for Fiscal Years 2007/2008 – 2011/2012

Open Hearing:

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

Testimony taken and Deliberation done

Close Hearing:

Romero/Woods Vote: 5-0

Adoption:

Woods/Abrica Vote: 5-0

VIII. Policy and Action

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

1. Council Member Censure – (Vincent C. Ewing, City Attorney)

Recommendation: Discuss and provide guidance regarding a resolution approving the censure of Councilmember A. Peter Evans for violating the Code of Conduct for East Palo Alto Council Members **(Continued from 11/03/09 Regular Council/RDA meeting)**

2. Authorize the City Manager to finalize and execute a contract with Callander Associates, for park design services for Cooley Landing in an amount not to exceed \$231,116. – Lily Lee-Consultant
(To be presented by: Meda Okelo, Director, Community Services for Lily Lee)

Recommendation: That Council Adopt the Resolution finalizing and executing a contract with Callander Associates for park design services for Cooley Landing in an amount not to exceed \$231,116

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))