



City of East Palo Alto ACTION MINUTES

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, MARCH 16, 2010

Closed Session: 6:30p.m. Open Meeting - 7:30p.m.
2415 University Ave-First Floor - City Council Chamber

Note to the public-you can view staff reports as PDF's following Each item on this Agenda on the City's Web Site, City Council Agenda/Minutes Page at www.ci.east-palo-alto.ca.us

6:30 P.M Regular Joint Closed Session

Regular Joint Closed Session Call to Order: 6:30P.M.
Roll Call: Councilmembers Martinez, Evans; Vice Mayor Romero
Excused Absences: Councilmember Abrica, Mayor Woods

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

Action: Motion/Second: Romero/Martinez Vote: 3-0

2. Joint Closed Session Community Forum

3. Adjournment into Closed Session

4. Potential/Pending litigation (Government Code § 54956.9 (a)) *(Vincent C Ewing, City Attorney; Lance Bayer, Contract Attorney, Office of the City Attorney)*

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

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

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

Roll Call: Councilmembers Martinez, Evans; Vice Mayor Romero

Excused Absences: Councilmember Abrica, Mayor Woods

5. APPROVAL OF AGENDA

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

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

Items 7, 8 and 9 pulled for discussion

Action: Motion/Second Evans/Martinez Vote: 3-0
Item 6

Actions and Motions

- 6. 3030-**Adopt a Resolution approving Consent to Assignment of the Franchise Collection Agreements with Allied Waste Industries, Inc., to Republic Services, Inc., pursuant to their company merger. *(Anthony Docto, Public Works Director)*

Recommendation: It is recommended that the City Council of East Palo Alto adopt a Resolution approving Consent to Assignment of the Franchise Collection Agreements with Allied Waste Industries, Inc. (Allied), to Republic Services, Inc. (Republic), pursuant to their recent company merger.

- 7. 3031-**Adopt a Resolution submitting City Council Ballot Argument for Rent Stabilization and Just Cause for Eviction Ordinance Measures

Recommendation: That Council Approve the Resolution submitting the Ballot Argument for Rent Stabilization and Just Cause for Eviction Ordinance Measures to the county election official

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

- 8. Audited Financial Statement for Measure C Parcel Tax for the Fiscal Year Ended June 30, 2009. (Stephanie Osaze, Finance Director)**

Recommendation: The City Council, accept and file the Measure C-Parcel Tax Financial Statements for the Fiscal Year Ended June 30th, 2009

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

9. 3032-Legal Services in the City of East Palo Alto

Recommendation: Adopt a Resolution authorizing the City Manager to amend the FY 2009/2010 Contract with Lance Bayer, Esq., for legal services to amend the scope of services in "Attachment A"

Action: Motion/Second: Romero/Martinez Vote: 3-0

Items 9, 10 and 11 may be addressed during Community Forum only, unless otherwise approved by Council

10. Written Communications: None

11. Special Presentation: None

12. Oral Reports

A. Reports Out of Closed Session (*Vincent C. Ewing, City Attorney*)

Report Out by City Attorney Ewing, Council held discussion, No Action Taken.

B. Staff Reports

- Measure "C" Strategic Expenditures information
(*Ronald Davis, Police Chief, Police Department*)

13. City Council/Redevelopment Agency Reports

14. Community Forum

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

Actions and Motions

CITY COUNCIL

**15. 3033-Request for Waiver of Planning Application Fees for the Emancipated Youth Project in the amount of \$3,695 – (*Wilbert Lee, Director-Housing Services Department*)
(Continued from February 16, 2010 CC RDA Meeting)**

Recommendation: That Council Consider Approval and Adoption of the Resolution

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

16. APRIL 11TH 2010–WORLD HEALTH DAY COMMEMORATION IN EAST PALO ALTO. *(Meda Okelo, Community Services Director)*

- a) Authorize the City Manager , in consultation with appropriate agencies, including the Police Department , the Menlo Park Fire Protection District, SAMTRANS, and the Public Works Department, to close down Bay Road from University to Clarke as part of the worldwide celebration of World Health Day on Sunday April 11 between the 10 and 1pm and to encourage residents to use the street for activities that would promote both physical and mental health and that all fees associated with such closure be waived.
- b) Proclaim April 11th 2010 as Open Streets Day in East Palo Alto and encourage residents to partake in activities that would promote good health and wellbeing on Bay Road between University and Clarke Avenue.

Action: Motion/Second: Evans/Romero Vote: 2-1 (Martinez/No)
Item 16 - Not approved, 2-1 vote caused motion to fail

17. Adoption of Resolutions Authorizing Execution of a Memorandum of Agreement and Adoption of CEQA Findings associated with the City and County of San Francisco, acting through its San Francisco Public Utilities Commission, Water System Improvement Program, Bay Division Pipeline No.5 Project (SFPUC WSIP BDPL NO.5). *(Anthony Docto, PW Director)*

Recommendation: It is recommended that the City Council of East Palo Alto adopt the following Resolutions:

- **3034**-Adopting the Findings associated with the California Environmental Quality Act for the City and County of San Francisco’s SFPUC WSIP BDPL No.5 Project.

ACTION: MOTION/SECOND: Martinez/Evans Vote: 3-0

- **3035**-Authorizing the City Manager to Execute a Memorandum of Agreement (MOA) with the City and County of San Francisco, acting under its San Francisco Public Utilities Commission, for its Water System Improvement Program, Bay Division Pipeline No.5 Project (SFPUC WSIP BDPL No.5).

ACTION: MOTION/SECOND: Evans/Martinez Vote: 3-0

18. Update: Ravenswood & Four Corners area, Transit Oriented Development (TOD) Specific Plan. *(Carlos Martinez, Redevelopment Agency Manager)*

Recommendation: Review the report, and by **motion**, provide direction to staff regarding adding one more land use planning workshop.

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

19. Discussion Regarding City Attorney Evaluation Process and Goals, Including Need for Facilitation Services *(Mayor David Wood)*

Recommendation: Provide Direction Regarding Procurement of Facilitator Services

Per unanimous decision of Council, this item is continued to next regular meeting of April 6, 2010

20. Discussion: Proposal to Erect a Plaque in the memory of Tommie Roberts at the Evans-Roberts Field at the Martin Luther King Park

Recommendation:

- That a sign be authorized at the Martin Luther King Park at an appropriate location acknowledging the ball field's official designation as Evans-Roberts Field pursuant to Resolution 175 adopted by the City Council on April 15 1985 and that Park in Lieu funds be utilized for that purpose.
- That the City Manager be authorized to prepare a plaque in collaboration with the Roberts family, honoring the late Tommie Roberts and erect it at an appropriate location within the park.
- That the City Manager be authorized to accept on behalf of the City, appropriate and expend any donations received towards installing a plaque honoring Tommie Roberts.

Item 20 was moved up on agenda into the place of item 15A per Council request, discussion was started and unanimous decision was to continue item to next regular meeting

21. **ADJOURNMENT: 10:55p.m.**