



# City of East Palo Alto

## ACTION MINUTES

### (Amended 10/08/10mw)

By: *Minette Warren*

## REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

**TUESDAY, September 7, 2010**

Closed Session: **6:00 p.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](http://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: ABRICA/ROMERO VOTE: 5-0**

**2. Joint Closed Session Community Forum**

**3. Adjournment into Closed Session**

**4. Personnel Matters (Government Code § 54957.6) (David E. Woods, Mayor, Office of the City Council)**

City Manager Contract Negotiations

**5. Property Negotiations (Government Code § 54956.8: Conference with Real Property Negotiator)**

- a. Cummings Park BMR Condos (*Carlos Martinez, RDA Division Manager*)
- b. APN 063-240-10, 063-240-220, 063-240-400, 063-240-410 (*Carlos Martinez, RDA Division Manager, , Karen Tiedemann, RDA Special Counsel*)
- c. APN's: 063-292-170, 063-292-160, 063-292-190, 063-292-200 410 (*Carlos Martinez, RDA Division Manager, Karen Tiedemann, RDA Special Counsel*)
- d. Property: 453 E. O'Keefe Street #203 ) (*Wilbert Lee Director, Housing Services Department, Karen Tiedemann, RDA Special Counsel*)

- e. Discussion of Due Diligence Activities (APN 063-590-030) (Carlos Martinez, RDA Division Manager, RDA, Karen Tiedemann, RDA Special Counsel, Lily Lee, Project Manager, xxxdddcCooley Landing)

**6. Monthly Litigation Report** (Vincent C. Ewing, City Attorney)

**Pending Litigation (Government Code § 54956.9 (a), (b))**

- a. *Viera Enterprises v. Coast Capital Income Fund, et al.*
- b. *Beckum v. City of East Palo Alto*
- c. *Hill v. City of East Palo Alto*
- d. *Randolph v. City of East Palo Alto*
- e. *Palo Mobile Estates v. City of East Palo Alto*
- f. *Nicholson Development, LLC v. City of East Palo Alto*
- g. *East Palo Alto Merchants Association v. City of East Palo Alto, et al.*
- h. *Page Mill Management et al v. City of East Palo Alto, et al.*

**Potential Litigation (Government Code § 54956.9 (a), (b))**

- a. *City of East Palo Alto v. XXXXXXXXX (Disclosure will jeopardize service of process or existing settlement negotiations)*
- b. *XXXXXXXXXX v. City of East Palo Alto (Disclosure will jeopardize service of process or existing settlement negotiations)*
- c. *XXXXXXXXXX v. City of East Palo Alto (Disclosure will jeopardize service of process or existing settlement negotiations)*

---

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

**Joint Call to Order and Roll Call**

**PRESENT: MARTINEZ, EVANS, ABRICA, ROMERO, WOODS**

**7. APPROVAL OF AGENDA**

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

**8. Recognitions** (Stephanie Osaze, Interim Assistant City Manager, City Manager's Office)

- A. Mr. Vicente Vazquez, Maintenance Worker I –Maintenance Division, PW Dept. Appointed June 28, 2010
- B. Ms. Neelam Naidu, Deputy City Attorney, City Attorney's Office – Appointed August 23, 2010
- C. Government Finance Officer's Association (GFOA) Recognition of Achievement to the City of East Palo Alto's Finance Department

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

**Actions and Motions**

**10. 4022-It is recommended that the City Council:**

- A. Authorize the Interim City Manager to issue a Request for Proposals (RFP's) to Solicit bids from qualified Vendors for a maintenance services contract to maintain

and repair the city traffic signals, street lights and lighted crosswalks; and

- B. Direct Staff to return with the results of the RFP and with a recommendation for City Council's consideration. (*Kamal Fallaha, City Engineer, Engineering Division; Jay Farr, Maintenance Division Manager, Public Works Department*)
11. **4024**-Additional payment for services to the Senior Congregate Nutrition Program (*Meda O. Okelo, Director, Community Services Department*)
- a. Authorize additional payment of \$6,003.84 out of American Recovery and Reinvestment Act fund to the Peninsula Volunteers Contract for additional lunches provided in FY 09-10.
  - b. Authorize an additional payment of \$987.70 in the 09-10 Career Resources Contract for additional services provided in FY 09-10.
12. **4023**-Authorize the Interim City Manager to fund the second year (July 1, 2010-June 30, 2011) of a two year agreement with Peninsula Volunteers Inc. in an amount not to exceed \$62,921 (*Meda Okelo, Director, Community Services Department*)
13. **4026**-Authorize the Interim City Manager to enter into an agreement with Career Resources for the provision of temporary personnel to the Senior Services Division of the Community Services Department in an amount not to exceed \$17,487 for the period July 1, 2010-July 31, 2011 (*Meda Okelo, Director, Community Services Department*)
14. Accept and File the 4<sup>th</sup> Quarter Treasurer's Report for the Period ending June 30, 2010 (*Brenda Olwin, Interim Director, Finance Department*)
15. Accept and file the Auditor's Redevelopment Report for the Prior Fiscal Year 2008-2009 ending (*Carlos Martinez, RDA Division Manager, RDA Division*)

**Carried Over to 09-21-2010 Meeting**

16. 2106 Ralmar Fee Waiver (*Frank Rainone, Chief Building Official, Building Services Division and Brent Butler, Planning Manger*)

**Recommendation:** That Council, deny the request for a fee waiver by Ms. Chukwudebe concerning Building and Planning fees to construct a new single story dwelling unit at 2106 Ralmar Ave.

**17. Proclamation**

- a. A Proclamation of the City Council of the City of East Palo Alto Proclaiming September 15 through October 14, 2010 Latino Culture and History Month, and, Bicentennial of Mexican Independence, and, Centennial of Mexican Revolution Celebration (*Ruben Abrica, Council Member, East Palo Alto City Council*)
- b. Recognition of Kitty's Cleaners and its' owners: an East Palo Alto Landmark (Closing its doors after retirement of owners' Lee Arthur and Margaret Gamblin) (*Minette Warren, Deputy City Clerk, Office of the City Clerk*)

**Recommendation:** That Council Approve All Items on the Consent Calendar

**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**

18. **Written Communications:** None

19. **Special Presentations:** None

20. **Oral Reports**

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

**City Attorney Ewing Reported out, Discussions held – No Action taken**

- **Staff Reports**

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

22. **Community Forum**

23. **Public Hearings**

- a. **Bicycle Technical Guidelines** (*Brent Butler, Planning Division Manager, Planning Division*)

**Carried Over to 09-21-2010 Meeting**

**Recommendation:** That the City Council:

- 1) Hold a Public Hearing regarding the Bicycle Technical Guidelines by Opening the Public Hearing, Hearing Testimony, Closing the Hearing ; and
- 2) Determine that the adoption of the Santa Clara Valley Transportation Authority Bicycle Technical Guidelines and corresponding amendment to Sections 6102 and 6119 of the Zoning Ordinance to be categorically exempt from environmental review pursuant to Section 15301(c) of the of the California Environmental Quality Act Guidelines; and To conduct the first reading of said guidelines and zoning text amendment

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

25. Amend the City of East Palo Alto Municipal Code (*Vincent C. Ewing, City Attorney*)  
**(Continued from 07/20/2010 Regular CC RDA Meeting)**

**Recommendation:** That Council Approve the Motion and Amend Municipal Code Regarding Advisory Bodies Qualifications and adopt a Resolution.

- A. Make a motion to repeal and repeal the following provisions of the City of East

Palo Alto Municipal Code as set forth in Attachment A; **and,**

- B. Make a motion to adopt and adopt a resolution amending the following sections of the City Ordinance regarding qualifications for City Advisory bodies as set forth in Attachment B.

**Continued to 09-21-2010 Meeting**

- 26. **4025-** Award of Contract for Comprehensive Fee Study including a Full Cost Allocation Plan. (*Brenda Olwin, Interim Director, Finance Department*)

***Recommendation:*** That the City Council approve the attached resolution authorizing the Interim City Manager to enter into a contract with NBS Government Finance Group for a Comprehensive Fee Study (Fee Study) including a Full Cost Allocation Plan (CAP) for an amount not to exceed \$50,000

**Action: Motion/Second: Abrica/Martinez Vote: 5-0**

- 27. **ADJOURNMENT**