



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 its multi-cultural community

DATE POSTED: Friday 17, 2011

Time: 4:00p.m.

By: Minette Warren

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, JUNE 21, 2011

Closed Session: 6:30 p.m. Open Meeting: 7:30p.m.

**EPA Government Center
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. **REPORTS AVAILABLE ONLINE, Thank you**

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.

6:30 P.M.

Regular Joint Closed Session

Regular Joint Closed Session Call to Order and Roll Call

- 1. Approval of the Closed Session Agenda (Government Code § 54957.7(a))**
- 2. Joint Closed Session Community Forum**
- 3. Adjournment into Closed Session**
- 4. Property Negotiations (Government Code § 54956.8)**
 - a. APN# 063-292-170, 063-292-160, 063-292-190, 063-292-200
(Carlos Martinez, Provisional Deputy Director, Community Development Department)
 - b. APN# 063-231-220 (Carlos Martinez, Provisional Deputy Director, Community Development Department)

5. **Potential/Pending Litigation (Government Code § 54956.9)**
a. Palo Mobile Estates v. City of East Palo Alto (*Valerie J. Armento, Interim City Attorney*)
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7:30 P.M. REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

6. **Joint Call to Order and Roll Call**
7. **Approval of the Agenda**
8. **Summer Youth Program Allocations and Awards** (*ML Gordon, City Manager, Stephanie Osaze, Assistant City Manager*)

ATTACHMENT: [Item8SpecAllocationsandAwards.pdf](#)

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

9. **Proclamation** (*Minette Warren, Deputy City Clerk, Office of the Clerk*)
a. Lucile Packard Children's Hospital 20th Anniversary

ATTACHMENT: [Item9PackardChildrensHospProclamation.pdf](#)

10. **Claims** (*Valerie Armento, Interim City Attorney*)
Recommendation: Reject the following claim
a. George Raines

ATTACHMENT: [Item10Claims.pdf](#)

11. **Minutes** (*Minette Warren, Deputy City Clerk, Office of the City Clerk*)
05/17/11 Regular CC RDA Meeting
05/18/11 Special City Council FY 2011-12 Budget Study Session
05-24-11 Special CC Meeting and Budget Study Session
05-25-11 Special City Council Meeting

ATTACHMENT: [Item11May17thruMay252011ActionMinutes.pdf](#)

12. **TJKM Transportation Consultants**
Staff recommends that the City Council:
1. Adopt a Resolution authorizing the City Manager to execute a contract with TJKM Transportation Consultants, for an amount not-to-exceed \$61,366 to provide Professional Engineering and Traffic Services to complete design and prepare project Plans, Specifications, and Estimates (PS&E) for the Traffic Signal and Geometrics Upgrade Project at University Avenue/Bell Street. and E. Bayshore Road./Pulgas Avenue; and
 2. Approve the East Palo Alto local match amount, not-to-exceed \$82,500, funded from the City Traffic Impact Fees and Measure "A" Funds to match the C/CAG Grant of \$347,500.
Kamal Fallaha, City Engineer, Community Development Department

ATTACHMENT: [Item12TJKMContrctEngTrfcSvcsUnivBellandEBayshrPulgasProj.pdf](#)

13. Adopt a Resolution approving a contract with Lance Bayer for an amount not to exceed \$40,000 for FY 2011-2012. *(Valerie Armento, Interim City Attorney)*

ATTACHMENT [Item13CodeEnforceLglSvcsContlBayerforFY2011and12.pdf](#)

14. Adopt a Resolution authorizing the City Manager to amend and extend the existing Professional Services contract with Valerie J. Armento for Interim City Attorney Services in an amount not to exceed \$128,000 for Fiscal Year 2011-2012. *(Stephanie Osaze, Assistant City Manager/HR Director)*

ATTACHMENT: [Item14AuthorizetheAmendandExtendtheInterimCityAttysContract.pdf](#)

15. Adopt a Resolution amending and extending the contract with Redwood City Information Technology Services Department for an amount not to exceed \$289,500 for the first year of a three-year contract and a range of 4 to 6% in the second and third year. *(Stephanie Osaze, Assistant City Manager, Tony Gelpman, IT Director)*

ATTACHMENT: [Item15AmendAgreeInfoTechSupportwithCityofRedwoodCity.pdf](#)

16. Adopt by Motion the City's Third Quarterly Treasury Report *(Brenda Olwin, Interim Finance Director)*

ATTACHMENT: [Item16QuarterlyTreasurersReport.pdf](#)

17. Adopt a Resolution approving an update to the City of East Palo Alto 2011 Statement of Investment Policy. *(Brenda Olwin, Interim Finance Director)*

ATTACHMENT: [Item172011StatementofInvestmentPolicy.pdf](#)

18. Adopt a Resolution approving the recordation of Notice of Lien, in the amount of \$21,676.35 against the property located at 1137 Westminster Avenue Assessor's Parcel Number 062-122-140 *(Frank Rainone, Chief Building Official)*

ATTACHMENT: [Item18RcrdtnofPropLienAbate1137WestminsterAPN062122140.pdf](#)

19. Consulting Services for the Rent Stabilization Program
1. Adopt a Resolution authorizing the City Manager to increase the contract amount for the Rent Stabilization Program Consultant Services with Ken Baar by \$7,000 for a total amount not to exceed \$34,000; and
 2. Extend the term of the contract with Ken Baar to September 1, 2011 in order to complete the Rules and Regulations associated with the Rent Stabilization Ordinance (RSO) approved by the voters June 8, 2010. *(Carol Lamont, RSP Administrator)*

ATTACHMENT: [Item19RSPContractAmendwKenBarr.pdf](#)

20. **Adopt a Resolution authorizing the County of San Mateo to collect Measure C Parcel Tax in the City Property Tax roll for Fiscal Year 2011-2012 through Fiscal Year 2016-2017.** (*Brenda Olwin, Interim Finance Director*)

ATTACHMENT: [Item20AuthSanMateoCotoCollectMeasCParcelTaxoPropTaxRoll.pdf](#)

21. **Adopt a Resolution authorizing the County of San Mateo to collect Garbage Fees on the Property Tax roll for Fiscal Year 2011-2012** (*Brenda Olwin, Interim Finance Director*)

ATTACHMENT: [Item21AuthSanMateoCotoCollectSldWsTGarbChargsPropTaxRoll.pdf](#)

Recommendation: That Council Approve All Items on the Consent Calendar

The Consent Calendar; and, Items 9 through 21 may be addressed during Community Forum only, unless otherwise approved by Council

22. **Written Communications:**
EPA California Bank and Trust Closure in East Palo Alto (*Floyd Purdy, Pastor, Faith MB Church*)

ATTACHMENT: [Item22WrittenCommunication.pdf](#)

23. **Special Presentations (Each presentation is limited to 10 minutes) (Government Code § 54954.3(b)):** None

ORAL REPORTS

24. **Reports Out of Closed Session** (*Valerie Armento, Interim City Attorney*)

25. **Staff Reports**

- a. San Mateo County Award of Commendation – (*Brent A. Butler, Planning Division Manager*)

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

- a. Announcement - City Anniversary/4th of July Celebration (*Ruben Abrica, Councilmember;*)

27. **COMMUNITY FORUM**

PUBLIC HEARINGS

28. **University Palms, 2100 University Avenue/675 Donohoe Street East Palo Alto City Council Public Hearing and the East Palo Alto Redevelopment Agency consideration of the following items related to University Palms, 2100 University Avenue/675 Donohoe Street.** (*Carlos Martinez, Provisional Deputy Director, Community Development Department, Karen Tiedemann, Redevelopment Agency Counsel*)

The Council and Agency will hold a joint public hearing.
The Council will consider:

- 1) An appeal of the Planning Commission's June 6, 2011 decision:
 - a. Approving Architectural Supervision 11-002 concerning the project
 - b. Finding that implementation of the project is consistent with the General Plan Map and the General Plan objectives, goals, policies and implementation programs
 - c. There have not been any occurrences since the certification of the EIR that would require a subsequent or supplemental environmental document in connection with the Planning Commission's determination and preliminary approvals.
- 2) The approval of an Assignment and Assumption Agreement assigning TMG/MFP Ravenswood Palm, LLC's interest in the Development Agreement to University Plaza EPA, LLC
- 3) Approving the Third Amendment to the Owner Participation Agreement.
- 4) The assignment and assumption agreement assigning TMG/MFP Ravenswood Palms, LLC's interest in the Owner Participation Agreement to University Plaza EPA LLC.

The Agency Board will consider:

- 1) Approving the Third Amendment to the Owner Participation Agreement.
- 2) The assignment and assumption agreement assigning TMG/MFP Ravenswood Palms, LLC's interest in the Owner Participation Agreement to University Plaza EPA LLC.

RECOMMENDATION:

Staff recommends that the City Council:

- 1) Adopt a Resolution upholding the Planning Commission's decision to adopt Resolution No. 11-07, including all actions of the Planning Commission therein; and.
- 2) Adopt a Resolution Approving an Assignment and Assumption Agreement assigning TMG/MFP Ravenswood Palms, LLC's interest in the Development Agreement to University Plaza EPA, LLC.
- 3) Approving the Third Amendment to the Owner Participation Agreement.
- 4) The assignment and assumption agreement assigning TMG/MFP Ravenswood Palms, LLC's interest in the Owner Participation Agreement to University Plaza EPA LLC.

Staff recommends that the Agency Board:

- 1) Adopt a Resolution approving the Third Amendment to the Owner Participation Agreement; and
- 2) Adopt a Resolution approving the Assignment and Assumption Agreement assigning TMG/MFP Ravenswood Palms, LLC's interest in the Owner Participation Agreement to University Plaza EPA, LLC

ATTACHMENT: [Item28PubHrgrelatedtoUniversityPalms.pdf](#)

29. **FY 2011-2012 Budget Hearing** (*Brenda Olwin, Interim Finance Director*)
 1. **Adoption of the FY 2011-12 GANN Appropriation Limit**

2. Adoption of the 2010-2011 Projected Budgets and the 2011-2012 Proposed Budgets

- a. Adoption of the 2010-11 City and RDA Projected Budgets**
- b. Adoption of the 2011-2012 Proposed City Budget**
- c. Adoption of the 2011-2012 Proposed Redevelopment Agency Budget**

Recommendation:

That Council:

- a. Receive report from Finance Director
- b. Open the Public Hearing,
- c. Receive testimony from the Public,
- d. Close the Public Hearing; and
- e. Approve the Resolutions:
 - a)** Adopt the Fiscal Year 2011-2012 Appropriation Limit;
 - b)** the Projected Fiscal Year 2010-2011 City and RDA Budgets, and;
 - c)** the Proposed Fiscal Year 2011-2012 City and RDA Budgets

ATTACHMENT: [Item292011and12FiscalBudgetPHandApproval.pdf](#)

- 30. Adoption of the 2010 Urban Water Management Plan** *(Carlos Martinez, Provisional Deputy Director, Community Development Department, Kevin Sage, Integrated Resource Management and Gopi Nathan, American Water Company)*

Recommendation:

- a. Receive Staff Report
- b. Open the Hearing
- a. Accept testimony
- b. Close the Hearing and adopt a resolution approving the Proposed 2010 Urban Water Management Plan

ATTACHMENT: [Item302010UrbanWaterManagementMasterPlan.pdf](#)

- 31. Consider a Resolution Approving the City of East Palo Alto's Fiscal Year 2011-2012 National Pollutant Discharge Elimination System (NPDES) Charges, and Election to have Charges Collected on the Tax Roll.** *(Kamal Fallaha City Engineer, Engineering Division)*

Recommendation:

Staff recommends that the City Council:

- 1) Open the Public Hearing
- 2) Take Public Testimony
- 3) Close the Public Hearing
- 4) Motion to Approve Resolution

ATTACHMENT: [Item31NPDESPublicHearing.pdf](#)

POLICY AND ACTION

CITY

32. Discuss and authorize the Expenditure of Transient Occupancy Tax (TOT) funds for the 2011 Sponsored Employment Program *(M L Gordon, City Manager)*

Recommendation:

That City Council authorize the City Manager to issue funds from the Transient Occupancy Tax (TOT) Funds to the 2011 Sponsored Employment Program in the amount not to exceed \$50,000

ATTACHMENT: [Item322011SummerEmploymntProgFunding.pdf](#)

33. **ADJOURNMENT** *Close the meeting in Memory of Ms. Ruby Williams
Long time community resident who actively served on the
Senior Advisory Board as well as the Senior Center Inc. Board
of Directors.*