



City of San Leandro

Civic Center
835 East 14th Street
San Leandro, California

Minutes City Council

Welcome to your City of San Leandro City Council meeting.

Your City Councilmembers are:

*Mayor Stephen H. Cassidy
Michael Gregory, District 1
Ursula Reed, District 2
Diana Souza, District 3
Benny Lee, District 4
Pauline Russo Cutter, District 5
Jim Prola, District 6*

Monday, July 7, 2014

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:16 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

Facilities Worker Larry Ornellas led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

Present 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Absent 1 - Reed

1.C. ANNOUNCEMENTS

Mayor Cassidy announced that Councilmember Reed was absent due to health reasons.

2. RECOGNITIONS

2.A. [14-244](#) Recognition of Cherry Festival Sponsors at \$8,000 Donation Level and Above and Their 3-Year Commitment: Kaiser Permanente, San Leandro Optimist Club, Terra Tech, and Creekside Plaza

2.B. [14-287](#) Proclamation Declaring July 2014 as Parks Make Life Better Month

2.C. [14-230](#) Recognition of Councilmember Jim Prola for His Service as Vice Mayor in 2013-14

3. PRESENTATIONS

- 3.A. [14-260](#) Presentation on Work Based Learning and Summer Internship Program by San Lorenzo Unified School District
- 3.B. [14-283](#) Update by Chamber of Commerce on Services Agreement with City
- 3.C. [14-282](#) Update on Recreation Programs and Events

4. PUBLIC HEARINGS

None.

5. PUBLIC COMMENTS

Darlene Evans spoke regarding fireworks and the Police Department's response.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.B., 8.C., 8.E., 8.G., and 8.I. were removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.

8. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Councilmember Souza, seconded by Councilmember Prola, to approve the Consent Calendar. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

- 8.A. [14-284](#) Minutes of the Meeting of June 16, 2014

Approved as submitted on the Consent Calendar.

Item 8.B. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.

Item 8.C. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.

- 8.D. [14-263](#) Staff Report for a Resolution Authorizing the City Manager to Prepare and Transmit a Transportation Art and Community Identification Proposal Application to the California Department of Transportation
- [14-251](#) RESOLUTION Authorizing the City Manager to Prepare and Transmit

a Transportation Art and Community Identification Proposal Application to the California Department of Transportation to Permit the Installation of Art Murals on Traffic Control and Utility Boxes on Public Sidewalks (places mural wraps on utility boxes owned and operated by Caltrans)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-066

Item 8.E. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.

- 8.F. [14-265](#) Staff Report for a Resolution to Enter into Consultant Services Agreements between the City of San Leandro and 4LEAF, Inc., Plan Review Consultants Inc., and TRB+Associates for Third Party Plan Check Services

[14-267](#) RESOLUTION Approving Consultant Services Agreements for Third Party Plan Check Services Between the City of San Leandro and 4 Leaf Inc. for \$75,000; Plan Review Consultants Inc. for \$50,000; and TRB+Associates for \$75,000 (authorizes 2-year agreements for third party plan check services for the Building Division to continue providing plan check services in a timely manner)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-067

Item 8.G. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.

- 8.H. [14-272](#) Staff Report for a Resolution Awarding a Construction Contract to Flatiron Electric Group, Inc. for the Fiber Conduit for Broadband Network Project, Project No. 2013.0320

[14-273](#) RESOLUTION Awarding a Construction Contract to Flatiron Electric Group, Inc. for the Fiber Conduit for Broadband Network Project, Project No. 2013.0320 (awards the contract to the lowest responsible bidder in the amount of \$1,325,350.00 to be paid from United States Economic Development Agency grant funding)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-068

Item 8.I. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.B. [14-274](#) Staff Report for Proposed Amendments to the City of San Leandro Zoning Code Related to Increasing Flexibility in Industrial and Commercial Uses; Adding Community Gardens; Revising Regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; Clarifying and Revising Planning Entitlement Processing; and Conducting General Text Updates in Zoning Code Article 3 Definitions; Article 5 Residential Districts; Article 6 Commercial and Professional Districts; Article 7 Industrial Districts; Article 8 Open Space District; Article 9 Public and Semipublic District; Article 16 Development Regulations; Article 17 Off-Street Parking and Loading Regulations; Article 18 Signs; Article 21 Zoning Permits Required, Environmental Review, Fees and Deposits; Article 22 Use Permits, Variances, and Parking Exceptions; Article 27 Amendments; and Article 28 Appeals

Comments were made by the following individuals: Leif Krauss and Richard Brennan.

- [14-275](#) ORDINANCE Amending the Zoning Code Article 3 Definitions; Article 5 Residential Districts; Article 6 Commercial and Professional Districts; Article 7 Industrial Districts; Article 8 Open Space District; Article 9 Public and Semipublic District; Article 16 Development Regulations; Article 17 Off-Street Parking and Loading Spaces Regulations; Article 18 Signs; Article 21 Zoning Permits Required; Article 22 Use Permits, Variances, and Parking Exceptions; Article 27 Amendments; and Article 28 Appeals Related to Increased Flexibility in Industrial and Commercial Uses; Adding Community Gardens Use and Regulations; Revising Regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; Clarifying and Revising Planning Entitlement Application Processing; and Conducting General Text Updates (amends Zoning Code to increase flexibility in industrial and commercial uses; adds Community Gardens; revises regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; clarifies planning application processes; and provides general text updates)

A motion was made by Councilmember Souza, seconded by Councilmember Cutter, that this ordinance be passed to print. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Ordinance 2014-011

- 8.C. [14-229](#) Staff Report for Resolution Approving a Non-Professional Services Agreement between the City of San Leandro and Flagship Facility Services, Inc. for Citywide Janitorial Services

- [14-228](#) RESOLUTION Authorizing the City Manager to Execute a Non-Professional Services Agreement with Flagship Facility Services,

Inc. for Citywide Janitorial Services (authorizes an agreement in an amount not to exceed \$543,272 from the Building Maintenance Fund)

A motion was made by Councilmember Prola, seconded by Councilmember Souza, that this resolution be adopted. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Reso 2014-069

8.E. [14-276](#)

Staff Report for Resolution Extending the Business License Tax Holiday Through December 31, 2014

[14-277](#)

RESOLUTION Extending the Business License Tax Holiday Through December 31, 2014 (extends the waiver of business license tax to all businesses that are new to San Leandro and physically located in the City excluding those classified as residential and commercial rental property owners, amusement devices, or waste disposal sites)

A motion was made by Vice Mayor Lee, seconded by Councilmember Souza, that this resolution be adopted. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Reso 2014-070

8.G. [14-217](#)

Staff Report for a Resolution Rejecting All Bids for the Hesperian Boulevard/Springlake Drive Railroad Crossing Improvements Project, Project No. 12-150-38-325

[14-220](#)

RESOLUTION Rejecting All Bids for the Hesperian Boulevard/Springlake Drive Railroad Crossing Improvements Project, Project No. 12-150-38-325 (rejects all bids as recommended by the Engineering and Transportation Director)

A motion was made by Vice Mayor Lee, seconded by Councilmember Prola, that this resolution be adopted. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Reso 2014-071

8.I. [14-253](#)

Staff Report for a Resolution Accepting the Engineer's Report for Fiscal Year 2014-15 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 and Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2014-15

[14-254](#)

RESOLUTION Accepting the Engineer's Report for Fiscal Year 2014-15 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 (provides funding for the on-going maintenance of certain public facilities constructed as part of the

Heron Bay development)

A motion was made by Councilmember Cutter, seconded by Vice Mayor Lee, that this resolution be adopted. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Reso 2014-072

[14-255](#)

RESOLUTION Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2014-15 (provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development)

A motion was made by Councilmember Cutter, seconded by Vice Mayor Lee, that this resolution be adopted. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Reso 2014-073

The City Council recessed from 9:26 p.m. to 9:37 p.m.

10. ACTION ITEMS

10.A. [14-271](#)

Staff Report for City Council Discussion and Direction to Staff Regarding Formation of an Arts and Culture Commission

[14-319](#)

Motion to direct staff to return to the City Council with the necessary legislative actions to create an Arts and Culture Commission

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

10.B. [14-270](#)

Staff Report for City Council Consideration of Placing a Ballot Measure Requesting Voter Authorization to Extend Measure Z

[14-281](#)

RESOLUTION Establishing November 4, 2014 as the Date for an Election on a Proposed Ballot Measure Seeking Voter Approval Relating to the Enactment of a One-Half of One-Percent (0.5%) Transactions and Use (Sales) Tax for Thirty Years, Establishing the Policies and Procedures for Such an Election and Requesting that the County of Alameda Conduct Such an Election (adds to the November 2014 ballot the subject measure at a cost of approximately \$16,500)

A motion was made by Councilmember Prola, seconded by Councilmember Cutter, that this resolution be adopted. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Reso 2014-074

[14-278](#)

ORDINANCE of the People of the City of San Leandro Enacting a

Transactions and Use Tax to Be Administered by the State Board of Equalization (requires a two-thirds vote of the City Council to place a measure enacting a 0.5% transactions and use tax for 30 years)

A motion was made by Councilmember Prola, seconded by Councilmember Cutter, that this ordinance be passed to print. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Ordinance 2014-012

[14-293](#)

ORDINANCE of the City Council of the City of San Leandro Rescinding in Its Entirety San Leandro Municipal Code Chapter 2-19 upon the Approval by a Majority Vote of the Eligible Voters Within the City of San Leandro of the Ballot Measure (Measure ___) on the November 4, 2014 Ballot Establishing a Temporary Transactions and Use Tax Within the City of San Leandro

A motion was made by Councilmember Prola, seconded by Councilmember Cutter, that this ordinance be passed to print. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Ordinance 2014-013

10.C. [14-288](#)

Staff Report for City Council Consideration to Place a Charter Amendment on the November 4, 2014 Ballot to Provide That the Vice Mayor Designation be Made at the First Regular Meeting Each January

[14-289](#)

RESOLUTION Calling a Special Municipal Election for Submission of a Question to the Qualified Voters Relating to a Charter Amendment to Provide That the Vice Mayor Designation be Made at the First Regular Meeting in January of each year; Consolidating the Special Municipal Election with the General Municipal Election to be Held Tuesday, November 4, 2014; Approving the Form of the Ballot Question; Setting Forth Procedures for Ballot Argument and Directing the City Clerk to Submit the Measure to the City Attorney for Impartial Analysis (adds to the November 2014 ballot a Charter amendment to change the month in which the Vice Mayor selection is made; cost to add the measure is approximately \$7,000)

A motion was made by Councilmember Cutter, seconded by Councilmember Prola, that this resolution be adopted. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Reso 2014-075

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

No reportable action was taken in closed session.

12. CITY COUNCIL REPORTS

City Councilmembers reported on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting.

13. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS

City Councilmembers announced calendar of upcoming events and coordinated attendance; reported on local events attended since the last meeting; and made brief comments on issues of concern.

14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

None.

15. ADJOURN

The meeting was adjourned at 10:43 p.m., in memory of Elinor "Pat" Free.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro