



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

Monday, March 2, 2015

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:07 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. [15-096](#) Proclamation Declaring March 2015 as American Red Cross Month

2.B. [15-128](#) Recognition of the Human Resources Division for Receiving the 2014 Agency Award for Excellence for Innovation in Human Resources Given by the Northern California Chapter International Public Management Association - HR (NCCIPMA-HR)

2.C. [15-099](#) RESOLUTION Appointing Tony Breslin as District 1 Member to Planning Commission for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-036

- 2.D.** [15-100](#) RESOLUTION Appointing Victor Aguilar as At Large Member to Human Services Commission for Term Ending December 31, 2018
- A motion was made by Vice Mayor Prola, 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 2015-037

- 2.E.** [15-102](#) RESOLUTION Appointing Amy Cassidy as At Large Member to Human Services Commission for Term Ending December 31, 2018
- A motion was made by Vice Mayor Prola, 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 2015-038

- 2.F.** [15-103](#) RESOLUTION Appointing Paul Sanftner as At Large Member to Human Services Commission for Term Ending December 31, 2018
- A motion was made by Vice Mayor Prola, 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 2015-039

- 2.G.** [15-104](#) RESOLUTION Appointing Jennifer Heystek as At Large Member to Library-Historical Commission for Term Ending December 31, 2018
- A motion was made by Vice Mayor Prola, 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 2015-040

- 2.H.** [15-105](#) RESOLUTION Appointing Kenneth Pon as At Large Member to Planning Commission for Term Ending December 31, 2018
- A motion was made by Vice Mayor Prola, 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 2015-041

- 2.I.** [15-106](#) RESOLUTION Appointing Chike Udemezue as At Large Member to Recreation and Parks Commission for Term Ending December 31, 2018
- A motion was made by Vice Mayor Prola, 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 2015-042

- 2.J.** [15-107](#) RESOLUTION Reappointing Janet Palma as At Large Member to Board of Zoning Adjustments for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-043

- 2.K.** [15-108](#) RESOLUTION Reappointing Orval "OB" Badger as At Large Member to Personnel Relations Board for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-044

- 2.L.** [15-109](#) RESOLUTION Reappointing Peter Ballew as At Large Member to Personnel Relations Board for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-045

- 2.M.** [15-110](#) RESOLUTION Reappointing James Browne as At Large Member to Personnel Relations Board for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-046

- 2.N.** [15-111](#) RESOLUTION Reappointing Johanne Dictor as At Large Member to Personnel Relations Board for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-047

- 2.O.** [15-112](#) RESOLUTION Reappointing Louis Heystek as At Large Member to Personnel Relations Board for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-048

- 2.P. [15-113](#)** RESOLUTION Reappointing Hermy Almonte as At Large Member to Senior Commission for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-049

- 2.Q. [15-114](#)** RESOLUTION Reappointing Darlene Daevu as At Large Member to Senior Commission for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-050

- 2.R. [15-115](#)** RESOLUTION Reappointing Cimberly Tamura as At Large Member to Senior Commission for Term Ending December 31, 2018

A motion was made by Vice Mayor Prola, 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 2015-051

- 2.S. [15-126](#)** RESOLUTION Appointing Marco Siu as Youth Member to Library-Historical Commission for Term Ending August 31, 2015

A motion was made by Vice Mayor Prola, 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 2015-052

3. PRESENTATIONS

None.

4. PUBLIC HEARINGS

- 4.A. [15-124](#)** Staff Report for Adoption of Ordinances Relating to Transportation Permits and Overweight Vehicle Permits, Adoption of Fees, and Repeal of Conflicting Administrative Code Provisions Relating to

Same

The hearing was opened to the public.

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

[15-122](#)

RESOLUTION Repealing Title 8, Chapter 4 of the San Leandro Administrative Code Related to Oversized Vehicles

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

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

Enactment No: Reso 2015-053

[15-048](#)

ORDINANCE Adding Title 6, Chapter 6-8 to the San Leandro Municipal Code to Require Transportation Permits to Operate or Move Vehicles or Loads Exceeding Statutory Limitations

A motion was made by Councilmember Cox, seconded by Councilmember Lee, that this ordinance be adopted. The motion carried by the following vote.

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

Enactment No: Ordinance 2015-002

[15-050](#)

ORDINANCE Adding Title 6, Chapter 6-9 to the San Leandro Municipal Code to Regulate Overweight Vehicles Traveling in and Through the City

A motion was made by Councilmember Cox, seconded by Councilmember Lee, that this ordinance be adopted. The motion carried by the following vote.

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

Enactment No: Ordinance 2015-003

[15-123](#)

RESOLUTION Amending Title 6, Chapter 4 of the San Leandro Administrative Code Relating to Fees and Charges for Transportation and Overweight Vehicle Permits

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

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

Enactment No: Reso 2015-054

5. PUBLIC COMMENTS

None.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Manager Zapata briefly reported on the following items:

- *The first meeting of the reformed City Council Facilities and Transportation Committee will be held on Tuesday, March 3, 2015 at 4:00 p.m. in the Sister Cities Gallery.*
- *A preliminary discussion on the City's social service resources will be scheduled for the April 20, 2015 City Council meeting.*
- *The recent problem with effluent quality that occurred at the Water Pollution Control Plant, which resulted in a permit violation and fine to the City.*
- *Construction trailers have been placed at the site of the future Tech Campus near the BART station.*

7. AMENDMENT OF CONSENT CALENDAR

There was no amendment to Consent Calendar.

8. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Councilmember Lopez, 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.** [15-119](#) Minutes of the Special Meeting and Closed Session of February 17, 2015
Approved as submitted on the Consent Calendar.
- 8.B.** [15-120](#) Minutes of the Meeting of February 17, 2015
Approved as submitted on the Consent Calendar.
- 8.C.** [15-098](#) Staff Report for Resolutions Authorizing the City Manager (or His Designee) to Execute Agreements with the State Board of Equalization Regarding Implementation and Examination of Local Transactions and Use Tax Records
- [15-101](#) RESOLUTION Designating a City Consultant as the Authorized City Representative to Examine Transactions and Use Tax Records
Adopted on the Consent Calendar.
Enactment No: Reso 2015-055
- [15-097](#) RESOLUTION Authorizing the City Manager (or His Designee) to Execute Agreements with the State Board of Equalization for Implementation of a Local Transactions and Use Tax
Adopted on the Consent Calendar.
Enactment No: Reso 2015-056
- 8.D.** [14-569](#) Staff Report for a Resolution Accepting the Work for the Annual Street

Sealing 2013-14 Project (Project No. 2014.0070)

[14-570](#)

RESOLUTION Accepting the Work for the Annual Street Sealing 2013-14 Project, Project No. 2014.0070 (provides for the acceptance of contract work by Intermountain Slurry Seal, Inc., filing of the Notice of Completion, release of the performance and payment bonds, and release of the maintenance bond upon completion of the one-year maintenance period)

Adopted on the Consent Calendar.

Enactment No: Reso 2015-057

8.E. [15-093](#)

Staff Report for a Resolution Allocating Funds for the Thrasher Park Play Structure Replacement Project, Project No. 2006.0070; Allocating Funds for the Siempre Verde Park Rehabilitation Project, Project No. 2015.0270; and Approving a Consulting Services Agreement with Harris Design

[15-092](#)

RESOLUTION Allocating Funds for the Thrasher Park Play Structure Replacement Project, Project No. 2006.0070; Allocating Funds for the Siempre Verde Park Rehabilitation Project, Project No. 2015.0270; and Approving a Consulting Services Agreement with Harris Design (provides for the allocation of \$65,000 of Park Development Fees for the Thrasher Park Play Structure Replacement Project; the allocation of \$1,538,000 of Park Development Fees and \$1,145,594 of General Fund Economic Uncertainty Reserve for the Siempre Verde Park Rehabilitation Project; and approval of a consultant services agreement with Harris Design)

Adopted on the Consent Calendar.

Enactment No: Reso 2015-058

8.F. [15-060](#)

Staff Report for a Resolution Approving a 5-Year Project Plan for Golf Course Capital Improvements at Monarch Bay Golf Club and Authorizing an Appropriation of \$133,000 from the Golf Course Capital Improvement Fund for Capital Improvements at Monarch Bay Golf Club (Tony Lema and Marina Golf Courses)

[15-064](#)

RESOLUTION Approving the 5-Year Golf Capital Improvement Program (CIP) Project Plan and Authorizing an Appropriation in the amount of \$133,000 from the Golf Course Capital Improvement Fund for Identified Fiscal Year 2015 Projects at Monarch Bay Golf Club (Tony Lema and Marina Golf Courses)

Adopted on the Consent Calendar.

Enactment No: Reso 2015-059

8.G. [15-071](#)

Staff Report for a Resolution Approving the Fourth Amended Joint

Exercise of Powers Agreement of the East Bay Dischargers Authority (EBDA) to Conform with Current Agency Policy and State Law

[15-074](#)

RESOLUTION Approving the Fourth Amended Joint Exercise of Powers Agreement of the East Bay Dischargers Authority (EBDA) to Conform with Current Agency Policy and State Law

Adopted on the Consent Calendar.

Enactment No: Reso 2015-060

8.H. [15-065](#)

Staff Report for a Resolution Approving \$49,500 to Fund Design and Fabrication Costs for the Enhanced Artistic Treatment of an Additional East Bay Bus Rapid Transit Station (BRT Station) in the City of San Leandro

[15-118](#)

RESOLUTION Authorizing the City Manager to Expend Funds to Design and Fabricate the Enhanced Artistic Treatment of an Additional East Bay Bus Rapid Transit Station (BRT Station) at Georgia Way in the City of San Leandro and to Appropriate \$49,500 from General Fund Reserves and Transfer the Funds to the City Manager's Contingency Fund

Adopted on the Consent Calendar.

Enactment No: Reso 2015-061

8.I. [15-129](#)

MOTION Nominating Helena Straughter as District 2 Representative to Library-Historical Commission

Adopted on the Consent Calendar.

Enactment No: Min Order 2015-012

8.J. [15-117](#)

MOTION Appointing City Councilmembers to Internal Committees, as follows:

Committee on City School Relations

Mayor Cutter

Councilmember Cox

Councilmember Thomas

Disaster Council (Mayor and Vice Mayor are required members pursuant to San Leandro Municipal Code Section 3-4-110)

Mayor

Vice Mayor

Councilmember Cox

Facilities and Transportation Committee

Mayor Cutter

Councilmember Lopez

Councilmember Reed

Finance Committee

Mayor Cutter

Councilmember Lee

Councilmember Prola

Adopted on the Consent Calendar.

Enactment No: Min Order 2015-013

8.K. [15-116](#)

MOTION Appointing City Councilmembers to Serve on the Intergovernmental Agencies until Replaced, as follows:

Alameda County Fire Department, Alameda County Fire Advisory Commission (appointment of 2 representatives)

Representative: Councilmember Lopez

Representative: Councilmember Thomas

Alameda County Housing Authority, Housing Commission (nomination of 1 representative)

Representative: Councilmember Reed

Alameda County Mosquito Abatement District, Board of Trustees (appointment of 1 Trustee)

Trustee: Councilmember Reed

Alameda County Transportation Commission, Board of Directors (appointment of 1 representative and 1 alternate)

Representative: Mayor Cutter

Alternate: Councilmember Cox

Alameda County Waste Management Authority, Board of Directors (appointment of 1 representative and 1 alternate)

Representative: Mayor Cutter

Alternate: Councilmember Cox

Association of Bay Area Governments (ABAG), General Assembly (appointment of 1 representative and 1 alternate)

Representative: Councilmember Cox

Alternate: Councilmember Lopez

East Bay Dischargers Authority (EBDA), Commission (appointment of 1 representative and 1 alternate)

Representative: Councilmember Prola

Alternate: Councilmember Reed

League of California Cities, East Bay Division, Board of Directors (appointment of 1 representative and 1 alternate)

Representative: Councilmember Thomas
Alternate: Councilmember Lee

Port of Oakland, Oakland Airport-Community Noise Management
Forum (appointment of 1 representative and 1 alternate)

Representative: Councilmember Lee
Alternate: Councilmember Prola

San Leandro Improvement Association, Board of Directors
(appointment of 1 representative and 1 alternate)

Representative: Councilmember Cox
Alternate: Councilmember Lopez

Adopted on the Consent Calendar.

Enactment No: Min Order 2015-014

9. ITEMS REMOVED FROM CONSENT CALENDAR

None.

10. ACTION ITEMS

10.A. [15-121](#) City Council Request to Discuss Councilmembers Handbook
Guidelines Regarding Council Support for or Opposition to Ballot
Measures or Legislation

10.B. [15-127](#) City Council Request to Consider Opposing Rail Transport of Crude
Oil Through San Leandro

Comments were made by the following individual: Valerie Love.

[15-156](#) MOTION to place a resolution opposing the Phillips 66 oil train
off-loading facility expansion in San Luis Obispo County on the next
regular meeting agenda for consideration

**A motion was made by Councilmember Reed, seconded by Vice Mayor Prola,
that this minute order be adopted. The motion carried by the following vote.**

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

Enactment No: Min Order 2015-015

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

None. There was no closed session this evening.

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 creation of a Measure HH Oversight Committee.

15. ADJOURN

The meeting was adjourned at 8:38 p.m., in memory of Mary Delmendo, grandmother of City Attorney Richard Pio Roda.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro