



City of East Palo Alto ACTION MIUNTES

By: *Minette Warren*

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, APRIL 6, 2010

Closed Session: **6:00p.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 Corresponding Agenda Item as Numbered, on the City's Web Site, City Council Agenda/Minutes Page at www.ci.east-palo-alto.ca.us

6:00 P.M

Regular Joint Closed Session

Regular Joint Closed Session Call to Order: 6:00P.M.

**Roll Call: MARTINEZ, ABRICA, EVANS, WOODS
ROMERO: EXCUSED ABSENCE**

(Romero participated in Closed Session ONLY via Telephone Conference)

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

ACTION: MOTION/SECOND: ABRICA/EVANS Vote: 4-0

2. Joint Closed Session Community Forum

3. Adjournment into Closed Session

4. Personnel Matters (Government Code § 54957.6) (ML Gordon, Assistant City Manager, Office of the City Manager)

City Manager Recruitment

5. Potential/Pending litigation (Government Code § 54956.9 (a)) (Vincent C Ewing, 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 474732 |
| 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 480456 (Brown Act RSB) |
| Page Mill/Woodland Park v. CEPA, et al. | CIV 482848 (Substantial Rehab Exemption) |
| Page Mill/Woodland Park v. CEPA, et al. | CIV 486819 |
| Page Mill/Woodland Park v. CEPA, et al. | CIV 483884 |

- EPAMA (East Palo Alto Merchants Association) vs. City of East Palo Alto CIV485355 (Brown Act PC/Romero)

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

Joint Call to Order:7:50p.m.

Roll Call: Martinez, Evans, Abrica, Woods

Romero: Excused Absence

6. APPROVAL OF AGENDA

Item 8 Pulled for Discussion by Councilmember Abrica

ACTION: MOTION/SECOND: ABRICA/MARTINEZ VOTE: 4-0

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

Actions and Motions

7. State Urban Greening Grant for Cooley Landing - (*Lily Lee, Project Consultant*)

- 1) **3038-**Approve the resolution required to be submitted as part of a grant application that authorizes the City Manager to enter into contract with the State of California for the purpose of securing funds to construct the Cooley Landing project in accordance with the City’s strategic goals, objectives, and policies; and
- 2) Direct that, prior to entering into contract, 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

Attachment: [State Urban Greening Grant Cooley Landing](#)

8. 3039- Adopt a Resolution Accepting and Establishing the Equal Employment Opportunity Policy for the City of East Palo Alto and Direct the City Manager to implement and distribute the Policy to all current and future employees of the City- (*ML Gordon, Assistant City Manager, Office of the City Manager*)

Councilmember Abrica stated that he wished to see the word “language” added to page 1 and 2 and throughout the Policy attachment, Assistant City Manager Gordon stated he would amend the resolution before signatures were done.

ACTION: MOTION/SECOND: ABRICA/EVANS VOTE: 4-0

Attachment: [City EEOC Policy](#)

9. City of East Palo Alto “Climate Action Plan” Request for Proposals (*Carlos Martinez, RDA Division Manager, Redevelopment Agency*)

RECOMMENDATION: By motion, authorize staff to release a Request for Proposals, substantially in the form here attached, to identify a qualified consultant to produce a Climate Action Plan for the City of East Palo Alto.

Attachment: [Climate Action Policy](#)

10. City Council/Redevelopment Agency Meeting Minutes - (*Minette Warren, Deputy City Clerk, Office of the City Clerk*)
- 03/02/10 Regular CC RDA Meeting
 - 03/16/10 Regular CC RDA Meeting

Attachment: [Action Minutes](#)

Recommendation: That Council Adopt the Resolutions and Approve the Minutes By Motion

ITEMS 7, 9 AND 10

ACTION: MOTION/SECOND: EVANS/ABRICA VOTE: 4-0

Items 11, 12 and 13 may be addressed during Community Forum only, unless otherwise approved by Council

11. Written Communications:

- Request for Letter of Support from The Modern Day Achievers Gang Prevention & Intervention Program - (*Halim Mustafa, MDA, The Healing Journey, Inc.*)
- Request for Special Presentation on the East Palo Alto Boxing Club (EPABC) - (*Johnnie Gray, Jr., President*)
- Request For Fee Waivers-Rebuilding Together, (*Cari Pang Chen, Program Director*)
- Request for Fee Waiver– 1225 Beech Street, East Palo Alto- (*Lisa Jones, Home Owner & Plane Crash Victim*)
- Interest in Pad D – (*Shuman Brothers, Rafik Shuman, Partner/Owner*)

Attachment: [Written Communications](#)

12. Special Presentation: None

13. Oral Reports

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

REPORT OUT BY CITY ATTORNEY EWING; COUNCILMEMEBR ROMERO PARTICIPATED BY TELECONFERENCE AND ITEMS WERE DISCUSSED, DIRECTION GIEVN WITH NO ACTION TAKEN

- **Staff Reports**

- Announcement of the April 8 Cooley Landing meeting - (*Lily Lee, Project Consultant*)
- Celebration of Elder Americans Month-May, 2010-(*Meda Okelo, Director, Community Services*)

Attachment: [Oral Staff Reports-041710 Specific Plan TOD Tour](#)

- Update: Ravenswood & Four Corners area, Transit Oriented Development (TOD) Specific Plan – A Transit Oriented Development (TOD) Field Trip on Saturday, April 17th. The TOD Field Trip will start at City Hall at 9:30 and end at 1:30-(*Sean Charpentier, Project Coordinator, RDA Division, Redevelopment Agency*)

14. City Council/Redevelopment Agency Reports

- Cooley Landing Committee Appointment
- Joint City Council/Planning Commission Subcommittee

15. Community Forum

HEARINGS

16. Hearing

- 1) Adopt by Resolution the Housing Element, as amended at the workshop, and MND, and
- 2) Approve the Planning Division’s proposed Housing Action Plan timeline as outlined in the Gantt chart, and as may be amended during the budget process

Location: Citywide

Owner/Applicant: City of East Palo Alto

City Staff: Brent Butler, Planning Manager, AICP, CFM
Brad Tarr, Senior Planner, AICP
Guido Persicone, Planner

Consultants: Alexander Quinn, AECOM Inc.
Jeff Goldman, AECOM Inc.

Recommendation: Open the Hearing, Accept testimony, Close the Hearing and To Approve a Resolution Adopting a Mitigated Negative Declaration and Amending the General Plan for Purposes of Adopting the 2010 East Palo Alto Housing Element; and,

Attachment: [Hearing-040610-Housing Element](#)

ACTIONS:

OPEN HEARING: MOTION/SECOND: ABRICA/EVANS VOTE: 4-0

TESTIMONY TAKEN, SOME COUNCIL DELIBRATION HELD

CLOSED HEARING: ABRICA/MARTINEZ VOTE: 4-0

A UNANIMOUS DECISION WAS MADE TO CONTINUE HEARING TO NEXT COUNCIL MEETING.

17. Hearing: Municipal Code Amendments Targeting Reduction and Maintenance of Foreclosed Homes.

Location: Citywide

City Staff: Frank Rainone, Building Official
Brent Butler, Planning Manager, AICP, CFM
Lance Bayer, Special Counsel

Recommendation: Open the Hearing, Accept testimony, Close the Hearing and Approve the Introduction of the Ordinance

Attachment: [Hearing-040610-Reduction and Maintenance of Foreclosed Homes Ordinance Amendment](#)

ACTION: MOTION/SECOND: ABRICA/MARTINEZ VOTE: 3-1 (EVANS/NO)

18. Hearing: Municipal Code Amendment (Vacant Properties Ordinance).

Location: Citywide

City Staff: Frank Rainone, Building Official
Brent Butler, Planning Manager, AICP, CFM
Lance Bayer, Special Counsel

Recommendation: Open the Hearing, Accept testimony, Close the Hearing and Approve the Introduction of the Ordinance

Attachment: [Hearing-040610-Vacant Properties Ordinance Amendment](#)

ACTION: MOTION/SECOND: ABRICA/MARTINEZ VOTE: 3-1 (EVANS/NO)

[Policy and Action City Council/RDA Resolutions/Ordinance-First Readings,](#)

Informational Reports/ Approval Actions

CITY

19. Proposal to Erect a Plaque in the memory of Tommie Roberts at the Evans-Roberts Field at the Martin Luther King Park – (Meda Okelo, Director, Community Services) (Continued From 03-16-10 CC-RDA Meeting)

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
- Adopt a Proclamation Honoring Tommie Roberts

Attachment: [Policy and Action-04-06-10 Tommie Roberts Memorial](#)

ACTION: MOTION/SECOND: ABRICA/MARTINEZ VOTE: 3-1(EVANS/NO)

FOR THE RECORD: COUNCILMEMBER MARTINEZ LEFT MEETING AT 10:15PM

20. **City Hall Tenant Improvements**

1. Adopt a Resolution authorizing the City Manager to enter into a contract with KRJ Design Group for Additional Design and Coordination Services during the Tenant Improvements at City Hall for an amount not to exceed \$7,000.00; and
2. Adopt a Resolution authorizing the City Manager to purchase office furniture for City Hall in an amount not to exceed \$54,323.00

Recommendation: That City Council approve the Resolution to contract with KRJ Design Group for an amount not to exceed \$7,000 and approve Resolution to authorize the City Manager to purchase office workstations, furniture and other related costs associated with moving and assembling the furniture for a cost not to exceed \$54,323

Attachment: [Policy and Action-04-06-10 City Hall Tenant Improvements](#)

ITEM 20 CONTINUED TO NEXT MEETING OF MAY 20, 2010

21. Adopt three Resolutions Amending and Extending the Professional Services Contract between the City and Alvin D. James and Requesting an Extension to the Maximum 960 hours - *(ML Gordon, Assistant City Manager, Office of the City Manager)*

1. Resolution to Amend Contract between the City and Interim City Manager/City Clerk
2. Resolution to Amend Contract between the Redevelopment Agency and the Interim Executive Director Redevelopment Agency
3. Resolution Requesting an Extension of the Maximum Hours (960) of Employment After Retirement for the Interim City Manager Pursuant to Government Code Section 21221 (h)

Recommendation: That Council adopt the three Resolutions and amend the contract between the City and Alvin D. James

Attachment: [Policy and Action-04-06-10 City Manager Contract Extension](#)

ITEM 21 CONTINUED TO NEXT MEETING OF MAY 20, 2010

22. City Attorney Evaluation Seeking Council Consensus on Date to Conduct Evaluation *(David E. Woods, Mayor and Council)*

Recommendation: That Council Give Appropriate Direction to Staff

COUNCIL UNANIMOUSLY CALLED FOR A SPECIAL MEETING OF MAY 28, 2010 FOR THE CITY ATTORNEY EVALUATION

23. Resolution, authorizing the City Manager to enter into a contract with Kompan Inc.; Ross Recreation Equipment Company; and Playgrounds Unlimited in order to facilitate the repair of the playgrounds equipment including surfacing rubber pad in Jack Farrell Park for an amount not to exceed \$25,959.66 *(Jay Farr, Manager, Maintenance Division)*

Recommendation: That Council Adopt the resolution to enter the contract with Kompan, Inc; Ross Recreation Equipment Company and Playgrounds Unlimited in an amount not to exceed \$25,959.66

Attachment: [Policy and Action-04-06-10 Jack Farrell Park Playground Equipment](#)

ITEM 23 CONTINUED TO NEXT MEETING OF MAY 20, 2010

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

1. That the City Council authorize the development of a Measure C Expenditure Strategy.

2. That the City Council authorize the use of a community policing and crime prevention expert team to assist the city in developing a Measure C Expenditure Strategy in an amount not to exceed \$50,000.
3. That the City Council consider requesting the Measure C Oversight Committee to interview Mr. Joseph Brann of Brann Associates and Mr. Peter Ellis of Crime Prevention Associates, and for the purpose of providing a recommendation regarding whether the Council should “sole source” contract services to these vendors to assist the City in developing the Measure C Expenditure Strategy.
4. That the City Council consider an additional Oversight Committee recommendation that 50 percent of the approximate \$200,000 unexpended available funds from the first grant making round, be allocated to support summer youth programs

Recommendation: That Council Provide the Appropriate Direction to staff, and; Accept and File the report

Attachment: [Policy and Action-04-06-10 Measure C Strategic Expenditure Info](#)

ITEM 24 CONTINUED TO NEXT MEETING OF MAY 20, 2010

25. **3040-**Adopt a resolution with a Flood Management Action Plan in support of the City’s enrollment in the Community Rating System administered by the Federal Emergency Management Agency for the purpose of reducing the Community’s flood insurance premiums– (*Brent Butler, Manager, Planning Division*)

Recommendation: That Council Adopt a Flood Management Action Plan and Authorize the City Manager to Apply for Enrollment in the Community Rating System Administered by the Federal Emergency Management Agency

Attachment: [Policy and Action-04-06-10 FEMA Flood Management Action Plan](#)

ACTION: MOTION/SECOND: ABRICA/EVANS VOTE: 3-0

26. **3041-**Authorize the City Manager to accept and appropriate a \$191,317, Gang Reduction, Intervention and Prevention (CalGRIP) grant from the Governor’s Office of Gang and Youth Violence Policy (OGYVP) to implement Operation Ceasefire– (*Ronald Davis, Chief, Police Department*)

Recommendation: That Council Adopt the resolution to Accept and Appropriate \$191,317 Gang Intervention and Prevention (CalGRIP) Grant

Attachment: [Policy and Action-04-06-10 Gang Reduction Intervention and Prevention Grant](#)

ACTION: MOTION/SECOND: ABRICA/EVANS VOTE: 3-0

27. ADJOURNMENT