



City of East Palo Alto MINUTES

TUESDAY, FEBRUARY 5, 2019

CITY COUNCIL REGULAR MEETING - 6:30 P.M.

1. CALL TO ORDER AND ROLL CALL

Mayor Gauthier called the meeting to order at 6:30 p.m.

PRESENT: Abrica, Gauthier, Romero, Wallace-Jones

ABSENT: Moody

2. APPROVAL OF THE AGENDA

Action: Upon motion by Councilmember Romero and seconded by Mayor Gauthier, the City Council **voted 4-0-1-0** to approve the Agenda.

AYES: Romero, Gauthier, Abrica, Wallace-Jones

NOES: None

ABSENT: Moody

ABSTAIN: None

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no comments from the public.

Council member Moody joined the Closed Session meeting at 6:45 p.m.

4. ADJOURNMENT INTO CLOSED SESSION

The City Council adjourned into Closed Session at 6:32 p.m.

A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Government Code section 54957)

TITLE: City Attorney

B. PUBLIC EMPLOYMENT

(Government Code Section 54957)

TITLE: City Manager

5. CITY COUNCIL TO RECONVENE INTO OPEN SESSION

The City Council reconvened into open session at 7:05 p.m.

6. REPORT OUT OF CLOSED SESSION

City Attorney, Rafael E. Alvarado, Jr., reported Council discussed on closed session Items 4A and 4B and took no reportable action on both items.

7. PUBLIC COMMENT ON CONSENT CALENDAR ITEMS

There were 4 comments from the public .

8. APPROVAL OF CONSENT CALENDAR

City Council Ordinances, Resolutions/ Informal Reports/ Approval of Actions and Motions

Recommendation: That the City Council adopts the Consent Calendar as indicated below.

Vice Mayor Wallace-Jones asked to pull Item 8A.
Council member Romero asked to pull Item 8C.
Council member Abrica asked to pull Item 8D.
Council member Moody asked to pull Item 8E.

Action: Upon motion by Councilmember Romero and seconded by Councilmember Moody, the City Council voted 5-0-0-0 to approve the Consent Calendar, Items 8B and 8F, minus Items 8A, C, D and E.

- AYES:** Romero, Moody, Abrica, Gauthier, Wallace-Jones
- NOES:** None
- ABSENT:** None
- ABSTAIN:** None

A. Adopt a Proclamation Recognizing and Celebrating February as Black History Month

(Lisa Gauthier, Mayor)

Vice Mayor Wallace-Jones spoke on the importance of Black History month and requested a pause in order to celebrate this important event. Mayor Gauthier reminded residents on the events scheduled by the Library branch at East Palo Alto.

Action: Upon motion by Vice Mayor Wallace-Jones and seconded by Council member Romero, the City Council **voted 5-0-0-0**

B. Adopt a Proclamation Celebrating the Life Of Gertrude Wilfus Wilks and Recognizes her Dedication and Contributions to the Progress of our Community

(Lisa Gauthier, Mayor)

C. By motion:

1. Waive the second reading of and adopt an ordinance amending Title 10 (Vehicles and Traffic) of the East Palo Alto Municipal Code to restrict parking of oversized vehicles and trailers on public streets and increase the allowable weight for commercial vehicles in residential areas; and

2. Approve filing a Notice of Exemption finding that adoption of the ordinance is exempt from the California Environmental Quality Act pursuant to Section 15301 of the CEQA Guidelines applicable to minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use, and section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment.
(Hanson Hom, Interim Community Development Director)

Council member Romero expressed concern with the reduction of parking spaces impacting the residents with the proposed Ordinance. He is ready to support passing it, but cautions more awareness on its impact.

Council member Abrica added that enforcement can be deferred much like the RVs. And there is a way to keep track of our residents to get deferment; and historically, our city has never had this Ordinance and the intent of passing this Ordinance is not to punish residents on a daily basis. He asked that staff keep track of how this is impacting residents and added that Government should not in the business of hurting people and place them in financial constraints.

Council member Romero asked for a 3 month update on impacts to residents back to Council.

Mayor Gauthier asked for a report of the inventory of these vehicles in City.

Sean Charpentier, Interim City Manager responded that a report can be brought back in 6months to Council. Hansom Hom added additional information on the types of vehicles that exceed the 7-foot width which are rare in the City.

Action: Upon motion by Council member Romero and seconded by Vice Mayor Wallace-Jones, the City Council **voted 5-0-0-0**

The City Council approved Ordinance No. 420

D. By motion, waive the second reading and adopt an Ordinance approving a Zone Change from R-HD-3 to R-HD-5 for 1805 East Bayshore Road, East Palo Alto, CA 94303 (Light Tree Apartments).

(Rafael E. Alvarado, Jr., City Attorney; Guido F. Persicone, Planning Manager; Daniel Berumen, Senior Planner)

Council member Abrica asked for this item to be pulled due to his absence at the prior meeting when it was adopted; therefore, he added due to his absence at this meeting, he will abstain from voting.

Action: Upon motion by Council member Romero and seconded by Vice Mayor Wallace-Jones, the City Council **voted 4-0-0-1**

AYES: Romero, Wallace-Jones, Gauthier, Moody
NOES: None
ABSENT: None
ABSTAIN: Abrica

The City Council approved Ordinance No. 421

- E. Adopt a resolution authorizing the Interim City Manager to enter into an annual service contract with ShotSpotter Incorporated in an amount not to exceed \$35,582.00**

(Albert Pardini, Chief of Police)

Council member Moody stated that the Shot spotter program has been in place since 2006 and requested data trends based from 2006 to present with use of ShotSpotter and how the ceasing of gun fire has almost ceased in the City. Asked Chief of Police with data.

Chief of Police provided data from 2014 to give a snapshot on gunfire to City Council showing a 56% reduction and he is certain that higher numbers will show with recent data.

Action: Upon motion by Council member Moody and seconded by Council member Romero, the City Council **voted 5-0-0-0**

The City Council approved Resolution No. 5078

- F. Adopt a Resolution authorizing the Interim City Manager to award a five-year contract to West Coast Arborists, Inc., in a form to be approved by the City Attorney, to provide on-call and emergency tree trimming and tree removal in the public right-of-way and City-owned properties in an annual amount of \$80,000.00, with the option for the City Manager to extend the contract for three additional one-year terms.**

(Kamal Fallaha, Director of Public Works, Jay Farr, Maintenance Division Manager; Michelle Daher, Management Analyst)

The City Council approved Resolution No. 5079

9. ORAL REPORTS

A. Staff Reports

- Sean Charpentier, Interim City Manager had no report.

- Chief of Police, Albert Pardini, reported on an event taking place in January 26 and January 27 at Eastside College Prep.

B. City Council Reports

- Council member Moody announced the passing of Mr. Vaughn Parrish and he attended the funeral on February 5, 2019.
- Council member Abrica reported the San Francisquito Creek JPA project being completed; the next project is the work upstream; announced the passing of Juan Miranda, a long time resident.
- Council member Romero had no report.
- Vice Mayor reported she and Mayor Gauthier attended a Women Leadership summit on Saturday January 22, in Santa Clara hosted by Supervisor Chavez in Santa Clara County which covered issues like housing, transportation and parking.
- Mayor Gauthier had no report.

10. COMMUNITY FORUM

There were 4 speakers. Some of the topics mentioned were: an incident with water district office and small businesses being displaced.

11. INFORMATIONAL REPORT

A. Informational Report on Measure P Community Forum

(Brenda Olwin, Finance Director)

Recommendation

Receive report and provide further direction regarding Measure P Community Forum.

Brenda Olwin, Finance Director, presented the report to City Council and answered questions.

Council member Romero asked when a better assessment would be provided to Council on Measure P.

Ms. Olwin replied it would be provided during budget season.

There were no comments from the public.

12. SPECIAL PRESENTATION – NONE

13. PUBLIC HEARINGS -NONE

14. POLICY AND ACTION

A. Approve the Budget Calendar for the Adoption of the FY 2019-2020 Budget

(Brenda Olwin, Finance Director)

Recommendation

By motion, approve the budget calendar for the adoption of the FY 2019-2020 Budget.

Brenda Olwin, Finance Director presented the report to City Council and answered questions.

There were no comments from the public.

Action: Upon motion by Councilmember Moody and seconded by Vice Mayor, Wallace-Jones, the City Council voted 5-0-0-0

AYES: Moody, Wallace-Jones, Abrica, Gauthier, Romero

B. Potential Purchase of Below Market Rate Unit at 1765 East Bayshore #218
(Hanson Hom, Interim Community and Economic Development Director, Victor Ramirez, Rent Stabilization Program Administrator, Patrick Heisinger, Housing Projects Manager)

Recommendation

Adopt a Resolution authorizing the City Manager:

1. To assign the City’s option to purchase the unit to EPACANDO for the purposes of transferring the property to an eligible purchaser, pursuant to the Resale Agreement; and
2. Execute an Agreement for the purchase and resale of the property subject to the terms of Exhibit A and subject to approval by the City Attorney, including a loan for \$185,000.

Patrick Heisinger presented the report to City Council and answered their questions.

Mayor Gauthier asked EPACANDO if there are any buyers lined for purchasing. Council member Romero requested that a land trust be established.

There were no comments from the public.

Action: Upon motion by Councilmember Moody and seconded by Vice Mayor, Wallace-Jones, the City Council **voted 5-0-0-0.**

AYES: Moody, Wallace-Jones, Abrica, Gauthier, Romero
NOES: None
ABSENT: None
ABSTAIN: None

The City Council approved Resolution No. 5080

C. Contract Awards for General Financial Consulting Services Related to Affordable Housing and Development Initiatives and Projects

(Hanson Hom, Interim Community Development Director, Victor Ramirez, Rent Stabilization Program Administrator, Patrick Heisinger, Housing Projects Manager)

Recommendation

Adopt a resolution authorizing the City Manager to enter into contract with three consultants, each for a period of three-years, in a form to be approved by the City Attorney and in an amount not to exceed \$125,000, \$125,000, and \$50,000 respectively to provide financial consulting services to the City of East Palo Alto.

Patrick Heisinger presented the report to City Council and answered their questions

There were no comments from the public.

Council member Moody asked expectations of Council from HEART.

Council member Romero asked if a potential conflict of interest would occur.

Action: Upon motion by Councilmember Moody and seconded by Council member Romero, the City Council **voted** 5-0-0-0.

AYES: Moody, Romero, Abrica, Gauthier, Wallace-Jones

NOES: None

ABSENT: None

ABSTAIN: None

The City Council approved Resolution No. 5081.

Council member Moody recused himself and left the Council meeting due to being a board member of EPACANDO.

D. Award a Contract in the Amount of \$125,000 to EPACANDO and the Bay Area Homeownership Alliance to Administer the City's Below Market Rate (BMR) Program

(Hanson Hom, Interim Community Development Director; Victor Ramirez, Rent Stabilization Program Administrator; Patrick Heisinger, Housing Projects Manager)

Recommendation

Adopt a resolution authorizing the City Manager to enter into a three-year contract with the joint partnership of EPACANDO and the Bay Area Affordable Homeownership Alliance (BAAHA), in a form to be approved by the City

Attorney, in an amount not to exceed \$125,000 to administer the City's Below Market Rate (BMR) Program.

Patrick Heisinger presented the report to City Council and answered their questions

There were no comments from the public.

Council member Abrica stated he was glad to see this item come to City Council; and that the Ordinance should be revised and brought back to Council later. Vice Mayor Wallace-Jones asked if \$125,000 is enough and what measures will be provided in this report to ensure moving on right direction and wants to see the proposed review process.

Council member Romero sated the initial start-up of this work is critical. Mr. Heisinger responded that any enforcement will go through City Council for approval. Sean Charpentier added that policy changes will be created on the requirements & penalties through the Ordinance.

Action: Upon motion by Vice Mayor Wallace-Jones and seconded by Mayor Gauthier, the City Council **voted 4-0-0-1**.

AYES: Gauthier, Romero, Abrica, Wallace-Jones
NOES: None
ABSENT: None
ABSTAIN: Moody

The City Council approved Resolution No. 5082.

15. ADJOURNMENT

Council member Abrica requested the meeting closed in memory of Juan Miranda, a resident of East Palo Alto since 1950's. Council member Moody requested the meeting close in Memory of Vaughn Parrish. Mayor Gauthier reminded everyone that today is the beginning of a new Chinese New Year, Year of the Pig.

The City Council regular meeting adjourned at 9:33 p.m.

Respectfully submitted by María Buell, City Clerk.