



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.

ACTION MINUTES

By: Minette Warren

REGULAR JOINT CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

TUESDAY, JULY 5, 2011

Study Session: 6:00 p.m. Open Meeting: 7:30p.m.

Closed Session (*To follow Open Session*)

**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.

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.

6:00 P.M. Study Session

**Call to Order
Roll Call**

**Present: Woods, Abrica, Martinez, Romero
Absent from roll call: Evans**

1. Approval of the Study Session Agenda

Action: Motion/Second: Woods/Abrica Vote: 4-0
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2. Annual Capital Improvement Plan – 2011

Staff Report given by Kamal Fallaha, City Engineer and Brenda Olwin, Interim City Attorney. CIP Information Accepted, Direction Given, CIP to be agendized for hearing at a future meeting.

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

3. Joint Call to Order

Roll Call

Present: Woods, Abrica, Evans, Martinez, Romero

4. Approval of the Agenda

Agenda Approved with the Consent Calendar being Approved with Items 6, 7, 8, and 9 being pulled for corrections and questions/clarification - Items 6, 7 and 9 pulled by Councilmember Woods, Item 8 pulled for amendment by Deputy City Clerk Warren, (that the fee was not \$12, 355 in Fees, it would be a different amount \$6,000Plus).

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

5. Minutes

- 06/07/11 Regular CC RDA Meeting
- 06/14/11 Special CC Meeting
- 06-21-11 Regular CC RDA Meeting

6. Deny by motion the request for Funding or \$1,500; and, a Fee Waiver for Collard Greens Festival in the amount of \$785.00 (Minette Warren, Deputy City Clerk, City Clerk's Office)

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

7. Adopt a Resolution authorizing the City Manager to approve a Fee Waiver for Children's Day in the Park (Minette Warren, Deputy City Clerk, City Clerk's Office)

Action: Motion/Second: Woods/Abrica Vote: 4-1 (Evans/Abstained)

8. Adopt a Resolution authorizing the City Manager to waive the Fees associated with the use of the Martin Luther King Jr. Park Soccer Field Request for the East Palo Alto Soccer Club and the East Palo Alto Zorros Soccer Team for an amount of \$12,355.00.

Action: Motion/Second: Abrica/Martinez Vote: 3-2 (Woods/Evans/No)
Amount amended by deputy Clerk Warren at meeting, she stated that the fee woould actually be one half of the amount listed. Reason: Teams and Club will be sharing the field on the dates listed in the report on a rotational basis.

9. **Adopt a Resolution to authorize the City Manager to award a construction contract to Granite Rock Co., Pavex Construction Division, for an amount not-to-exceed the bid price of \$967,682.37 and establish an overall project budget in the amount of \$1,016,066.49 to complete the improvements of the Annual Street Resurfacing Project-2011.** (*Kamal Fallaha, City Engineer, Community Development Department*)

Action/Motion: Woods/Evans Vote: 5-0

Recommendation: That Council Approve All Items on the Consent Calendar

The Consent Calendar; and, Items 5-13 may be addressed during Community Forum only, unless otherwise approved by Council

10. **Written Communications:**
a. East Palo Alto Seventh-day Adventist Church 50th Anniversary (*Debra Watkins, Anniversary Committee Member*)
11. **Special Presentations (Each presentation is limited to 10 minutes) (Government Code § 54954.3(b)): None**

ORAL REPORTS

12. **Staff Reports**
a. Grand Jury Report – San Mateo County Cities Reserves
13. **City Council/Redevelopment Agency Reports**
a. Report out on the 28th City Anniversary/4th of July Celebration (*Ruben Abrica, Council Member*)

14. **COMMUNITY FORUM**

PUBLIC HEARINGS

15. **Housing Element Implementation Fiscal Year 2010 – 2011**

Recommendation:

- 1) Receive a Report from Staff on the nine Planning Commission (PC) recommendations; and
- 2) Open the public hearing; and
- 3) Accept testimony from the public; and
- 4) Close the public hearing; and
 - a. Adopt by Resolution,
 - i. Action 3.4 to amend the General Plan related to flood hazard mitigation; and
 - ii. Action 4.8 To create an infill and small-lot development design toolkit with ideas and examples of techniques to assist developers of small parcels while providing usable open space
 - iii. Action 5.2 to encourage development of senior housing; and

Action 3.4: Motion/Second: Abrica/Woods Vote: 4-1 (Evans/No)

- b. Introduce by Ordinance and schedule adoption for July 19, 2011 on:
- iv. Action 1.5 to allow second units in multifamily residential zones (R2 and RM);

Action b-iv Motion/Second: Woods/Abrica Vote: 4-1 (Woods/No)

- v. and
- vi. Action 5.3 to reduce housing barriers to persons with disabilities; and
- vii. Action 5.6 to allow emergency shelters in the light industrial district (M1); and
- viii. Action 5.7 to add transitional and supportive housing as a permitted use in the single family zoning district (R1); and
- ix. Action 5.9 to allow single room occupancy units in the high density zoning district (RM); and
- x. Action 5.10 to reduce the distance (from 1,000 to 750 feet) required between residential care facilities that serve ten or more residents (*see Attachment 1 – PC staff reports, resolutions/ ordinances, minutes, proof of notice*); and

5) Action b-vi, vii, viii, ix and x: Motion/Second: Woods/Abrica Vote: 4-1 (Evans/No)

- 6) Accept and file the Planning Division letter which provides the required yearly update to the Department of Housing and Community Development (HCD) on the implementation of the Housing Element (*see Attachment 2 – Planning Division letter to HCD*); and

Schedule a study session on the state of housing in East Palo Alto for September 20, 2011 so residents and housing providers can meet with Council to determine which of the Housing Element goals as identified in Table 2 of this report should be implemented in FY 11/12 and 12/13 (*see Attachment 3 – Proposed Study Session and state of housing presentation pursuant to actions 11.2 and 11.4*). (*Guido Persicone, Associate Planner, Planning Division*)

7)

Staff Report Given by Planning Division Staff member Guido Persicone, Hearing Opened by Mayor Romero, Deliberations by Council, no Public Comment, Staff directed to bring Other actions back for approval/adoption at a future meeting and agree to do a study session sometime in the Fall of this year.

Recommendation

- 1. Receive staff Report; and

2. Open a Public Hearing; and
3. Receive Public Testimony; and
4. Close the Public Hearing; and
5. Schedule adoption for the July 19, 2011 Regular Meeting

Staff Report Given by Planning Division Staff member Guido Persicone, Hearing Opened by Mayor Romero, Deliberations by Council, No Public Comment, Staff directed to bring ordinance actions back on July 19, 2011 for approval/adoption

POLICY AND ACTION

RDA

17. **Update on Status of Redevelopment Agencies in California due to new legislation.**

Recommendation:

Discuss and continue matter to adjourned regular meeting on July 12, 2011 for consideration of Introduction of Ordinance.

Community Development/Redevelopment Agency Staff presented staff report Council Deliberated, No Public Comment, Directions given to Staff to bring item back with proposed Ordinance on July 12, 2011

City Council

18. **Third Amendment to San Mateo County Animal Control Services Contract** (*Brenda Olwin, Interim Finance Director; Valerie Armento, City Attorney's Office*)

Recommendation:

Adopt a Resolution authorizing the City Manager to execute the Third Amendment to the contract agreement with San Mateo County for the provision of Animal Control Services through June 30, 2015

Action:	Motion/Second:	Abrica/Woods	Vote: 4-1 (Evans/No)
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19. **Adjournment to Closed Session**

Joint Closed Session

20. **Joint Closed Session Call to Order and Roll Call**
21. **Approval of the Closed Session Agenda (Government Code § 54957.7(a))**
22. **Joint Closed Session Community Forum**

23. **Adjournment into Closed Session**
24. **Labor Negotiations (Government Code § 54957.6)**
(Stephanie Osaze, Assistant City Manager/HR Director)
Service Employee International Union (SEIU) Local 521
25. **Property Negotiations (Government Code Section 54956.8)** *(Russell Averhart, Interim RDA Division Manager)*
APN# 063-292-170, 063-292-160, 063-292-190, 063-292-200
26. **Potential/Pending Litigation (Government Code 54956.9)**
Byrd Brock DKB Homes *(Karen Tiedemann, RDA Counsel)*
27. **Monthly Litigation Report** *(Valerie J. Armento, Interim City Attorney)*
28. **Report out of Closed Session** *(Valerie J. Armento, Interim City Attorney)*

Report Out of Closed Session: Items 24, 25, 26 and 27 discussed, No Reportable Action Taken.

29. **Continue July 5, 2011 Meeting to July 12, 2011, to 7:30 pm**