



City of East Palo Alto

ACTION MINUTES Amended

By: Minette Warren

(Amended, with additional information included, by Minette Warren and re-submitted for the 01-19-2010 Council meeting)

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, December 15, 2009

Closed Session: 6:30p.m. Open Meeting - 7:30p.m.

2415 University Ave-First Floor - Council Chamber

6:30 P.M

Regular Joint Closed Session

Regular Joint Closed Session Call to Order: 6:30p.m.

Roll Call

Present: Martinez, Abrica, Romero, Woods (Evans-Absent-III)

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

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

2. Joint Closed Session Community Forum

3. Adjournment into Closed Session

4A. Personnel Matters (Government Code § 54957.6) (ML Gordon, Assistant City Manager)
City Manager Recruitment

4B. Potential/Pending litigation (Government Code § 54956.9 (a)) (Vincent C Ewing, City Attorney)

1.	<u>Case Name</u>	<u>Case Number</u>
1.	Page Mill/Woodland Park v. City of East Palo Alto, et al., Litigation	
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

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

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

Roll Call

Present: Martinez, Abrica, Romero, Woods

5. APPROVAL OF AGENDA

Action: Second/Motion: Abrica/Martinez Vote: 4-0 (Evans-Excused Absence /III)

6. CONSENT CALENDAR

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

A. City Council/Redevelopment Agency Ordinances, Resolutions/ Informational Reports/Approval Actions and Motions

1. **3000**-Authorization to Participate in the California Energy Commission’s Energy Efficiency Conservation Block Grant (EECBG) for Small Cities And County Grant Program *(Kamal Fallaha, City Engineer)*
2. Claims
 - a. Raymond Joseph Guidry, Sr.
 - b. Cindy Lee Winterbauer

Recommendation: That Council adopt the resolutions; and Reject the Claim(s)

Items 7, 8 and 9 may be addressed during Community Forum only, unless otherwise approved by Council

7. Written Communications: None

8. Special Presentation: Emergency Preparedness Information – *(Ronald Davis, Chief of Police)*

9. Oral Reports

- A. Reports Out of Closed Session
City Attorney Ewing reported out that the items were discussed, but No Action Taken

- B. Oral Staff Reports
- C. City Council/Redevelopment Agency Reports

10. Community Forum

11. Public Hearing

TMG Ravenswood Palms LLC, (TMG LLC) seeking: a) Redevelopment Agency Board approval to extend the Owner Participation Agreement (OPA) between the Redevelopment Agency and the developer, and b) City Council approval to extend the Development Agreement (DA) between the City of East Palo and the developer, for the construction of a mixed use retail/office development on a 2.59 acre site in two buildings, the “University” building at the northeast corner of University Avenue @ Donohoe Street totaling 296,830 square feet and the “Palms” building at the northeast corner of Donohoe Street @ Capitol Avenue totaling 173,653 square feet. The total square footage of both buildings includes 279,651 square feet of parking area, and 20,507 of ground floor retail.

Recommendation: That the City Council and the Redevelopment Agency Board:

- 1. Open the public hearing

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

Council heard Testimony

- 2. Close the hearing and approve:

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

***(Before Deliberations began, Mayor Woods disclosed that his wife, Mrs. Keisha Woods served as a Director on the Board of ONEEPA but that it was a non-paid/voluntary position, so there was No Conflict of Interest.**

***City Attorney Vincent C. Ewing thanked Mayor Woods for his disclosure and stated that there was no Conflict of Interest**

***Council held deliberations**

- a) Redevelopment Agency Board Approve the Owner Participation Agreement (OPA) via **Resolution**, and;

Action: Motion/Second: Woods/Abrica Vote: 3-1 (Romero–No)

***(Council directed staff to add to Resolution: Modification to extend agreement beyond 03/18, look to small business fund - 4-6 years in OPA and include \$30,000 rather than \$25,000 (details to be worked out by Developer and City)**

b) City Council Approve the Development Agreement (DA) via **Ordinance**

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

***PLEASE NOTE: The Minutes were pulled at the 01-05-2010 meeting as there were questions regarding the recorded correctness of the motions made and votes as to who made the motions and how the votes went on Item 11, the Public Hearing. The Minutes were continued to the 01/19/2010 meeting.**

The Deputy City Clerk checked her recordation by reviewing the actual DVD of the filmed meeting. After review the Motions and Votes of Item 11 of the 12/15/09 meeting were found to have been recorded correctly. There is No Change to the Motions and/or Votes.

These Minutes with the noted additional information and clarification of the Motions and Votes on Item 11 are now resubmitted by Deputy Clerk Warren for acceptance and approval. Thank you, Deputy City Clerk Minette Warren

12. Policy and Action Items

City Council Resolutions/Ordinance-First Reading/Informational Reports/Approval Actions

- A. 3001-Authorize the City Manager to enter into a contract with San Mateo County for Tenant Improvements to City Hall for an amount not to exceed \$224,741 (ML Gordon, Assistant City Manager)**

Recommendation: That Council Approve the Resolution

Mayor Woods asked about the last “whereas” in the resolution does not belong on it and is to be removed by Assistant City manager Gordon before signatures are affixed.

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

- B. Proposed Pilot Funding Program for vacant foreclosed single family properties in East Palo Alto (Wilbert Lee, Director, Housing Department) *To be Continued to next Meeting***

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

Recommendation: That Council Approve the Resolution authorizing the City Manager to establish a Pilot Funding Program for an amount not to exceed \$400,000 to be used to assist first time homebuyers acquiring vacant

foreclosed single family properties in East Palo Alto.

Recommendation: That Council Approve the Resolution

- C. 3002**-Authorization to extend the services provided by the Community-Based Coalition (CBC) to parolees living outside the City of East Palo Alto (*Ronald Davis, Chief of Police*)

Recommendation: That Council Approve the Resolution

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

13. Adjournment: 11:30p.m.