



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Draft Minutes City Council

*Welcome to your City of San Leandro City Council meeting.*

**Your City Councilmembers are:**

**Mayor Pauline Russo Cutter**

**Deborah Cox, District 1**

**Ursula Reed, District 2**

**Lee Thomas, District 3**

**Benny Lee, District 4**

**Corina N. Lopez, District 5**

**Jim Prola, District 6**

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Monday, September 21, 2015

7:00 PM

City Council Chambers

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### Joint Meeting of City Council and Successor Agency to Redevelopment Agency

#### 1. CALL TO ORDER

*The meeting was called to order at 7:05 p.m.*

#### 1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

*Mayor Cutter led the Pledge of Allegiance to the Flag.*

#### 1.B. ROLL CALL

**Present** 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas

#### 1.C. ANNOUNCEMENTS

*None.*

#### 2. RECOGNITIONS

##### 2.A. RESOLUTION Appointing Jane Abelee as At Large Member to Personnel Relations Board (approves appointment for term ending December 31, 2018)

**A motion was made by Councilmember Reed, seconded by Councilmember Cox, that this resolution be adopted. The motion carried by the following vote.**

**Aye:** 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas

Enactment No: Reso 2015-162

#### 3. PRESENTATIONS

*None.*

**4. PUBLIC HEARINGS**

**4.A.** Staff Report for Proposed Amendments to the City of San Leandro Rent Review Ordinance

*The Hearing was opened to the public.*

*There being no public comments, and without objection, the Public Hearing was closed.*

ORDINANCE Amending the San Leandro Zoning Code Related to Residential, Commercial, and Industrial Uses; Brewpubs; Consignment Stores; Day Care Facilities; Parking; Wireless Telecommunications Facilities; Supportive and Transitional Housing; Warehouse/Storage Facilities; and General Text Updates in Zoning Code Articles 3, 5, 6, 7, 8, 16, and 17, to Streamline, Update, and Bring the City's Zoning Code into State and Federal Compliance

**A motion was made by Vice Mayor Prola, seconded by Councilmember Lee, that this ordinance be passed to print with the amendment to remove the word "windmills" from Article 16. The motion carried by the following vote.**

**Aye:** 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas

Enactment No: Ordinance 2015-011

**5. PUBLIC COMMENTS**

*None.*

**6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS**

**6.A.** City Manager Update on Full-Time Employee Hires and Promotions for April to September 2015

**7. AMENDMENT OF CONSENT CALENDAR**

*There was no amendment to the Consent Calendar.*

**8. CONSENT CALENDAR**

**Approval of the Consent Calendar**

**A motion was made by Councilmember Cox, seconded by Vice Mayor Prola, to approve the Consent Calendar. The motion carried by the following vote.**

**Aye:** 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas

**8.A.** Minutes of the Meeting of September 8, 2015

**Approved as submitted on the Consent Calendar.**

**8.B.** Highlights of the Finance Committee Meeting of July 21, 2015

COMMITTEE RECOMMENDATION: The Committee recommends City Council discussion on Prioritization Unfunded Liability Liquidation (PULL) Plan (listed as Action Item 10.A.)

**Accepted as submitted on the Consent Calendar.**

**8.C.** ORDINANCE Amending Section 2-18-210 of the San Leandro Municipal Code Relating to the Temporary Reduction of the Emergency Communication System Access Tax (911 Tax) for Single Access Lines on Prepaid Wireless Services

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2015-010

**8.D.** Staff Report for a Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period January 1 - June 30, 2016, Pursuant to Health and Safety Code Section 34177(l)

RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period January 1 - June 30, 2016, Detailing the Obligations of the Former Redevelopment Agency Pursuant to Health and Safety Code Section 34177(l)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-004 SA

**8.E.** Staff Report for City and Successor Agency Resolutions Approving a Loan by the City of San Leandro to the Successor Agency to the Redevelopment Agency of the City of San Leandro to Advance Funds for the Payment of Enforceable Obligations from the General Fund Unrestricted Economic Uncertainty Reserve

RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Approving a Loan Agreement with the City of San Leandro to Advance Funds to the Successor Agency for the Payment of Enforceable Obligations

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-005 SA

RESOLUTION of the City Council of the City of San Leandro

Approving a Loan to the Successor Agency to the Redevelopment Agency of the City of San Leandro to Advance Funds for the Payment of Enforceable Obligations Appropriated from the General Fund Unrestricted Economic Uncertainty Reserve

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-163

**8.F.** Staff Report for a Resolution Accepting the Work for the Public Safety HVAC Equipment Replacement, Project No. 2013.0290

RESOLUTION Accepting the Work for Public Safety HVAC Equipment Replacement, Project No. 2013.0290 (provides for the acceptance of the contract work performed by American Air Conditioning, Plumbing and Heating; filing of the Notice of Completion, releasing of the performance and payment bonds, and releasing the maintenance bond upon completion of the one-year maintenance period)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-164

**8.G.** Staff Report for a Resolution Accepting the Work for the Marina Community Center (MCC) Storefront Window Replacement, Project No. 2005.0060

RESOLUTION Accepting the Work for Marina Community Center (MCC) Storefront Window Replacement, Project No. 2005.0060 (provides for the acceptance of the contract work performed by Frisco Pro Building Services, filing of the Notice of Completion, releasing of the performance and payment bonds, and releasing the maintenance bond upon completion of the one-year maintenance period)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-165

**8.H.** MOTION Nominating Susan Snell as District 3 Representative to Human Services Commission

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2015-043

**8.I.** Staff Report for City Council Discussion and Determination of City Position on Resolutions of the League of California Cities to be voted on at the 2015 Annual Conference

MOTION Supporting the League's Resolution Relating to League Bylaw Amendments Regarding Succession of League Offices to Fill Vacancies

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2015-044

MOTION Supporting the League's Resolution Calling for Legislation to Preserve Therapeutic Environments for Group Homes and Avoid Impacts of Overconcentration of Alcohol and Drug Abuse Recovery and Treatment Facilities in Residential Neighborhoods

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2015-045

MOTION Supporting the League's Resolution Supporting SB 593 (McGuire) and Continues Local Flexibility for Cities as They Address Neighborhood and Fiscal Impacts of Temporary Rentals of Residential Units

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2015-046

**8.J.**

Staff Report for Resolution Amending Resolution No. 2015-145 for City Council Approval of Minor Amendments to the Previously Awarded Medical Cannabis Dispensary Permit to Harborside San Leandro

*Comments were made by the following individual: Stephen Cassidy.*

RESOLUTION Amending Resolution No. 2015-145 for City Council Approval of Minor Amendments to the Previously Awarded Medical Cannabis Dispensary Permit that Was Awarded to Harborside San Leandro on September 8, 2015

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-166

**9. ITEMS REMOVED FROM CONSENT CALENDAR**

*None.*

**10. ACTION ITEMS**

**10.A.**

Staff Report for Discussion on Prioritization Unfunded Liability Liquidation (PULL) Plan

**11. REPORT ON CLOSED SESSION ACTIONS TAKEN**

*City Attorney Pio Roda reported on the following actions:*

*On Item 3.B., regarding the claim of James Moss, the City Council took action as*

*follows: Councilmember Cox made a motion, seconded by Councilmember Thomas, to approve a compromise and settlement of all claims, including any and all related to claimants back, neck, bilateral knees, bilateral lower extremities, upper extremities, hips, shoulders, and hearing loss, including all attorney's fees, for \$170,000. The vote was unanimous.*

*On item 3.B., regarding the claim of Michael Fischer, the City Council took action as follows: Vice-Mayor Prola made a motion, seconded by Councilmember Lee, to approve a compromise and settlement of all claims any and all related to claimants' back, shoulders, and hearing loss, including all attorney's fees, for \$135,000. The vote was unanimous.*

## **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**

*By consensus, the City Council agreed to schedule the following items:*

- Creation of a Good Neighbor Forum in joint connection with local railroads*
- Self-Development/Communication Workshop with Sam Singer on November 9th*
- Review by the Rules Committee of attendance policy for board and commission members*
- Report on how many tickets were given for cell phone use/texting while driving and what is the City doing to mitigate*

## **15. ADJOURN**

*The meeting was adjourned at 8:55 p.m.*

**RESPECTFULLY SUBMITTED:**

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**TAMIKA GREENWOOD**  
**City Clerk of the City of San Leandro**