



City of East Palo Alto

Mission Statement

The City of East Palo Alto provides responsive, respectful, and efficient public services to enhance the quality of life and safety for our multi-cultural community.

ACTION MINUTES

By: Minette Warren

CITY COUNCIL CLOSED SESSION & CITY COUNCIL STUDY SESSION & REGULAR JOINT CC RDA MEETING

TUESDAY, March 15, 2011

**CITY COUNCIL CLOSED SESSION
5:30 p.m.**

**CITY COUNCIL Medical Marijuana Dispensary Study Session #1
TIME: 6:00 p.m.**

**REGULAR JOINT CITY COUNCIL/REDEVELOPMENT
AGENCY MEETING**

Open Meeting - 7:30p.m.

2415 University Ave - First Floor - City Council Chamber

The public may view the Staff Reports listed herein at the City's Website, www.ci.east-palo-alto.ca.us, under the corresponding agenda located on City Council Agenda/Minutes Page.

COMMUNITY FORUM AND SPECIAL PRESENTATIONS: Members of the audience may address the Council on any agenda item or on any item of interest to the public within the Council's purview, before or during the Council's consideration of the item. If you wish to address the Council, please fill out a Speaker Sheet and give it to the City Clerk. When your name is called, step to the podium and state your name and address for the record. Speakers are limited to two minutes each, and presentations are limited to 10 minutes. The Mayor has the discretion to lengthen or shorten the allotted times.

5:30 P.M.

Regular Joint Closed Session

Regular Joint Closed Session Call to Order

Roll Call

Present: Abrica, Martinez, Romero (Woods, Evans – Absent)
Evans in after Roll Call

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

Items 5b and 6a and b Pulled from Agenda and Moves to April 5, 2011 Council Meeting

Action: Motion/Second: Abrica/Martinez **Vote:** 3-0

2. Joint Closed Session Community Forum: None

3. Adjournment into Closed Session

4. Personnel Matter (Government Code § 54594.5(e))
Public Employee Discipline/Dismissal/Release

5. Potential / Pending Litigation

- a. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One case (*Renne Sloan Holtzman Sakia LLC*)
- b. DKB Homes (*Karen Tiedemann, RDA Counsel*)

6. Property Negotiation:

- a. Ravenswood Health Clinic lease extension (*Carlos Martinez, RDA Division Manager*)
- b. Drew Site *Carlos Martinez, RDA Division Manager*)

7. Adjournment from Closed Session

6:00 P.M.

CITY COUNCIL STUDY SESSION #1–

8. Call to Order

Roll Call:

Present: Abrica, Evans, Martinez, Romero (Woods/Excused Absence)

Approval of Agenda: Abrica/Martinez **Vote:** 4-0

9. Medical Marijuana Dispensaries

Regulatory Framework and Comparative Analysis (*City Attorney's Office, Planning Division*)

- a. Legal Analysis
- b. Land Use Analysis of the 15 Zoning Districts in the City
- c. Comparative Analysis
- d. Community Input – Interactive Dialogue with Community Members

Deputy City Attorney Neelam Naidu and Planning Division Staff gave definitive information of Item 9a, b, c

Community Input – Various members of the Community and Public gave testimony regarding 9a, b, and c, and voiced Pros and Cons of having dispensaries within City Jurisdiction

Council Accepted Information and announced Tuesday, March 29, 6PM for the Second Study Session at 6:00p.m.-7:30p.m., in the Council Chamber. The following items will be the focus of the March 29th meeting: Input from Law Enforcement, Proponents, Opponents, and Community Members.

Adjournment: 7:32P.M.

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

10. Joint Call to Order

Roll Call

Present: Abrica, Evans, Martinez, Romero (Woods/Excused Absence)

11. APPROVAL OF AGENDA

ACTION: MOTION/SECOND: Martinez/Abrica Vote: 4-0

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

12. Approval of Consent Calendar

13. 4117-Hold a 2nd reading regarding the revised final 2010 East Palo Alto Housing Element Resolution introduced on March 1, 2011 (*John Brad Tarr, Sr. Planner, Brent Butler, Planning Division*).

14. 4109-Adopt a resolution authorizing the City Manager to accept and appropriate the State of California Supplemental Law Enforcement Fund grant in the amount of \$100,000 (*Ronald L. Davis, Police Chief, Police Department*).

15. Claims (*Vincent C. Ewing, City Attorney*)
 Recommendation: Reject the following claims:
 a. Pamela Elizabeth Hall

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

- a. 03-01-11 Regular CC RDA Meeting
- b. 03-03-11 Special Joint CC RDA Meeting

Recommendation: That Council Approve All Items on the Consent Calendar

ACTION: MOTION/SECOND: Abrica/Martinez Vote: 4-0

The Consent Calendar; and, Items 17 through 21 may be addressed during Community Forum only, unless otherwise approved by Council

17. Written Communications:

- a. Letters to the Mayor regarding wishes for a skate park and other recreational items (*Ravenswood School District Students*)
- b. Letter to City Council regarding Emergency Preparedness (*Leland Francios (sp)*)
- c. San Mateo County Court Grand Jurors' Recruitment (*Barbara Arietta, President, San Mateo County Grand Juror's Association*)

ATTACHMENT: [Item17WrittenCorrespondence.pdf](#)

18. Special Presentations (Each presentation is limited to 10 minutes) (Government Code § 54954.3(b)):

- a. '211' United Way Services (*Betty Creary CIRS CRS, Community Outreach Manager, United Way Of the Bay Area*)
- b. Survey which focused on feedback from tenants on several different plans for the Woodland Park apartments (*Angel Naranjo, YUCA*)

Special Presentations a & b information received by Council

Oral Reports

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

City Manager M L Gordon reported out that in Conformance with Government Code Section 545956.9 with Counsel, Council Exercises right to terminate City Attorney's Contract without cause- and noted for the record that Councilmember Woods was Absent for this Action

20. Staff Reports

21. City Council/Redevelopment Agency Reports

Measure "C" Committee Appointments

Measure "C" Committee Appointees information as furnished by appointing Councilmembers Read into the Record as follows:

Vice Mayor Martinez' Appointments

Marva Monje - Seat 3 Term 1Yr
Jonathan Bryant - Seat 8 Term 2Yrs
Ana Redmond - Seat 13 Term 3Yrs

Councilmember Ruben Abrica's Appointments

Sharma Viejandra - Seat 1 Term 1Yr
Mario Pulido - Seat 6 Term 2Yrs
Marisol Alvarado - Seat 11 Term 3Yrs

Mayor Carlos Romero's Appointments

Heather Stearns - Seat 4 1Yr
*Larry Moody - Seat 9 2Yrs

**Councilmember Evans' Appointments

Anna Turner - Seat 2 Term 1Yr
Michael Francois - Seat 7 Term 2Yrs
Stewart Hyland - Seat 12 Term 3Yrs

*Mr. Moody is a part-time City employee, the City Attorney's office is conducting an Analysis for any Conflict(s) of Interest.

****Please Note for the record that Councilmember Evans gave his appointees names to City Manager Gordon after the Council Meeting ended, therefore though submitted the names were not announced for the record at this, 03/15/2011 Council meeting, while shown here, they will officially be read into the record at the next Regular City Council Meeting.**

There were no announced appointees for Councilmember Woods as he was not present at this meeting.

22. Community Forum

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

City

23. 4110-Tier 2 Drought Implementation Plan (DRIP2)(Carlos Martinez, RDA Division Manager)

Recommendation:

Adopt the resolution endorsing the Tier 2 Drought Implementation Plan (DRIP 2)

Action: Motion/Second: Abrica/Martinez Vote: 4-0

24. Cooley Landing Grant application to the Statewide Park Development and Community Revitalization Program of 2008 (Lily Lee, Cooley Landing Project Manager)

Recommendation:

- 1) **4111**-Adopt a resolution, required to be submitted as part of a grant application, that authorizes the City Manager to enter into contract with the State Department of Parks and

Recreation 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

Action: Motion/Second: Martinez/Abrica Vote: 4-0

25. **Runnymede Storm Drain Project - Phase II Update** (*Kamal Fallaha, City Engineer, Brent Butler, Planning Manager*)

Recommendation:

1. Receive, Accept and File the Update on the Runnymede Storm Drain Project – Phase II; and
2. Provide staff with direction.

Accepted and Filed by Unanimous Agreement

26. **Contract with Harris Associates to provide Cooley Landing Project Management Services** (*Lily Lee, Cooley Landing Project Manager*)

Recommendation:

1. **4112**-Adopt a Resolution authorizing the City Manager to finalize and execute a contract with Harris Associates for Project Management services at Cooley landing using grant funds from the Packard Foundation and from the Redevelopment Agency in the amount not to exceed \$250,000; and
2. **804**-Adopt a Resolution authorizing the Executive Director of the Redevelopment Agency to use grant funds from the State of California Department of Toxic Substances Control (DTSC) in the amount not to exceed \$50,000 to provide to the City for said contract.

Action: Motion/Second: Martinez/Abrica Vote: 3-1 (Evans/NO)

27. **Authorize the City Manager to increase an existing contract with Callander Associates in an amount not to exceed \$144,220 for construction Management Services and pay for such services with the State Department of Toxic Substance Control.** (*Lily Lee, Cooley Landing Project Manager*)

Recommendation:

1. **4113**-Adopt a Resolution authorizing the City Manager to increase an existing contract with Callander Associates for construction management services for cleanup of Cooley Landing; and
2. **805**-Adopt a Resolution authorizing the Redevelopment Agency Executive Director to use grant funds from the State Department of Toxic Substance Control to pay for the increase to the existing contract with Callander Associate

for construction management services to clean up Cooley Landing for an amount not to exceed \$144,220.

Action: Motion/Second: Martinez/Abrica Vote: 3-1 (Evans/NO)

28. Bicycle Transportation Plan

Recommendation:

Accept the recommendation of the Planning Commission and the Public Works and Transportation Advisory Board and Adopt the a Resolution establishing the Bicycle Transportation Plan

Action: Discussion began by Council and Decision made to Continue Item to Tuesday, 03/29/11 Special Council Meeting

29. 4114-San Francisco Bay Conservation and Development Commission (“BCDC”) Bay Plan Amendments in response to Climate Change

Recommendation:

Adopt a Resolution advocating that the San Francisco Bay Conservation and Development Commission (BCDC) revise the Bay Plan amendments consistent with the February 14, 2011 Planning Commission recommendation.

Action: Motion/Second: Abrica/Martinez Vote: 3-1 (Evans/NO)

30. Fee Waiver Requests Totaling \$49,522 for the East Palo Alto Little League and the San Francisco Junior Giants/T-Ball Pitching Machine

Recommendation:

1. **4115-** Adopt a Resolution authorizing the City Manager to waive the permit fees associated with the 2011 Ravenswood Little League Spring and Summer season resulting in a loss of revenue in the amount of \$2,167 associated with the Annual Little League Parade; and, \$16,205 associated with the loss of revenue for the facility use at the MLK Park Athletic Field for a total fee waiver of \$18,372; and
2. **4116-** Adopt a Resolution waiving the permit use fees associated with the 2011 East Palo Alto SF Junior Giants/T-Ball Pitching Machine resulting in a loss of revenue in the amount of \$31,150 associated with use of Jack Farrell Park Athletic Field.

Council Directions to Staff: Approval is contingent on all documents and Insurance Documents being provided to Council.

Action: Motion/Second: Abrica/Martinez Vote: 3-1 (Evans/NO)

31. ADJOURNMENT