



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, May 6, 2013

7:00 PM

City Council Chambers

Joint Meeting of City Council and Parking Authority

1. CALL TO ORDER

The meeting was called to order at 7:09 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

1.B. ROLL CALL

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

Absent 1 - Gregory

1.C. ANNOUNCEMENTS

With the consensus of the Council, Item 8.H. was moved up on the agenda, to immediately after the end of Item 2, Presentations/Recognitions.

2. PRESENTATIONS/ RECOGNITIONS

- 2.A. [13-232](#) Proclamation Declaring May 6, 2013, as Arbor Day
- 2.B. [13-215](#) Proclamation Declaring May 10 to May 19, 2013, as East Bay Housing Organization's Affordable Housing Week
- 2.C. [13-216](#) Proclamation Declaring May 12 to May 18, 2013, as National Police Week
- 2.D. [13-223](#) Proclamation Declaring May 18, 2013, as National Kids to Parks Day
- 2.E. [13-207](#) ADOPT: Resolution Appointing Peter Ballew as At Large Member to

Personnel Relations Board (approves appointment for term ending December 31, 2014)

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, Lee, Prola, Reed, Souza

Enactment No: Reso 2013-050

2.F. [13-208](#)

ADOPT: Resolution Appointing Karyl Lee-Figueroa as Tenant Member to Rent Review Board (approves appointment for term ending June 30, 2013)

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, Lee, Prola, Reed, Souza

Enactment No: Reso 2013-051

2.G. [13-209](#)

ADOPT: Resolution Appointing Hermy Almonte as At Large Member to Senior Commission (approves appointment for term ending December 31, 2014)

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, Lee, Prola, Reed, Souza

Enactment No: Reso 2013-052

2.H. [13-214](#)

Presentation on BRIDGE Housing Corporations Updated and Revised 200 Unit Cornerstone at San Leandro Crossings Affordable Rental Development at 1400 San Leandro Boulevard

Ten speakers commented on this item: Bernard Ashcraft, Anthony Martinez, Robert Fox, Cecilia Mendoza, Dennis Davis, Olden Henson, Al Frates, David Erlich, Rob Rich, and Alton Jefferson.

With the consensus of the Council, Item 8.H. was moved to this point on the agenda.

8.H. [13-206](#)

ADOPT: Resolution Supporting Assembly Bill 975 [Wieckowski/Bonta] (defines charity care and community benefits for nonprofit hospitals, and standardizes the methodology by which community benefits are calculated)

Six speakers commented on this item: Ana Apodaca, Jim Oddie, Rocky Fernandez, Michael Plummer, Mike Brannan, and Lisa LaFave.

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, Lee, Prola, Reed, Souza

Enactment No: Reso 2013-053

3. PUBLIC HEARINGS – CITY COUNCIL

3.A. [13-101](#) Staff Report for City of San Leandro U.S. Department of Housing and Urban Development (HUD) Final FY 2013-2014 Annual Action Plan

The Hearing was opened to the public.

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

[13-102](#)

ADOPT: Resolution Approving the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Final FY 2013-2014 Annual Action Plan (implements the Housing and Community Development Strategies of the FY 2010-2014 Consolidated Plan and authorizes the execution of all related documents by the City Manager and submission of the Action Plan to HUD)

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

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

Enactment No: Reso 2013-054

3.B. [13-154](#) Staff Report for Resolution Approving Adjustments to City Fees and Service Charges for 2013-14

The Hearing was opened to the public.

Comments were made by the following individual: Paul Keener.

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

[13-196](#)

ADOPT: Resolution Amending Title 6, Chapter 4 of the San Leandro Administrative Code Relating to Fees and Charges for Services Provided by City Departments (adjusts user fees and service charges, effective July 1, 2013)

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

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

Enactment No: Reso 2013-055

3.C. [13-156](#) Staff Report for Ordinances Amending the San Leandro Municipal

Code Relating to Proposed Adjustments to Business License Tax, Emergency Communication System Access (9-1-1) Tax, and the Emergency Medical Services Taxes for 2013-14

The Hearing was opened to the public.

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

[13-197](#)

PASS TO PRINT: An Ordinance Amending Section 2-2-500 of the San Leandro Municipal Code Relating to the Annual Consumer Price Index (CPI) Adjustment of the Business License Fees (increases business license fees by CPI of 2.7%)

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

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

Enactment No: Ordinance 2013-003

[13-198](#)

PASS TO PRINT: An Ordinance Amending Section 2-18-210 of the San Leandro Municipal Code Relating to the Annual Consumer Price Index (CPI) Adjustment of the Emergency Communication System Access Tax (911 Tax) (increases 911 tax by CPI of 2.7%)

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

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

Enactment No: Ordinance 2013-004

[13-199](#)

PASS TO PRINT: An Ordinance Amending Section 2-13-140 of the San Leandro Municipal Code to Relating to the Annual Consumer Price Index (CPI) Adjustment of the Emergency Medical Services Tax (EMS Tax) (increases EMS tax by CPI of 2.7%)

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

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

Enactment No: Ordinance 2013-005

4. PUBLIC HEARINGS – OTHER

None.

5. PUBLIC COMMENTS

TRACY MCSHEERY, PhaseSpace, commented regarding approaching the Office of

Homeland Security with a proposal to install high resolution video surveillance cameras in locations suggested by the San Leandro Police Department.

DAVID ERLICH, San Leandro resident, commented on SB 1 and the proposed Downtown Community Benefit District.

The City Council recessed from 9:16 p.m. to 9:26 p.m.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Manager Chris Zapata reported that staff will be bringing an item to the City Council to assist the San Leandro Unified School District by converting the South Offices Building into temporary classroom facilities for the next few months.

7. AMENDMENT OF CONSENT CALENDAR

Item 8.H. was removed from the Consent Calendar to after Item 2, Presentations/Recognitions.

8. CONSENT CALENDAR

Approval of the Consent Calendar

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

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

8.A. [13-140](#)

APPROVE: Minutes of the Meeting of April 15, 2013

Approved as submitted on the Consent Calendar.

8.B. [13-202](#)

ACCEPT: Disaster Council Meeting Highlights of April 5, 2013

Accepted as submitted on the Consent Calendar.

8.C. [13-221](#)

MOTION: Motion Nominating Ethanoor Usha-Rosato as District 2 Member to Library-Historical Commission

Adopted on the Consent Calendar.

Enactment No: Min Order 2013-024

8.D. [13-212](#)

Staff Report on the Third Quarter Financial Report as of March 31, 2013 for the 2012-13 General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds Budget and Quarterly Report on Sales Tax and Business Activity

[13-146](#)

ADOPT: Resolution Accepting the Third Quarter Financial Report and Sales Tax Report and Business Activity for FY 2012-13 (accepts the report for July to September, 2012)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-056

- 8.E. [13-224](#) Staff Report for Resolution Amending the San Leandro City Employee's Association, Local 21 IFPTE, Salary Schedule to Add the Classifications of Police Services Technician I/II and Senior Police Services Technician

[13-225](#) ADOPT: Resolution Amending the San Leandro City Employee's Association, Local 21 (SLCEA) Salary Schedule to Add the Police Services Technician I/II and Senior Police Technician Classifications (adds new job classifications and sets salary ranges)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-057

- 8.F. [13-201](#) Staff Report for the Resolution Amending the Two Agreements Approved by the City Council on April 1, 2013 with the San Leandro Chamber of Commerce: 1) a Property Exchange and Indemnity Agreement with One and Only Right of First Offer for the City's Office Space Located at 120 Estudillo Avenue in the New Downtown Garage in Exchange for the Chamber's Parcel at 262 Davis Street and 2) a Reciprocal Easement Agreement and Declaration of Covenants, Conditions, and Restrictions for the Office Space to Include as Party to the Agreement the Parking Authority of the City of San Leandro and Authorizing the City Manager, acting as the Executive Director of the Parking Authority of the City of San Leandro, to Execute Same

[13-200](#) ADOPT: Resolution Amending Two Agreements Approved by the City Council on April 1, 2013 with the San Leandro Chamber of Commerce: 1) a Property Exchange and Indemnity Agreement with One and Only Right of First Offer for the City's Office Space Located at 120 Estudillo Avenue in the New Downtown Garage in Exchange for the Chamber's Parcel at 262 Davis Street and 2) a Reciprocal Easement Agreement and Declaration of Covenants, Conditions, and Restrictions for the Office Space to Include as Party to the Agreement the Parking Authority of the City of San Leandro and Authorizing the City Manager, acting as the Executive Director of the Parking Authority of the City of San Leandro, to Execute Same (allows the Executive Director for the Parking Authority of the City of San Leandro to execute the agreements for the transfer of ownership of 262 Davis Street to the City and 120 Estudillo Avenue, the office space within the new downtown parking garage, to the Chamber of Commerce and the conditions under which the garage space will be shared)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-058

8.G. [13-192](#) Staff Report for a Resolution Approving Plans and Specifications and Calling for Bids for Annual Overlay/Rehabilitation 2012-13, Project No. 2013.0050

[13-193](#) ADOPT: Resolution Approving Plans and Specifications and Calling for Bids for Annual Overlay/Rehabilitation 2012-13, Project No. 2013.0050 (provides for the reconstruction of various streets in San Leandro using \$594,376.00 of Measure B/ACTIA funds; \$770,902.00 of Vehicle Registration Fee funds; \$514,000.00 of Gas Tax funds; \$42,640.00 of Proposition 1B funds; \$81,325.05 of Capital Improvement Projects funds, \$24,600.00 of Water Pollution Control Plant Funds; and \$24,200.00 of Neighborhood Traffic Calming funds)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-059

Item 8.H. was removed from the Consent Calendar to after Item 2, Presentations/Recognitions.

9. ITEMS REMOVED FROM CONSENT CALENDAR

Item 8.H. was considered earlier in the agenda.

10. ACTION ITEMS

10.A. [13-243](#) Staff Presentation and Council Direction on Community Investment Program, Including Unfunded General Fund High Priority Capital Improvement Projects, for Fiscal Years 2013-2014 and 2014-2015

Four speakers commented on this item: David Johnson, Jerry Garcia, Mitch Reitman, and Liz Varela.

[13-230](#) Staff Report on Unfunded General Fund High Priority Capital Improvement Projects for Fiscal Years 2013-2014 and 2014-2015

There was consensus of the City Council to delay the consideration of funding the high priority Capital Improvement Projects until the end of the current fiscal year.

[13-203](#) MOTION: Motion directing staff to allocate \$300,000 from reserve funds for Fiscal Year 2013-2014 for the Community Investment Program as recommended by the City Manager, subject to the following modifications:

- 1) \$150,000 allocated to the Human Services Commission, of which \$15,000 is to be allocated to the Eden I&R 2-1-1 Program
- 2) \$50,000 allocated to the Chamber of Commerce, made with the understanding that the Chamber will include the Asian Business Council, Hispanic Business Alliance, and the African American Business Council in the discussion regarding the expenditure of the

funds

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

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

Enactment No: Min Order 2013-025

10.B. [13-213](#)

Staff Presentation and Council Direction on Application for Community Oriented Policing Services (COPS) Grant Programs

[13-227](#)

MOTION: Motion directing staff to proceed with the application for a \$50,000 Community Policing Development Program grant

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

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

Enactment No: Min Order 2013-026

10.C. [13-186](#)

MOTION: Motion Designating Vice Mayor to Serve for a Period of One Year Pursuant to City Charter Section 310

This item was continued to the next meeting.

Mayor Cassidy left the meeting at 10:58 p.m. and Councilmember Souza presided over the remainder of the meeting.

10.D. Report on Closed Session Actions Taken

No reportable actions taken.

11. CITY COUNCIL CALENDAR, REPORTS, AND ANNOUNCEMENTS

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

12. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

Councilmember Reed requested consideration of increasing the local business enterprise preference. There was consensus of the City Council to schedule this item.

13. ADJOURN

The meeting was adjourned at 11:26 p.m. and

- In memory of Clarence Eugene "Gene" Bass.*

- *In memory of Devin Leonis.*
- *In memory of Joe Rodrigues.*
- *In memory of Charles Simonian.*

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro