



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, NOVEMBER 1, 2011

Closed Session: 6:00 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.

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.

Regular Joint Closed Session

Regular Joint Closed Session Call to Order

Roll Call

Present: Woods, Abrica, Romero
Evans, Martinez in after Roll Call before beginning of Closed Session

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

ACTION:	Motion/Second;	Woods/Abrica	Vote: 3-0
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- 2. Joint Closed Session Community Forum**

3. Adjournment into Closed Session

4. Personnel Matter (Government Code § 54957) *Mayor Carlos Romero, Stephanie Osaze, Assistant, City Manager,*

a. City Attorney Recruitment Process

5. Labor Negotiations (Government Code § 54957.6) *(Stephanie Osaze, Assistant City Manager, Charles Sakai, Renne Sloan Holtzman Sakai LLC)*

East Palo Alto Police Officer's Association

6. Potential/Pending Litigation (Government Code § 54956.9) a. Discussion of City of East Palo Alto vs. XXXXX *(Karen Tiedemann, RDA Counsel) (Disclosure will jeopardize service of process or existing settlement negotiations)*

b. November 2011 Litigation Report *(Valerie J. Armento, Interim City Attorney)*

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

7. Joint Call to Order

Roll Call

Present: Woods, Abrica, Evans, Martinez, Romero

8. Approval of the Agenda

ACTION:	Motion/Second:	Abrica/Woods	Vote: 5-0
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9. Advisory Bodies

a. Update on Advisory Bodies Recruitment

b. Update on Measure "C" Committee and Member Participation

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

Approval of Consent Calendar

ACTION:	Motion/Second:	Abrica/Martinez	Vote: 5-0
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10. Minutes *(Minette Warren, Deputy City Clerk, Office of the City Clerk)*
10-18-11 Regular CC RDA Meeting

11. Adopt a Resolution Amending the City Manager's Employment Agreement, reducing base wages by 5% effective with payroll beginning October 31, 2011 and ending June 30, 2012 for the fiscal year 2011-2012.

Recommendation: That Council Approve All Items on the Consent Calendar

The Consent Calendar; and, Items 10-13 may be addressed during Community Forum only, unless otherwise approved by Council

12. Written Communications:

- a. **Letter requesting Fee Waiver Lauren’s House 4 Positive Change.** *(Monique Graves, CEO)*
- b. **U.S. Department of Homeland Security Federal Emergency Management Association (FEMA) National Flood Insurance Program (NFIP) Community Rating System (CRS)** *(Sandra K, Knight, PhD, PE, Deputy Associate Administrator for Mitigation)*

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

Youth Art and Music Center *(Isaiah Phillips)*

No one available or in attendance to present – Item Continued

ORAL REPORTS

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

Interim City Attorney Armento Reported Out, Items Discussed No Action Taken

15. Staff Reports (None)

Staff member Brent Butler, Planning Manager, gave informational update on FEMA Flood Rating

16. City Council/Redevelopment Agency Reports

17. COMMUNITY FORUM

18. RDA ACTION ITEMS (None)

19. PUBLIC HEARINGS (None)

POLICY AND ACTION

20. Cooley Landing Phase 1 Remediation and Public Access Project, Construction Contract Award *(Shannon Alford, Cooley Landing Project Manager, City Manager’s Office)*

RECOMMENDATION:

1. Adopt a Resolution authorizing the City Manager award a construction contract to O.C. Jones & Sons, Inc. for an amount not to exceed the bid price of \$1,793,478 for the Cooley Landing Phase 1 Remediation and Public Access Project; and

2. Authorize the City Manager to establish an overall Cooley Landing Phase 1 Remediation and Public Access Project construction budget in the amount of \$1,918,219.

ACTION: Abrica/Woods Vote: 5-0

21. Ordinance Revisions to City Ellis Act Provisions (*Valerie J. Armento, Interim City Attorney*)

RECOMMENDATION:

Staff Recommends that the City Council:

Waive Second Reading and Adopt the Ordinance Revisions to City Ellis Act Provisions

Item discussed and to be brought back to next regular Council meeting, Tuesday, November 8, 2011

ACTION: Abrica/Woods Vote: 4-1 (Evans/No)

22. Property Lien for Unpaid Rent Stabilization Program Registration Fees and Penalties (*Carol Lamont, Rent Stabilization Program Administrator; Neelam Naidu, Deputy City Attorney*)

RECOMMENDATION:

Staff Recommends that the City Council:

Adopt a Resolution authorizing the recordation of a Notice of Lien for unpaid Rent Stabilization Program fees and penalties for the 2009-2010 and 2010-2011 program years against the property located at 1893 – 1895 Woodland (Creekside Mobile Home Park) (APN 063-501-010) in the amount of \$107,220

NOTE: For the Record, before Council Discussion, Councilmember Woods disclosed potential conflict of interest and stepped down from the dais.

ACTION: Motion/Second: Abrica/Martinez Vote: 3/1 (Evans/No)

23. Payday Lending Policy (*Continued from 10-18-2011 Regular CC RDA Meeting*) (*Valerie J. Armento, Interim City Attorney, City Attorney's Office*)

RECOMMENDATION:

Staff recommends that City Council:

Provide direction to City staff on the subject of regulating payday lending in the City of East Palo Alto.

ACTION: No Motion made, Direction Given to Staff

24. Use and Name of 550 Bell Street Facility (*Continued from 10-18-2011 Regular CC RDA Meeting*) (*M L Gordon, City Manager, Carlos Martinez, Provisional Deputy Director, Community Development Department*)

RECOMMENDATION:

Staff Recommends that City Council

1. Discuss and provide direction to staff on the purpose and use of the 550 Bell Street Facility; and
2. Direct the City Manager to initiate a contest among youth in the community on naming the facility based on Council determined use of the facility.

- 25. Fee Waiver Request for Lauren's House 4 Positive Change** *(Minette Warren, Deputy City Clerk, City Clerk's Office)*

RECOMMENDATION:

Staff Recommends that City Council:

By motion deny the request from Lauren's House 4 Positive Change and charge the normal fees for the requested event in the amount of \$1,034.08 .for use of Joel Davis Park and overtime costs associated with four Police Officers to assist with the event.

ACTION: None taken - (No City services used by requestor)

- 26. Seeking State Grant Funding for Local Levees.**
(Carlos Martinez, Provisional Deputy Director, Community Development Department)

RECOMMENDATION:

Staff Recommends that City Council:

1. By motion, authorize the City Manager to work with the San Francisquito Creek JPA to prepare and submit an application to the State through the Local Levee Assistance Program (LLAP); and
2. Direct the City Manager to identify funds, ranging from \$150,000 up to \$300,000 as a match should the application be successfully awarded.

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

- 27. ADJOURNMENT 11:18p.m.**