



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, April 21, 2014

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:10 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

Assistant City Manager Lianne Marshall led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

Present 7 - Cassidy, Cutter, Gregory, Lee, Prola, Reed, Souza

1.C. ANNOUNCEMENTS

None.

2. RECOGNITIONS

- 2.A. [14-136](#) Recognition of the Employee of the Quarter, Lizeth Jimenez, Administrative Specialist III, Public Works Services Department
- 2.B. [14-127](#) Proclamation Declaring April 2014 as National Child Abuse Prevention Month
- 2.C. [14-143](#) Proclamation Declaring April 25, 2014 as Arbor Day
- 2.D. [14-146](#) Special Honorary Proclamation

Mayor Cassidy announced the special honorary proclamation declaring April 25, 2014 as Tim Orr Day.

3. PRESENTATIONS

With the consensus of the City Council, Item 3.B. was moved to this point on the agenda.

- 3.B. [14-074](#) Presentation by Alameda County and San Leandro Unified School District Staff on the School Based Clinic Project
- 3.A. [14-069](#) Update by Youth Advisory Commission

Item 3.B. was considered earlier in the agenda.

- 3.C. [14-091](#) Presentation by East Bay Municipal Utility District Director Frank Mellon on Water Shortage and Conservation Needs

4. PUBLIC HEARINGS

- 4.A. [14-129](#) Staff Report for Proposed Amendments to the City of San Leandro Zoning Code in Article 3, Section 1-304 Definitions; Article 6, Section 2-606 CC Districts - Use Regulations; Article 7, Sections 2-706 IG District - Use Regulations, 2-708 IP District - Use Regulations, and 2-712 IG(AU) District - Use Regulations; and Article 17, Section 4-1704 Off-Street Parking and Loading Spaces Required Related to a Medical Marijuana Dispensary

Due to a conflict of interest, Councilmember Souza recused herself and left the chamber.

The Hearing was opened to the public.

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

- [14-130](#) ORDINANCE Amending the City of San Leandro Zoning Code in Article 3, Section 1-304 Definitions; Article 6, Section 2-606 CC Districts - Use Regulations; Article 7, Sections 2-706 IG District - Use Regulations, 2-708 IP District - Use Regulations, and 2-712 IG(AU) District - Use Regulations; and Article 17, Section 4-1704 Off-Street Parking and Loading Spaces Required Related to a Medical Marijuana Dispensary (adds medical marijuana dispensary definition, use regulations, and parking requirements to the Zoning Code)

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

Aye: 5 - Cassidy, Cutter, Gregory, Prola, Reed

Nay: 1 - Lee

Recused: 1 - Souza

Enactment No: Ordinance 2014-003

5. PUBLIC COMMENTS

None.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

Item 8.F. was 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 Reed, to approve the Consent Calendar. The motion carried by the following vote.

Aye: 7 - Cassidy, Cutter, Gregory, Lee, Prola, Reed, Souza

8.A. [14-144](#)

Minutes of the Meeting of April 7, 2014

Approved as submitted on the Consent Calendar.

8.B. [14-107](#)

ORDINANCE Approving a Rezoning, a Planned Development and a Site Plan Review, and a Development Agreement for the Downtown Office/Technology Campus Project, 1333 Martinez Street (PLN 2013-00045)

Adopted on the Consent Calendar.

Enactment No: Ordinance 2014-002

8.C. [14-104](#)

Staff Report for a Resolution Authorizing the City Manager to Execute a Mutual Assistance Agreement with California Water/Wastewater Agency Response Network (CalWARN) that Approves the City of San Leandro Become a Member of a Statewide Emergency Response Agency Comprised of Public and Private Water and Wastewater Utilities

[14-105](#)

RESOLUTION Authorizing the City Manager to Execute a Mutual Assistance Agreement with California Water/Wastewater Agency Response Network (CalWARN), which Approves the City of San Leandro Become a Member of a Statewide Emergency Response Agency Comprised of Public and Private Water and Wastewater Utilities (provides for emergency planning, response and recovery

information before, during and after an emergency)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-030

8.D. [14-108](#)

Staff Report for a Resolution Accepting the Work for the Public Improvements on Merced Street and Fairway Drive

[14-109](#)

RESOLUTION Accepting the Work for the Public Improvements on Merced Street and Fairway Drive (provides for accepting the work done by Kaiser Foundation Hospitals, filing the Notice of Completion, releasing 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 2014-031

8.E. [14-131](#)

Staff Report for a Resolution Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2014-15 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements

[14-132](#)

RESOLUTION Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2014-15 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements (provides for the submission of an application to the MTC for TDA Article 3 funds in the amount of \$71,898 for pedestrian/bicycle projects)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-032

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

8.G. [14-145](#)

Staff Report for a Resolution Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with The Lew Edwards Group for Strategic Consulting Services Associated with Revenue Measure Feasibility Services

[14-150](#)

RESOLUTION Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with The Lew Edwards Group for Strategic Consulting Services Associated with Revenue Measure Feasibility Services (approves \$17,000 change order for account number 010-12-020-5120)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-033

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.F. [14-137](#) Staff Report for Resolution Supporting the United States Postal Service
- Comments were made by the following individuals: Ronald Jones and Charles Gonzales.*

[14-135](#) RESOLUTION Supporting the United States Postal Service (urges federal legislative delegation to support efforts to secure the continuation of consistent mail delivery)

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

Aye: 7 - Cassidy, Cutter, Gregory, Lee, Prola, Reed, Souza

Enactment No: Reso 2014-034

10. ACTION ITEMS

- 10.A. [14-142](#) Staff Report for Council Authorization for Consultant Assistance in the Implementation of the Medical Marijuana Dispensary Ordinance
- Due to a conflict of interest, Councilmember Souza recused herself and left the chamber.*

[14-165](#) MOTION Authorizing Staff to Recruit a Consultant to Assist Staff in Developing and Managing the Process to Select One Medical Marijuana Dispensary in Accordance with the City's Medical Marijuana Dispensary Permit Ordinance

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

Aye: 5 - Cassidy, Cutter, Gregory, Prola, Reed

Nay: 1 - Lee

Recused: 1 - Souza

Enactment No: Min Order 2014-009

- 10.B. [14-153](#) Staff Report for Reassessment of Household Hazardous Waste Fee Proposal

The City Council provided input to Councilmember Cutter.

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

No reportable actions taken.

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

There was consensus of the City Council to schedule the following items:

- Recognition for heroes who saved the young man at the Marina at a future City Council meeting; and*
- Resolution in support of Measure AA at the next City Council meeting.*

15. ADJOURN

The meeting was adjourned at 9:49 p.m.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro