



City of East Palo Alto

ACTION MINUTES

By: *Minette Warren*

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, FEBRUARY 16, 2010

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

2415 University Ave-First Floor - City Council Chamber

6:30 P.M

Regular Joint Closed Session

Regular Joint Closed Session Call to Order: 6:30

Roll Call: Present/Evans, Abrica; Romero (Not present for roll call); Woods; (Martinez, Absent/III)

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

Action: Motion/Second: Abrica/Evans Vote: 3-0

Let the Record note: Vice Mayor Romero in after Roll Call

2. Joint Closed Session Community Forum: None

3. Adjournment into Closed Session

4. Potential/Pending litigation (Government Code § 54956.9 (a)) *(City Attorney/Special Counsel Lance Bayer for Vincent C Ewing, City Attorney, City attorney's Office)*

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

<u>Case Name</u>	<u>Case Number</u>
Page Mill/Woodland Park v. CEPA, et al.	CIV 469315
Page Mill/Woodland Park v. CEPA, et al.	CIV 474682
Page Mill/Woodland Park v. CEPA, et al.	CIV 474521
Page Mill/Woodland Park v. CEPA, et al.	CIV 474732
Page Mill/Woodland Park v. CEPA, et al.	CIV 475139
Page Mill/Woodland Park v. CEPA, et al.	CIV 478790
Page Mill/Woodland Park v. CEPA, et al.	CIV 477568
Page Mill/Woodland Park v. CEPA, et al.	CIV 477567
Page Mill/Woodland Park v. CEPA, et al.	CIV 480138
Page Mill/Woodland Park v. CEPA, et al.	CIV 480456
Page Mill/Woodland Park v. CEPA, et al.	CIV 482848
Page Mill/Woodland Park v. CEPA, et al.	CIV 486819
Page Mill/Woodland Park v. CEPA, et al.	483884
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: 7:35p.m.

Roll Call: Evans, Abrica, Romero, Woods (Martinez-Absent/III)

5. APPROVAL OF AGENDA

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

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

Approval of Items 6, 7, 9, 11, 13, 14 and 16; Items 8, 10 12 and 15 pulled for discussion, and Item 15 to be Continued to next regular Council meeting.

Action: Romero/Abrica Vote: 4-0

Other Actions and Motions

6. 3016-Authorize the City Manager to submit an Application for Grant from National Fish and Wildlife Foundation- (*Lily Lee, Project Consultant – Cooley Landing Project*)

7. 3017-Authorize the City Manager to apply for grant funds from the San Mateo County Workforce Investment Board 2010 Summer Youth Employment Programs (*Meda Okelo, Director-Community Services Department*)

8. 3018-Authorize the City Manager to apply for grant funds from the Kaiser Permanente San Mateo Area 2010 Community Benefits Grant Program (*Meda Okelo, Director, Community Services Department*)

Staff directed to edit wording in Resolution before signatures are done.

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

9. By motion, authorize the City Manager to issue a Request for Proposal (RFP) for Investment Management Services (*Stephanie Osaze, Director-Finance Department*)

10. Copier information – (*Alvin James, City Manager, City Manager's Office*)

Motion: Abrica/Woods Vote: 4-0

11. 3019-Bay Area Residential Building Retrofit Program (*Wilbert Lee, Director-Housing Services Department*)

Recommendation:

A. That the City Council authorize the Association of Bay Area Governments (ABAG), as the lead agency in submitting an application, to request funding from the

California Energy Commission (CEC) to provide funding for the Bay Area Regional Residential Building Retrofit Program.

- B. If funded, the City Council authorize ABAG to accept a grant award on its behalf and enter into all necessary contracts and agreements, and amendments thereto, on its behalf to implement and carry out the program described in the remainder of this report.
- C. That the City Council recognize the County of San Mateo as the lead local implementer for the programs described in Exhibit A of this report for all of the local governments in San Mateo County, and that ABAG as the fiscal agent, be authorized to disburse the City's portion of funds to San Mateo County to implement and carry out the program described in (Exhibit A)

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12. Authorize the City Manager to enter into grant contract for the Catalyst Projects for Sustainable Strategies Pilot Program (*Brent Butler, Manager- Planning Division*)

Recommendation:

Authorize the City Manager to:

- A. Negotiate and enter into a contract with the Department of Housing and Community Development for the purpose of securing grant funds to implement three of the six three-year goals, including: 1) Enhance economic vitality; 2) Improve public facilities and infrastructure, and 3) Create a healthy community; and;
- B. If grant funding is awarded, direct that the City Manager, on behalf of the City Council, to accept and appropriate grant proceeds for the Catalyst Projects for Sustainable Strategies Pilot Program.

Item 12 to be continued to next regular Council meeting

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

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13. **3020**-Authorize Sacramento County, as the lead agency in submitting this application, to provide funding in two program areas; 1) Program Financing Costs and 2) Local Coordination and Marketing Costs for the CaliforniaFIRST Program, a property assessed clean energy program (*Wilbert Lee, Director- Housing Services Department*)

14. Second Quarter Treasurer's Report ending December 31st, 2009 (*Stephanie Osaze, Director-Finance Department*)

RECOMMENDATION: That Council Accept and File the Report

15. Proclamation

- A. The Late Mr. Tommie Roberts-Former member of the City's Planning Commission and Patron of the Ravenswood Little League (*Meda Okelo, Director, Community Services Department*)

- B. American Red Cross (*Minette Warren, Deputy City Clerk, Office of the City Clerk*)

Item 15A pulled – Edits to be made in Proclamation at family’s request and is to be brought back for re-presentation

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

- 16. Minutes (*Minette Warren, Deputy Clerk, Office of the City Clerk*)
02-02-10 Regular CC RDA Meeting

Recommendation: That Council Approve the Consent Calendar by motion and Adopt the required resolutions

Items 17-20 may be addressed during Community Forum only, unless otherwise approved by Council

17. Written Communications:

- A. Public Notice – Announcement of Recruitment of Public Member for Local Agency Formation Commission (LAFCO) - (*Martha Poyatas, Executive Officer*)
- B. Request to Council re: Naming Martin L. King, Jr park Baseball field in honor of the Late Mr. Tommie Roberts (*William Webster –President and Chair, EPACT Education Fund*)

Council spoke to Item 17B, it was noted that the field had been previously named and dedicated as Evans-Roberts field. Staff directed to research information and bring back clarification

18. Special Presentation:

East Palo Alto Youth Court – (*Leoor Neta, Executive Director*) (10 Minutes)

19. Oral Reports

- A. **Reports Out of Closed Session** - (*Lance Bayer, City Attorney for Vincent C. Ewing, City Attorney, Office of the City Manager*)

**Attorney Lance Bayer Report Out: Council held discussion on items
No Action Taken**

B. Staff Reports

Rent Stabilization Time Line – (*Alvin James, City Manager, City Manager’s Office*)

20. City Council/Redevelopment Agency Reports

21. Community Forum

22. Public Hearing (*Alvin James, City Manager; Brent Butler, Manager, Planning Division; James Hamilton, Aspire Program Manager; and Marc Bauer, ASPIRE Project Consulting Attorney*)

A. Hearing-(Tax Equity and Fiscal Responsibility Act) **TEFRA** Hearing Process and Project Description for ASPIRE Public Schools

Recommendation: That Council Open the Hearing;

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

Hear Testimony and hold discussion;
Close the Hearing, and;

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

B. **3021**-Resolution of the City Council of the City of East Palo Alto Approving the Issuance of Revenue Bonds by the California Statewide Communities Development Authority for the purpose of financing and refinancing the cost of acquisition, educational facilities and certain other matter relating Thereto

Recommendation: That Council Consider Adoption of the Resolution Approving the Issuance of revenue Bonds by the California Statewide Communities Development Authority

Action: Motion/Second: Romero/Evans 3-1 Evans/No

Policy and Action City Council/RDA Resolutions/Ordinance-First Readings, Informational Reports/ Approval Actions

RDA

23. RDA-773 & CC-3015-Adopt and Authorize Changes to the City of East Palo Alto's First Source Hiring and Local Business Enterprise Policy (*Marie McKenzie, RDA Project Manager, Redevelopment Agency*)

RECOMMENDATION: That the Redevelopment Agency Board and the City Council authorize the designated changes to amend and restate the First Source Hiring (FSH) and Local Business Enterprise (LBE) policy and Adopt the Resolution

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

24. Revised Timeline to implement Incubator Program at Cummings Park (*Russell Averhart, Project Manager-Redevelopment Agency*)

Recommendation: Receive the report, and direct staff to prepare a lease agreement with Incumentor, subject to meeting specific performance milestones, and under the terms outlined by staff, or as modified by Council and Adopt the resolution **(RDA)**

Council deliberated and accepted report

Motion: Evans/Woods Vote: 4-0

CITY

25 Accept and File the Mid-Year Budget Update Report (Stephanie Osaze, Director-Finance)

Recommendation: That the Council Accept and File the report, By Motion

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

26. 3022-Authorize the City Manager to apply for a Cooley Landing project grant from the State Parks Grant Program (*Lily Lee, Project Consultant – Cooley Landing Project*)

Recommendation: That Council adopt the resolution

Action: Motion/Second: Vote: 4-0

This item per CA State Parks request was done by Roll Call vote:

Councilmember Abrica: Aye

Councilmember Evans: Aye

Vice Mayor Romero: Aye

Mayor Woods: Aye

Let the Record note that Councilmember Martinez was called for her vote, Recorder noted for the Record: Absent – Due to Illness

27. 3023-Authorize the City Manager to Enter into a Cooley Landing lease agreement with Midpeninsula Regional Open Space District (*Lily Lee, Project Consultant-Cooley Landing*)

Recommendation: That Council adopt the resolution

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

28. Discussion of Agenda Format – (*Minette Warren, Deputy City Clerk, Office of the City Clerk*) -(City Council) (**Continued from 02/02/10Regular CC RDA Meeting**)

RECOMMENDATION: That Council hold Discussion/Deliberation and provide Appropriate Direction to Staff

Council deliberated and while majority consensus was that they concurred with staff and would continue use of the current 'sample' format as provided of this meeting's agenda and further decided that the discussion of other agenda format questions would be taken up during the next Agenda Committee meeting.

29. Request for Waiver of Planning Application Fees in the amount of \$3,965 (*Wilbert Lee, Director-Housing Services Department*)

RECOMMENDATION: That Council approve the request to waive EPACANDO's the Planning Application fees for the Emancipated Youth Project in the amount of \$3, 695 and Adopt the Resolution

Let the Record note that Mayor Woods recused himself on this item- Wife associated with Project Developer-EPACANDO.

Item discussed and continued to next regular Council meeting per a request for further clarification and a legal opinion on the request.

30. **3024**-Authorize the City Manager to enter into a professional services contract agreement with Community Legal Services of East Palo Alto conduct four (4) training workshops for tenants in Rent Stabilization properties for an amount not to exceed \$12,600 (*Wilbert Lee, Director-Housing Services 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 \$12,600 and Adopt the resolution (***Continued from 01/19/10 Regular CC RDA Meeting***)

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

31. ***Adjournment***