



City of East Palo Alto MINUTES

TUESDAY, JUNE 18, 2019

CITY COUNCIL REGULAR MEETING & JOINT SUCCESSOR AGENCY BOARD CITY COUNCIL SPECIAL MEETING -6:30 P.M.

1. CALL TO ORDER AND ROLL CALL

Mayor Gauthier called the meeting to order at 6:35 p.m.

PRESENT: Abrica, Wallace-Jones, Romero, Gauthier

ABSENT: Moody

2. APPROVAL OF THE AGENDA

(Government Code Section 54957.7(a))

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

AYES: Romero, Abrica, Wallace-Jones, Gauthier

NOES: None

ABSENT: Moody

ABSTAIN: None

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS

There was no comment from the public.

4. ADJOURNMENT INTO CLOSED SESSION

The City Council adjourned into Closed Session at 6:36 p.m.

Council member Moody arrived at 6:37 and joined the Council at Closed Session.

A. CONFERENCE WITH LABOR NEGOTIATORS

(Government Code section 54957.6)

Agency Designated Representative(s): Jaime Fontes, City Manager,
Rafael E. Alvarado Jr., City Attorney, Marie McKenzie, Administrative Services
Director

Employee Organization: Service Employees International Union – Local 521, East Palo Alto Management Employees’ Association, East Palo Alto Police Officers’ Association

5. CITY COUNCIL TO RECONVENE INTO OPEN SESSION

The City Council reconvened into open session at 7:30 p.m.

6. REPORT OUT OF CLOSED SESSION

Rafael E. Alvarado, Jr., City Attorney reported that City Council took no reportable action on Item 4A.

7. PUBLIC COMMENT ON CONSENT CALENDAR ITEMS

There were no 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.

Mayor Gauthier requested to move Item 15C in Agenda.

Action: Moved by Council member Moody and seconded by Council member Abrica to move Agenda Item #15C to #11A. Vote: 5-0-0-0

Council member Moody requested to pull Item 8B.

Action: Upon motion by Council member Abrica and seconded by Vice Mayor, Wallace-Jones, the City **Council voted 5-0-0-0** to approve the Consent Calendar minus Item 8B pulled by Council member Moody, Mayor’s request to move Item 8A to next meeting and realign Item #15C to #11A.

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

NOES: None

ABSENT: None

ABSTAIN: None

B. By motion, adopt a Proclamation to Recognize Les Dewitt For 30 Years Of Dedication To Education And Public Service

(Larry Moody, Council member)

Council member Moody read the Proclamation for Mr. Dewitt

There were 2 comments from the public.

Mr. Dewitt accepted the Proclamation from Council member Moody.

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

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

C. By motion, approve the City Council regular meeting minutes of June 4, 2019.
(María Buell, City Clerk)

D. Adopt a resolution authorizing the San Mateo County Controller to apply the Measure HH charges to the 2019-20 tax roll and authorizing the tax collector to collect the taxes at the same time and in the same manner as the general county taxes are collected. *(continued from 5/7/2019 meeting)*
(Brenda Olwin, Finance Director, Greg Henry, Senior Finance Project Manager)

The City Council approved Resolution No. 5131

E. Adopt a resolution authorizing the City Manager to execute a contract Amendment No. 3 with 4 Leaf Inc., in a form approved by the City Attorney, to increase the contract amount by \$150,000, for a new not-to-exceed amount of \$755,784, and to extend the contract expiration to June 30, 2020.
(Sean Charpentier, Assistant City Manager, Patrick Heisinger, Community Development Director)

The City Council approved Resolution No. 5132

F. Adopt a Resolution that:

- 1. Approves HIP Housing's FY 2019-2020 grant request for \$2,500;**
- 2. Authorizes the City Manager to execute all documents necessary to provide HIP Housing's \$2,500 FY 2019-2020 grant request; and**
- 3. Authorizes the City Manager to administratively approve a future grant request from HIP Housing in an amount not to exceed \$2,500 and include said amount in the FY 2020-2021 draft proposed budget.**

(Jaime M. Fontes, City Manager)

The City Council approved Resolution No. 5133

G. Receive staff's report responding to the City Council's questions regarding methods for registering complaints about potential code violations.
(Sean Charpentier, Assistant City Manager; Patrick Heisinger, Community & Economic Development Director)

9. ORAL REPORTS

A. Staff Reports

- Jaime M. Fontes, City Manager, wished Mayor a Happy Birthday.
- Chief of Police, Albert Pardini, reported on activities on police department.
- Sean Charpentier, Assistant City Manager, reported there will be two meetings on June 19 - one by the Public Works & Transportation Committee (proposed draft EIR on Newel project) at 7:30 p.m. and the second meeting: a Design community meeting on 965 Weeks Project (affordable housing meeting) at 6:30 p.m. at YMCA front entrance room. He added that on June 17, 2019, a water customer issues meeting was held and was attended by community. Community's complaints were received and an overview on the rate increase by Veolia was provided.

B. City Council Reports

- Council member Moody no report due to lengthy meeting
- Council member Abrica – no report
- Council member Romero no report.
- Vice Mayor Wallace-Jones wished Mayor a Happy Birthday. She has concerns on safety of bridge (Pedestrian Over Crossing) for the community and asked that staff remain vigilant; need to control weed growth on Weeks street and to have a plan of action on RVs on the street; she and Council member Moody spoke on a joint school district meeting; announced on two activities Juneteenth at Four Seasons University Circle; participated in Stanford's graduation; she missed the Library board meeting because she was out of town; and requested Senator Simitian and County Manager that meetings related to Stanford General Plan be planned for evenings and give residents a chance to participate.
- Mayor Gauthier thanked the acknowledgement and working hard to complete work on her degree; applied to be rep for South Bay CCAG committee and received unanimous consent to represent So County on this position; Juneteenth celebration and that tomorrow is the actual date of celebration – celebrating freedom and come together as families to celebrate history; thanked Michelle for attending and representing staff; first MBK meeting on 6/5/19 and many non-profits will come together and work on Literacy for everyone in city – not just children; she thanked the Library for their work on this as well; the pedestrian overcrossing needs to be safe and asked community to keep it safe for everyone; thanked everyone for support on her completion of bachelor's degree and she will attend the US Mayors in July at Honolulu.

10. COMMUNITY FORUM

There were 10 comments from public. The topics mentioned were weeds, Retraining the Village recipients of the services who thanked Council for supporting; and Job Train's available to assist people get jobs.

11. INFORMATIONAL REPORT - NONE

By Consensus of Council, Item# 15C became Item#11A.

11A. ~~15C~~ An Administrative Design Review Permit, Zoning Change, Zoning Text Amendment, General Plan Amendment, Statement of Overriding Consideration, Lot Merger and other related permits to construct a school for up to 511 students, 150 children enrolled in a parent-infant-toddler program, and 70 staff in a 61,000 square foot building located at 1200 Weeks Street (The Primary School).

(Sean Charpentier, Assistant City Manager, Patrick Heisinger, Community Services Director, Guido Persicone, Planning Manager)

Recommendation

1. Adopt a resolution that:
 - a. Approves the Administrative Design Review, General Plan Amendment, and Lot Merger (DR/LM 16-009) based on the Findings (Attachment A), requirements and Conditions of Approval (Attachment B) and Desk Memo (Attachment L) which are attachments to the June 18, 2019 staff report and incorporated by this reference.
 - b. Finds that the Final Environmental Impact Report (FEIR) has been done in compliance with the California Environmental Quality Act (CEQA).
 - c. Approves the Statement of Overriding Consideration based on the Findings (Attachment K) and the MMRP (Attachment C) attached to the June 18, 2019 staff report and incorporated by this reference.
 - d. Directs the City Manager to file a Notice of Determination within five working days of adoption pursuant to Section 15075 of the CEQA Guidelines.
2. Waive the first reading and adopt an ordinance approving:
 - a. A Zone Change from Industrial Transition to Urban Residential for 1200 Weeks Street; and
 - b. A Zoning Text Amendment of the Four Corners Specific Plan.

Vice Mayor Wallace-Jones recused herself due to her residence being proximity to the proposed site of The Primary School.

Sean Charpentier introduced the item; Guido Persicone and Michelle Hunt of Hexagon Transportation Consultants, gave the City Council a presentation and provided additional conditions of approval:

1. Transit passes be offered to all employees and increase walk to school days (1 per quarter)
2. Return to PC and review the first TDM monitor report and provide any other subsequent TDM if not met; upon cert of occupancy, a TDM goal will be conducted;
3. Applicant will participate in discussions with neighbors to create a responsive program for walking; and
4. Requested if TDM goals are not met, applicant will be required to adhere to enforcement per policy (\$100 first infraction, \$200 second and not more than \$500 for subsequent infractions).

Action: Upon motion by Council member Moody, seconded by Council member Romero, the council **voted 4-0-0-1** to open the public hearing.

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

There were 15 comments from the public.

The Applicant, The Primary School (TPS) also gave a power point presentation to the Council and answered questions.

Council had additional questions to staff and staff provided answers to Council.

Council member Abrica and Mayor Gauthier had concerns on the contamination of site as pointed out by a speaker. Dimitri Lucas from Hexagon answered Council their questions.

Council member Moody spoke in support of TPS and how Ravenswood District has been in Program Improvement mode for the last 18 years or so and the importance of the TDM; and asked for data showing population of all nearby schools to include charter schools.

Mayor Gauthier thanked TPS for collaborating with City in this project and shared concerns on TDM and asked staff to bring back what other schools are doing to take care of children's safety and concern on noise from Palo Alto airport over the school.

Action: Upon motion by Mayor Gauthier and seconded by Council member Abrica, the City Council **voted 4-0-0-1** to close the Public Hearing.

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

Action: Upon motion by Council member Abrica and seconded by Council member Moody, as recited by City Attorney, the City **Council voted 4-0-0-1** to approve this item.

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

The City Council approved Resolution No. 5134

12. ADJOURN CITY COUNCIL REGULAR MEETING TO THE JOINT SUCCESSOR AGENCY BOARD AND CITY COUNCIL SPECIAL MEETING, AND CONVENE THE SPECIAL MEETING

The Successor Agency Board adjourned into session at 11:36 p.m.

A. ROLL CALL

Chair Gauthier called the meeting to order at 11:36 p.m.

BOARD MEMBERS PRESENT: Abrica, Gauthier, Moody, Romero and Wallace-Jones

ABSENT: None

B. ADMINISTRATIVE BUDGET ADOPTION

Adoption of the Fiscal Year 2019-20 Successor Agency Trust Budget
(Brenda Olwin, Finance Director)

Recommendation

Approve a resolution adopting the Fiscal Year 2019-20 Successor Agency Trust Budget.

Action: Upon motion by Board member Romero and seconded by Board member Moody, the Successor Agency Board **voted 5-0-0-0** to approve the Successor Agency FY 2019-20 budget.

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

There was no comment from the public.

The Successor Agency approved SA Resolution No. 19-01

13. ADJOURN THE JOINT SUCCESSOR AGENCY BOARD AND CITY COUNCIL SPECIAL MEETING

14. RECONVENE THE CITY COUNCIL REGULAR MEETING

The City Council reconvened into open session at 11:41 p.m.

15. PUBLIC HEARINGS

A. Adoption of Fiscal Year 2019-20 Budget
(Brenda Olwin, Treasurer/ Finance Director)

Recommendation

Conduct hearing, receive final staff and community input, and approve a resolution adopting the Fiscal Year 2019-20 Budget.

Brenda Olwin, Finance Director, gave a presentation and answered Council's questions.

The Budget hearing presentation at 11:42 p.m.

Action: Upon motion by Council member Abrica and seconded by Council member Romero, the City Council voted 5-0-0-0 to open the Public Hearing.

There was no comment from the public.

Action: Upon motion by Council member Romero and seconded by Council member Abrica, the City Council voted 5-0-0-0 to close the Public Hearing.

Action: Upon motion by Council member Abrica and seconded by Council member Moody, the City Council voted **4-1-0-0** to approve the FY 2019-20 Budget.

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

ABSENT: None
ABSTAIN: None

The City Council approved Resolution No. 5135

Action: Upon motion by Council member Romero and seconded by Vice Mayor, Wallace-Jones, City Council voted 5-0-0-0 to continue the Council meeting beyond 12:30 a.m.

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

B. Establishing the Fiscal Year 2019-20 Appropriation Limit

(Brenda Olwin, Finance Director; Agnes Pabis, Financial Services Manager)

Recommendation

Adopt a Resolution establishing the FY 2019-20 Appropriation Limit of \$32,668,760.

Brenda Olwin, Finance Director, gave a presentation and answered Council's questions.

Action: Upon motion by Mayor Gauthier and seconded by Council member Abrica, the City Council voted 5-0-0-0 to open the Public Hearing on Item 15B.

There was no comment from the public.

Action: Upon motion by Council member Romero and seconded by Council member Abrica, the City Council voted 5-0-0-0 to close the Public Hearing on Item 15B.

There were no comments from the public.

Action: Upon motion by Council member Abrica and seconded by Mayor Gauthier, the City Council voted **5-0-0-0** to approve this item.

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

The City Council approved Resolution No. 5136

Mayor Gauthier requested that Items 15D and 16A as listed in the Agenda be continued to a future meeting.

17. ADJOURNMENT

The City Council regular meeting adjourned at 12:35 a.m.

Respectfully submitted,

Maria Buell, City Clerk