



City of East Palo Alto

Amended ACTION MINUTES

By: *Minette Warren*

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, June 15, 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 City Council Meeting Agendas and Minutes 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: Present: Martinez, Evans, Abrica, Romero, Woods

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

Action: Motion/Second: Romero/Abrica Vote: 5-0

2. Joint Closed Session Community Forum: None

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
- City Attorney Evaluation

5. Labor Negotiations (Government Code §54957) (ML Gordon, Assistant City Manager, Office of the City Manager)

- Police Officer's Association

6. Property Negotiations (Government Code § 54956.8: Conference With Real Property Negotiator)

- **APN#** 063-292-170, 063-292-160, 063-292-190, 063-292-200
(Carlos Martinez, RDA Division Manager)
- **Cummings Park In Lieu Fees**
- **Shuman Business Partnership ENA**

7. 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
Page Mill/Woodland Park v. CEPA, et al.	CIV 486152 (Fiscal Merger)

- East Palo Alto Merchants Association (EPAMA)

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

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

Roll Call: Martinez, Evans, Abrica, Romero, Woods

8. APPROVAL OF AGENDA

Action: Motion/Second: Abrica/Romero Vote: 5-0

9. Advisory Body Interviews and Appointments - (Minette Warren, Deputy City Clerk, Office of the City Clerk)

Senior Advisory Committee

Mrs. Ola Augmon (Term Expired) - **Did Not Attend**
 Mrs. Ruth Cossey (New Applicant for Regular Term) - **No Show- Did Not Attend**
 Mr. Michael Francois (New Applicant for Regular Term) - **No Show -Did Not Attend**

Planning Commission

Mrs. Renee Glover Chantler (Seat 1-TermExpired)- **Re-appointed, reassigned Seat Number 1.**

Vote: 5 Ayes

Mr. Bernardo Huerta (Seat 2- Term expired) - **Re-appointed, reassigned Seat Number 2.**

Vote: 4 Ayes, Romero - No

Mr. Lap-Ping Wong (New Applicant for Regular Term) – **No Show – Did Not attend**

Rent Stabilization Board

Mrs. Midge Dorn (Seat 1 Homeowner–Term Expired) - **Re-appointed, reassigned Seat Number 1.**

Vote: 5 Ayes

Mr. Robert Allen Fisk (Seat 7 – Term Expired) - **Re-appointed, reassigned Seat Number 7.**

Vote: 5 Ayes

Mr. Matthew Fremont (New Applicant for Tenant Alternate) – **Newly Appointed, Tenant Alternate**

Vote: 5 Ayes

Mr. Arnold L. Hart (Seat 5- Term Expired) – **Reappointed, Assigned Seat Number 6**

Vote: 3 Ayes, Martinez and Romero – No

Ms. Veronica Ndegwa (New Applicant-Tenant Regular) – **No Show, Did Not attend**

Mrs. Shryee Randolph (Seat 6 – Term Expired, now Applicant for Tenant Alternate) - **Reappointed, Assigned Seat Number 5**

Vote: 5 Ayes

Public Works and Transportation Commission

Mrs. Nancy Edelson (Regular – Term Expired) - **Reappointed**

Vote: 5 Ayes

Mr. Bernardo Huerta (Seat 6 – Term Expired) – **Reappointed, Reassigned Seat Number 6**

Vote: 5 Ayes

Mr. Richard Tso (New Application) – **Appointed, Assigned Seat Number 5**

Vote: 5 Ayes

Recommendation: That Council interview the applicants, make appointments by majority votes on motions and direct staff to bring back a resolution approving the advisory body appointments

Resolution on Appointments to be submitted for approval by Council at the July 6, 2010 Regular CC-RDA Meeting

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

Actions and Motions

10. **777-A** Resolution Approving an Exclusive Negotiating Rights Agreement (ENRA) with the Drew Health Foundation to negotiate the terms and conditions of a Purchase and Sale Agreement to acquire four parcels near the intersection of University Avenue and Donohoe Street. (APN's: 063-292-170, 063-292-160, 063-292-190, and 063-292-200) – *(Russell Averhart, Project Manager, RDA Division)*

Recommendation: That Council Adopt the resolution Approving an Exclusive Negotiating Rights Agreement (ENRA) with the Drew Health Foundation to negotiate the terms and conditions of a Purchase and Sale Agreement to acquire four parcels near the intersection of University Avenue and Donohoe Street. (APN's: 063-292-170, 063-292-160, 063-292-190, and 063-292-200)

11. Automated Records Management System Request For Proposal - *(Minette Warren, Deputy City Clerk, Office of the City Clerk)*

Per Staff request: Item 11 Continued to Next Regular Council Meeting

12. **3072**-Authorization to implement the City's 27th Anniversary Parade and Community Celebration and to commit \$2744.00 in General Fund expenditures to cover city staff costs - *(Meda Okelo, Director, Community Services Department)*

13. **3073**-Augment existing design services contract with Callander Associates for unanticipated technical services in an amount not to exceed \$46,812 from Park In Lieu fees – *(Lily Lee, Project Consultant, Cooley Landing Project)*

14. **Minutes (Regular CC-RDA Meetings)**-*(Minette Warren, Deputy City Clerk, Office of the City Clerk)*

04/16/2010 Regular Joint CC RDA Meeting

05/04/2010 Regular Joint CC RDA Meeting

05/20/2010 Regular Joint CC RDA Meeting

05/26/2010 Special City Council FY 2010-11 Budget Study Session

06/01/2010 Regular Joint CC/RDA Meeting

15. **3074**-Authorize the extension of the Agreement with Lance Bayer for Professional Services as Contract Attorney - *Vincent C. Ewing, City Attorney)*

Recommendation: That Council Adopt the Resolutions and Approve the Motions

Item 9; the Consent Calendar; and, Items 16,17 and 18 may be addressed during Community Forum only, unless otherwise approved by Council

16. **Written Communications:** On behalf of the City of East Palo Alto Community Emergency Preparation Plan for Relief and Recovery (CE-PP-RR), the Citizen Response Team Volunteers Volunteer citizens group working for on solutions for Gang Intervention and Prevention would like to make a formal presentation - Halim Mustafa, MDA Founder/President

17. **Special Presentations:**

Information Technology – *M L Gordon, Assistant City Manager and Tony Gelpman, Manager of Information Technology*

Staff Request: Item 17 Continued to Next Meeting – 07/06/10 Regular CC-RDA Meeting

18. **Special Measure “C” Proposals Presentation and Decisions**

Recommendation: That Council, By Motion, Receive the Oversight Committee Recommendation and Give Appropriate Direction Staff to bring back a resolution

Per Council decision: Special Measure “C” meeting scheduled for Thursday, June 17, 2010 – 7:00p.m.

19. **Oral Reports**

- Reports Out of Closed Session-

Report out by City Attorney Ewing: Discussions held on items, No Action Taken

- Staff Reports
 - Request permission to schedule 06-29 Garbage Rate Increase Study Session - *(Stephanie Osaze, Director, Finance Department)*

Per Council; Special Meeting/Study Session to be held on Tuesday, June 29, 2010 – 6:00p.m.

20. **City Council/Redevelopment Agency Reports**

21. **Community Forum**

22. **PUBLIC HEARINGS**

A. Housing Element - *(Brent Butler, Planning Manager, AICP, CFM , Brad Tarr, Senior Planner, AICP, Guido Persicone, Planner, Planning Division)* **(Continued from 04-06-10 Regular Joint CC RDA Meeting)**

Re-Open Hearing: Motion/Second: Romero/Abrica Vote: 4-1

Close Hearing: Motion/Second: Abrica/Romero Vote: 4-1

- 1) **3075**-Adopt by Resolution the Housing Element, as amended at the workshop, and MND, and

**Action: Motion/Second: Romero/Abrica Vote: 3-0
Evans/No; Woods/Absent (Stepped out of meeting during this vote)**

- 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

Action: Motion/Second: Romero/Martinez Vote: 4-1 Evans/No

Recommendation: Re-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

B. 4 Corners – (Carlos Martinez, RDA Division Manager, RDA Division)

Agency consideration of a Resolution approving a Mitigated Negative Declaration, and authorizing the Redevelopment Agency Executive Director to execute the First Amendment to the 4 Corners OPA/DDA and the First Amendment to the Option and Purchase Agreement with San Mateo County for the Post Office parcel

Recommendation: That Council Open the Public Hearing, Approve Staff's Request for Continuance and Continue the Public Hearing to the next Regular CC RDA Meeting

Per Staff request: Continued to July 6, 2010 Next Regular CC-RDA Meeting

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

CITY

23. **3076**-Authorizes the City Manager to enter into a contract with Habitat for Humanity (HfH) for an amount not to exceed \$500,000 to acquire eight (8) foreclosed single family houses and establish a "sweat equity" first time homebuyer program in East Palo Alto.
– (Wilbert Lee, Director, Housing Department) **(Continued from 06-01-2010 Regular Joint CC RDA Meeting)**

Recommendation: That the City Council authorizes the City Manager to enter into a contract with Habitat for Humanity (HfH) for an amount not to exceed \$500,000 to acquire eight (8) foreclosed single family

houses and establish a “sweat equity” first time homebuyer program in East Palo Alto.

Action: Motion/Second: Romero/Martinez Vote: 3-2 Evans & Woods: No

24. **3077**-Authorize the City Manager to fund, and enter into a contract agreement with Renaissance Entrepreneurship Center, to provide technical assistance, to East Palo Alto small businesses in an amount not to exceed \$30,000 -(Carlos Martinez, RDA Division Manager, RDA Division)

Recommendation: That the Council Adopt the resolution Authorizing the City Manager to fund, and enter into a contract agreement with Renaissance Entrepreneurship Center, to provide technical assistance, to East Palo Alto small businesses in an amount not to exceed \$30,000.

Action: Motion/Second: Abrica/Romero Vote: 5-0

25. **778**-Authorizing the RDA Interim Executive Director to execute an Agreement with KEMA, Inc. to produce a Climate Action Plan for the City of East Palo Alto in an amount not to exceed \$30,000 – (Carlos Martinez, RDA Division Manager, RDA Division)

Recommendation: That the **Agency** Authorize the Interim Executive Director to execute an Agreement with KEMA, Inc. to produce a Climate Action Plan for the City of East Palo Alto in an amount not to exceed \$30,000

Action: Motion/Second: Abrica/Woods Vote: 4-1 Evans/No

26. **3079**Adopt a resolution supporting Youth Community Services, in partnership with the City of East Palo Alto, in a grant application for the “Promise Neighborhood Program” grant, in the amount of \$400,000, from the United States Department of Education.- (Ronald Davis, Chief of Police, Police Department)

Recommendation: That Council Adopt the Resolution

Action: Motion/Second: Romero/Abrica Vote: 5-0

27. Council guidance regarding the future of 1960 Tate Street as a City Facility – (Alvin D. James, City Manager)

Recommendation: That the City Council approve a resolution, rescinding Council resolution number 2625, and permanently designating 1960 Tate Street as a City facility

Council held discussion - Item to be further deliberated

28. **3080**-Recommendation Regarding One Year Funding to Support Continued Operation of the East Palo Alto Shuttle Service

Recommendation: That the City Council consider utilizing \$160, 000 in Transient Occupancy Tax (TOT) proceeds from its Children, Youth, Families, and Seniors 10 percent allocation to augment shuttle service funding for Fiscal Year 2010-11.

Action: **Motion/Second:** **Romero/Abrica** **Vote: 4-1** **Evans/No**

29. ADJOURNMENT: 11:50P.M.

In Memory of David Lewis, Community Activist and Co-founder of Free At Last