



# City of East Palo Alto

## ACTION MINUTES

*By: Minette Warren*

### REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

**TUESDAY, JANUARY 19, 2010**

Closed Session: 6:00p.m. Open Meeting - 7:30p.m.

**2415 University Ave-First Floor - City Council Chamber**

**6:00 P.M Regular Joint Closed Session**

**Regular Joint Closed Session Call to Order: 6:00p.m.**

**Roll Call: Martinez, Evans, Woods (Abrica Excused Absence; Romero in shortly after Approval of the Agenda)**

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

**Action: Motion/Second: Evans/Martinez Vote: 3-0**

**2. Joint Closed Session Community Forum**

**One Public Speaker**

**3. Adjournment into Closed Session**

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

<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
15. Page Mill/Woodland Park v. CEPA, et al.	CIV 486152

**4B. Personnel Matters (Government Code § 54957)** (ML Gordon, Assistant City Manager)

City Manager Recruitment

**4C. Property Negotiations (Government Code §54956.9)**

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Initiation of litigation pursuant to subdivision (c) of Section 54956.9: (1 case)  
(Juliet Cox, Legal Counsel; Wilbert Lee, Director-Housing Division)

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

**Joint Call to Order: 7:35p.m.**

**Roll Call: Martinez, Evans, Romero, Woods (Abrica/Excused Absence)**

**5. APPROVAL OF AGENDA**

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

**6. *Introduction of new employees appointed during the Second Quarter of Fiscal Year 2009-2010*** (ML Gordon, Assistant City Manager)

**Mr. James in Mr. Gordon’s absence, introduced 3 new employees:**

**Stephen Ford – Housing Services: Housing Specialist II  
Rent Stabilization Program - Hire Date: December 14, 2009**

**Alexis K. Fields – Public Safety: Police Records Clerk I  
Police Records Department – Hire Date: October 5, 2009**

**Steven Ong – Public Safety: Police Office Academy Graduate  
Police Department – Operations Division – Hire Date: December 28, 2009**

**8. CONSENT CALENDAR - City Council/Redevelopment Agency Ordinances, Resolutions/ Informational Reports/Approval Actions and Motions**

**Approval of Consent calendar absent “Pulled for Clarification” Items BC and 8E**

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

**Contracts**

**A. 3004-Authorize a Professional Services Contract with Alliance Resource Consulting LLC for the Recruitment of the New City Manager in an amount not to exceed \$23,500**

**Other Actions-Informational reports, Motions**

**B. 3005-Authorize resolution accepting the Pavement Management Technical Assistance Program (P-Tap) Round 11 Grant from the Metropolitan**

Transportation Commission (MTC) for the total maximum amount of \$9,120, and committing the required 20% local match in the amount of \$2,280

**RECOMMENDATION:** Adopt the resolution authorizing the City Manager to accept a Pavement Management Technical Assistance Program (P-Tap) Round 11 Grant from the Metropolitan Transportation Commission (MTC) for a total maximum amount of \$9,120, and authorize expenditure of the required 20% local match in the amount of \$2,280, in order to implement the project

- C. 3006-**Authorization to execute a funding and/or cooperative agreements between City/County Association of Governments (C/CAG) of San Mateo County and the City of East Palo Alto to construct traffic signals upgrade and geometric improvements on University Avenue/Bell Street and East Bayshore Road/Pulgas Avenue Intersections

**RECOMMENDATION:**

1. Accept a grant in the amount of \$347,500 from C/CAG to partially fund the improvement project, and
2. Authorize the expenditure of local matching funds in the amount of \$82,500

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

**PLEASE NOTE: This item was approved with the stipulation that the portion regarding the Bayshore/Pulgas area be brought back for Council Deliberation and Public Input.**

- D.** Approval of Resolutions to be included in Grant Application Submittals that Authorize the City Manager to enter into grant contracts, including:  
**3009** - Grant 1 - Community Based Transportation Planning Grant  
**3010** - Grant 2 - Environmental Justice Planning Grant - (Brent Butler, Planning Manager, Planning Division)

**RECOMMENDATION:**

1. Approve resolutions to be submitted as part of grant applications that authorize the City Manager to enter into contract(s) with Caltrans for the purpose of securing funds to revise the Land Use and Circulation Elements of the General Plan (Plan) in accordance with the City's strategic goals, objectives, and policies, and
2. Direct that, prior to entering into contract, that the City Manager seek Council authorization to accept and allocate grant proceeds awarded to ensure that grant terms are consistent With City Council strategic goals and objectives

- E.** Proclamation

Recognition of Martin Luther King, Jr.

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

**PLEASE NOTE: A Correction should be done in the proclamation on the last "Whereas", it reads Martin Luther King Park, it should read Martin Luther King, Jr. Park, the City Clerk's office made the correction prior to Mayor Wood's signing the proclamation.**

- F. Minutes (Minette Warren, Deputy Clerk, Office of the City Clerk)  
12/15/09 Regular Joint CC RDA Meeting (**Continued from 01/05/10 meeting**)  
01/05/10 Regular Joint CC RDA Meeting

**Recommendation:** That City Council Approve the Consent Calendar

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

**9. Written Communications:**

- A. Request to have an East Palo Alto Youth and Young Adults Serving Agencies Consortium (EPAYYASAC) Presentation – (Dorothy Burnside, Parent Involvement Coordinator)

**10. Special Presentation:**

- A. Wi-Fi Internet Access for East Palo Alto - (Anita Cuellar, Executive Manager)

**Ms. Cuellar was not present, item to be brought back per Council's direction**

- B. Census Information (Brent Butler, Manager, Planning Division)

**The Census Bureau's representatives, Margot Grant, Census Coordinator and Connie Guerrero, along with Brent Butler presented information both in English and Spanish regarding the 2010 Census**

**11. Proclamation** (Minette Warren, Deputy City Clerk)

East Palo Alto as a 2010 Census Partner

**RECOMMENDATION:** That City Council, by motion, approve the proclamation

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

**12. Oral Reports**

- A. Reports Out of Closed Session  
**City Attorney Vincent C. Ewing Reported Out: All Closed Session Items were discussed, direction given to Staff with No Action Taken**
- B. Staff Reports:
- C. City Council/Redevelopment Agency Reports

1. Update: Ravenswood & Four Corners area, Transit Oriented Development (TOD) Specific Plan

**Carlos Martinez, Manager, Redevelopment Agency gave the update on the Ravenswood & Four Corners area TOD Specific Plan**

**13. COMMUNITY FORUM**

- 14. POLICY AND ACTION:** City Council Resolutions/Ordinance-First Readings, Informational Reports/ Approval Actions

**CITY**

- A.** Rent Stabilization Board Request For Additional Funds in the Amount of \$4,200 to Increase a Proposed Contract for Community Legal Services (CLS) to Provide Outreach and Education for Tenants. *(Wilbert Lee, Director, Housing Department)*

**RECOMMENDATION:** That the City Council consider a request by the Rent Stabilization Board to authorize the City Manager to Increase the amount of the FY2009/2010 line item designated for tenant outreach and education in the amount of \$4,200. ***(Continued from 01/05/10 Regular CC RDA Meeting)***

***Continued, staff to bring back in one month to a regular meeting per unanimous decision of Council***

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

**RECOMMENDATION: Provide direction to staff**

***Continued to next regular meeting per unanimous decision of Council***

- C.** Discussion of Agenda Format - *(City Council)* ***(Continued from 01/05/10 Regular CC RDA Meeting)***

***Continued to next regular meeting per unanimous decision of Council***

**RECOMMENDATION:** That Council Complete Discussion and Provide Direction

- D.** **3007** - Authorize the City Manager to purchase two (2) marked Ford Crown Victoria police vehicles and (1) unmarked Ford Crown Victoria police vehicle from Hoblit Motors and Sales in Woodland California for a total cost of \$74,215.71 *(Ronald Davis, Chief of Police, Police Department)*

**RECOMMENDATION:** That the City Council authorize the City Manager to purchase two (2) marked police vehicles and (1) unmarked Ford Crown Victoria police vehicle

from Hoblit Motors through the State of California State Bid Contract (#1-09-23-14), not to exceed \$74,215.71

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

- E. **3008-** Approval of a Lease Agreement for Copying Equipment, Supplies and Maintenance with Ricoh Business Systems, as the most responsive bidder, in an amount not to exceed \$53, 608.22 (*Minette Warren, Deputy City Clerk, Clerk's Office*)

**RECOMMENDATION:** That the City Council Adopt the Resolution

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

- F. Grand Jury Response – Reversing the Upward Trajectory of Employee Costs Rising in the Cities of San Mateo County (Alvin James, Interim City Manager) **(Continued from 01/19/10 Regular CC RDA Meeting to be brought back at next meeting)**

**RECOMMENDATION:** That the City Council Authorize the Interim City Manager to submit the following response to the 2008-2009 San Mateo County Civil Grand Jury recommendation regarding actions that can be taken to reverse the upward trajectory of employee costs in the cities of San Mateo County

- G. Request for Fee Waiver by EPACANDO (Wilbert Lee, Director, Housing Department) **(Continued from 01/19/10 Regular CC RDA Meeting)** To be brought back after research on City Wide Development Projects with Tentative Map Extensions and after research had been completed, staff found that an **Urgency Ordinance, 324 had been enacted/adopted on August 3, 2009 as following: An Urgency Ordinance of the City Council of the City of East Palo Alto to add Section 6105 and to amend Section 6550 of the Zoning Ordinance, to modify procedures for amending procedural provisions of the Zoning Ordinance and to extend City Approvals for Development Projects with Tentative Maps.** Via this Urgency Ordinance Council ordained and adopted findings to provide Approval extensions for development projects with tentative maps, City wide.

**RECOMMENDATION:** Take no Action Regarding the Request for Waiver of Planning Application Fees and Other Impact Fees Since The Land Use Entitlements For The Project Have Expired. Recommend That the Project Sponsor Resubmit the Planning Application After Preparation of Additional Information

- H Discussion Regarding City Council Cell Phone Policy (Alvin James, Interim City Manager)

**RECOMMENDATION:** That City Council Members discuss their individual cell phone preferences and needs and, provide direction regarding criteria for acquisition of equipment, features, and service level

**After Deliberation, Council unanimously agreed that Options One and Two were the ones they would utilize based on individual and personal choice.**

- Option 1. City pays for equipment and phone services. City determines service provider and equipment. Cell Phone should be used for City related business only**
- Option 2. Monthly Cell Phone Stipend – Stipend will be provided and therefore taxable. It would be included as a part of the Council’s existing monthly payroll stipend. Council Members would individually be responsible for establishing their own service provider and purchasing related equipment. If this option is selected, staff would suggest a monthly stipend amount not to exceed \$120 per month to cover the cost of cellular services and equipment for each member. The suggested stipend amount was calculated based on the City Council’s existing cell phone usage and the inclusion of a data plan/text messaging feature. The data plan feature includes internet and email capabilities, but does not include text messaging. Text messaging is an additional feature which ranges from \$5.00/per month for 200 text messages to \$20 per month for unlimited text messages.**

**15. ADJOURNMENT: 11:40p.m.**