



City of East Palo Alto

ACTION MINUTES

By: *Minette Warren*

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, July 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 and 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

3. Adjournment into Closed Session

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

- City Manager Interview
- City Attorney Evaluation

6. Property Negotiations (Government Code § 54956.8: Conference With Real Property Negotiator) (*Carlos Martinez, Manager, RDA Division*)

- Cummings Park In Lieu Fees
- Mid Peninsula and SFPUC

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)

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

Joint Call to Order and Roll Call

PRESENT: MARTINEZ, EVANS, ABRICA, ROMERO, WOODS

8. APPROVAL OF AGENDA

ACTION: MOTION/SECOND: ABRICA/ROMERO VOTE: 5-0

9. Interview of Advisory Body Applicants

Senior Advisory Committee

Mrs. Ola Augmon (Term Expired)	Re-appointed
Mrs. Ruth Cossey (New Applicant for Regular Term)	Newly Appointed
Michelle Harris (New Applicant for Regular Term)	Newly Appointed
Mr. Michael Francois (New Applicant for Regular Term)	(Not Present)

Planning Commission

Mr. Lap-Ping Wong (New Applicant for Regular Term)	(Not Present)
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Council on unanimous consensus, directed staff to re-notify the two absent applicants and ask that they be present for re-consideration at the next Regular City Council Meeting.

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

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

Actions and Motions

Items 13 and 16 pulled for clarification

10. **3089**-Resolution Authorizing Acceptance of the Improvements for the Pavement Resurfacing Project-2009. A Federally Funded project by the American Reinvestment and Recovery Act (ARRA) of 2009 – *(Kamal Fallaha, City Engineer, Engineering Division)*
11. **3084**-Resolution Accepting the California Energy Efficiency and Conservation Block Grant (EECBG) in the amount of \$180,214 and authorize the Interim City Manager to expend the grant funds on LED– *(Kamal Fallaha, City Engineer, Engineering Division)*
12. **3081**-Resolution authorizing the Interim City Manager to award a construction contract to O’Grady Paving Inc., the lowest responsible and responsive bidder for the Annual Street Resurfacing Project, for an amount not to exceed \$1,461,534.93 to construct the specified improvements. *(Kamal Fallaha, City Engineer, Engineering Division)*
13. **3083- YMCA** Tenant Improvement @ 550 Bell Street, as funded by SCIP fund. Establishing an Overall Project Budget of \$80,950.00 to complete the YMCA Tenant Improvement @ 550 Bell Street, and authorize the City Manager to award a construction contract to Omni Construction Inc who submitted the lowest responsible and responsive bid in an amount not to exceed the bid price. *Frank Rainone, Chief Building Official, Building Division)*

RECOMMENDATION: that the City Council adopt a resolution to approve the following:

1. Establish an overall project budget of \$80,550.00 to complete the YMCA Tenant Improvement @ 550 Bell Street.
 2. Authorize the City Manager to award a construction contract to the lowest responsible and responsive bidder, for an amount not to exceed the bid amount to construct the specified improvements.
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14. **3088**-Renewal of Retainer Agreement for Government Affairs Services with The Ferguson Group (TFG) for FY10-11 in an amount not to exceed \$120,000.
 15. **Proclamation**
Recognition of East Palo Alto Youth Court
 16. **4011**-Resolution authorizing the Interim City Manager to award a construction contract to JJR Inc., the lowest responsible and responsive bidder for the Safe Routes to School Improvements Project, for an amount not to exceed \$1,346,795.00 to construct the specified improvements. *(Kamal Fallaha, City Engineer, Engineering Division)*

17. Minutes (*Minette Warren, Deputy City Clerk, Office of the City Clerk*)

- 06-02-2010 Special City Council Budget Study Session
- 06-09-2010 Special City Council Budget Study Session
- 06-15-2010 Regular CC RDA Meeting
- 06-16-2010 Special City Council Budget Study Session

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

ACTION: MOTION/SECOND: ROMERO/ABRICA VOTE: 5-0

the Consent Calendar; and, Items 17,18 and 19 may be addressed during Community Forum only, unless otherwise approved by Council

17. Written Communications:

- Children’s Day Waiver of Fees Request- (*Jennifer Jackson, Children’s Day Event Coordinator*)
- Request for City’s Fees to be waived- (*Rosemary Chukwudebe, Owner*)
- Free At Last Temporary Use Permit Correspondence
- Warming Shelter/Lord’s Gym Correspondence – (*Paul Bains, Pastor – Shelter Director*)

18. Special Presentations:

- Information Technology – (*ML Gordon, Assistant City Manager and Tony Gelphman, Manager of Information Technology, City of Redwood City*) **Carried Over from the 06-15-2010 Regular CC RDA Meeting**

19. Oral Reports

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

Report Out by City Attorney Ewing: Items Discussed - No Action Taken

- Staff Reports

Invitation from the City of Palo Alto and their Consultants to Facilitate a Review of the Stanford University Medical Center Environmental Impact Report

20. City Council/Redevelopment Agency Reports

21. Community Forum

22. PUBLIC HEARINGS

A. Code Compliance Citation Administrative Fees - *(Lance Bayer, Contract Attorney, City Attorney's Office, Francis Rainone, Chief Building Official, Building Services Division)*

Recommendation: That Council Open the Hearing, Take Testimony, Close the Hearing, **and**

B. Public Hearing: Solid Waste Collection Service Rates for Residential and Commercial Customers - *(Stephanie Osaze, Director, Finance Department)*

Recommendation: That Council Open the Hearing, Take Testimony, Close the Hearing; **and**, After consideration of all materials and information provided at the special study workshop on June 29th, 2010, and testimony received during the public hearing, staff is recommending that the City Council adopts a to approve **Alternative #2**, requiring an increase of **15% effective July 1, 2010** and another **19.05% effective January 1, 2011** on Solid Waste Collection Service Rates for Residential and Commercial customers

Open Hearing:

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

Deliberation by Council

Close Hearing:

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

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

c. CC RESO 3086- 4 Corners - *(Carlos Martinez, RDA Manager, RDA Division) (Continued from 06-15-10 CC RDA Meeting)*

SUBJECT: City Council approval consideration of two ordinances and one resolution for the University Corner project. One adopts the Zone Change and one adopts the Development Agreement. The Resolution adopts both the Mitigated Negative Declaration (MND) and the Special Use Permit (SUP).

RECOMMENDATION: That Council Open the Hearing, Take testimony, Close the hearing; and, that the City Council approve the two ordinances and one resolution

Open Hearing:

Motion/Second: Woods/Abrica **Vote: 5-0**

Deliberation by Council

Close Hearing:

Motion/Second: Woods/Evans **Vote: 5-0**

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

RDA

23. **790 & 792-** Agency consideration of two Resolutions: The first resolution approves the Mitigated Negative Declaration for the University Corners Project as a Responsible Agency. The second resolution authorizes the Redevelopment Agency Executive Director to execute the First Amendment to the 4 Corners OPA/DDA with the Developer, and the First Amendment to the Option and Purchase Agreement for the Post Office Parcel with San Mateo County

Recommendation: Staff recommends that the Agency Board approves the Resolutions

ACTION: MOTION/SECOND: WOODS/ABRICA VOTE: 4-1 (Evans/No)

CITY

24. **3075-**Authorize the Interim City Manager to enter into contract with PFM Asset Management LLC to perform investment management services for the City's Operating Funds with fees for services based on a percentage of the investment Management Fund (Peter Yee, Senior Financial Services Manager, Finance Department)

Recommendation: That the Council Approve the Resolution

ACTION: MOTION/SECOND: WOODS/ABRICA VOTE: 4-1 (Evans/No)

25. Authorize the Street Sweeping Contract

ACTION: MOTION/SECOND: WOODS/ABRICA VOTE: 5-0

Recommendation: That the Council Approve the Resolution

26. **3082-**Authority to reimburse the Park in Lieu fund in the amount of \$58,950 from the per capita Roberti Z Grant allocation to the City of East Palo Alto from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002" (2002 Resources Bond or Proposition 40)

Recommendation: That the Interim City Manager be authorized to reimburse the Park in Lieu fund for funds spent on the Jack Farrell Park Improvement Project in the amount of \$58,950 from the City's per capita Robert Z Berg 2002 Resources Bond or Proposition 40 allocation

ACTION: MOTION/SECOND: WOODS/ABRICA VOTE: 5-0

26. Authority to file with the County of San Mateo a Notice of Completion for the Jack Farrell Park Improvement Project and to UN-encumber \$85,117.45 in Park in Lieu

Recommendation: That the Interim City Manager be authorized to file a notice of completion to the County of San Mateo for the Jack Farrell Park Improvement Project and to UN-encumber \$85,117.45 in Park in Lieu funds previously committed to the Jack Farrell Park Improvement Project

ACTION: MOTION/SECOND: WOODS/ABRICA VOTE: 4-1 (Evans/No)

27. Authorize the Blossom Valley Contract Change Order payment in an amount not to exceed \$7500 for the Jack Farrell Park Project – *(Meda Okelo, Director, Community Services)*

Recommendation: That the Council Approve the Resolution

ACTION: MOTION/SECOND: WOODS/ABRICA VOTE: 4-1 (Evans/No)

28. Resolution Authorizing the Vacant Property Fee Schedules – *(Frank Rainone, Chief Building Official, Building Division)*

Recommendation: That the Council Approve the Resolution

ACTION: MOTION/SECOND: WOODS/ABRICA VOTE: 4-1 (Evans/No)

29. **Consideration of Proposals for Drafting Rules and Regulations under the New rent Stabilization Ordinance** *(Vincent C. Ewing, City Attorney)*

ACTION: MOTION/SECOND: ROMERO/ABRICA VOTE 4-1(Evans-No)

30. **ADJOURNMENT**