



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, February 1, 2016

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:04 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

Mayor Cutter requested Item 10.A. be taken out of order and heard before Item 4, Public Hearings.

2. RECOGNITIONS

- 2.A. [15-716](#) Commendation Recognizing Sergeant Troy Young and Officer Chris Albert

3. PRESENTATIONS

None.

Item 10.A. was moved to this point on the agenda.

- 10.A. [15-699](#) Staff Report to Assist the City Council in the Consideration of an Increase in the Reward Amount and a Draft Resolution Memorializing a Possible Action to Establish the Increased Reward Amount for the

Identification Leading to the Criminal Charging of the Individual(s) Involved in the Homicide of Joel Ramirez, a San Leandro Resident, on December 14, 2014 at 444 Kenilworth Avenue and Approve an Appropriation of General Fund Economic Uncertainty Reserves to Fund the Reward

Comments were made by the following individuals: Emily Fishbaugh, Laura Miller, Rob Rich, Magdalena Ramirez, Delia Aceves, and Jim Miller.

[15-700](#)

[DRAFT] RESOLUTION Increasing the Reward Amount to \$_____ for the Identification Leading to the Criminal Charging of the Individual(s) Involved in the Homicide of Joel Ramirez, a San Leandro Resident, on December 14, 2014 at 444 Kenilworth Avenue and Approve an Appropriation of General Fund Economic Uncertainty Reserves to Fund the Additional Reward Amount

A motion was made by Councilmember Lopez, seconded by Councilmember Prola, that this resolution be adopted with a reward amount of \$50,000. The motion carried by the following vote.

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

Enactment No: Reso 2016-009

4. PUBLIC HEARINGS

4.A. [16-035](#)

Staff Report for an Urgency Ordinance to Amend the San Leandro Municipal Code to Prohibit Medical Cannabis Cultivation Activities, and to Affirm that Under the Principles of Permissive Zoning, Medical Cannabis Cultivation Is Not a Permitted Land Use Under the City of San Leandro Zoning Code

The hearing was opened to the public.

Comments were made by the following individuals: Guillermo Elenes, Mia Ousley, and Darlene Evans.

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

[16-031](#)

URGENCY ORDINANCE Establishing an Ordinance that Prohibits the Cultivation of Medical Cannabis and Affirming that Under the Principles of Permissive Zoning, Cultivation of Medical Cannabis Is Not Permitted by the City of San Leandro's Zoning Code

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

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

Enactment No: Ordinance 2016-001

5. PUBLIC COMMENTS

David F. Sigel commented on eminent domain.

Darlene Evans commented on creating a Citizen's Crime Review Board.

Carlos Carmona commented on social and economic equity.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

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

8. CONSENT CALENDAR

Approval of the Consent Calendar

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

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

- 8.A.** [16-036](#) Minutes of the Special Meeting and Closed Session of January 19, 2016
Approved as submitted on the Consent Calendar.
- 8.B.** [16-037](#) Minutes of the Meeting of January 19, 2016
Approved as submitted on the Consent Calendar.
- 8.C.** [16-015](#) Highlights of the Finance Committee Meeting of December 15, 2015
Accepted as submitted on the Consent Calendar.
- Item 8.D. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.
- 8.E.** [16-006](#) MOTION Nominating Isabel Polvorosa as District 3 Representative to Library-Historical Commission
Adopted on the Consent Calendar.
Enactment No: Min Order 2016-004
- 8.F.** [15-731](#) Staff Report for a Resolution Providing Authorization of a 14% Contract Change Order (\$5,961.98) for the Construction Contract with A Good Sign & Graphics Company for the Downtown Garage Parking Sign Project, Project No. 2013.0341

[15-732](#) RESOLUTION Providing Authorization of a 14% Contract Change Order (\$5,961.98) for Construction Contract with A Good Sign & Graphics Company for the Downtown Garage Parking Sign Project, Project No. 2013.0341

Adopted on the Consent Calendar.

Enactment No: Reso 2016-010

8.G. [16-042](#) Staff Report for Resolution Adopting the Assistant City Manager and Police Chief Salary Schedules

[16-043](#) RESOLUTION Approving Publicly Available Pay Schedules as Required by California Code of Regulations, Title 2, Section 570.5 for the Assistant City Manager and Police Chief

Adopted on the Consent Calendar.

Enactment No: Reso 2016-011

8.H. [16-004](#) Staff Report for Resolution Declaring as Surplus Twenty-One (21) Vehicles and Three (3) Pieces of Equipment and Authorizing the Sale of Said Surplus Assets at Public Auction

[16-005](#) RESOLUTION Declaring as Surplus Twenty-One (21) Vehicles and Three(3) Pieces of Equipment and Authorizing the Sale Thereof at Public Auction (approves the public auction for the surplus of said vehicles and equipment).

Adopted on the Consent Calendar.

Enactment No: Reso 2016-012

8.I. [16-014](#) Staff Report for a Resolution Approving an \$81,000 Surrendered and Abandoned Vessel Exchange (SAVE) Grant Agreement Between the City of San Leandro and the State of California, Department of Parks and Recreation, Division of Boating and Waterways for Abatement of Surrendered and Abandoned Watercraft at the San Leandro Marina and the San Leandro Shoreline

[16-013](#) RESOLUTION Approving an \$81,000 Surrendered and Abandoned Vessel Exchange (SAVE) Grant Agreement Between the City of San Leandro and the State of California, Department of Parks and Recreation, Division of Boating and Waterways for Abatement of Abandoned and Surrendered Watercraft at the San Leandro Marina and the San Leandro Shoreline

Adopted on the Consent Calendar.

Enactment No: Reso 2016-013

8.J. [16-020](#) Staff Report for the Creation and Ratification of a 21-Member

Community Advisory Committee for the Bay Fair Transit-Oriented Development (TOD) Specific Plan

[16-021](#)

MOTION for Creation and Ratification of a 21-Member Community Advisory Committee (CAC) for the Bay Fair Transit-Oriented Development (TOD) Specific Plan (Committee will provide guidance from a diverse representation of City and Alameda County residents and businesses on the preparation of a TOD Specific Plan for the Bay Fair area)

Adopted on the Consent Calendar.

Enactment No: Min Order 2016-005

9. ITEMS REMOVED FROM CONSENT CALENDAR

8.D. [16-038](#)

Highlights of the Rules Committee Meeting of January 13, 2016

COMMITTEE RECOMMENDATION: The Committee recommends bringing the selection process for a second cannabis dispensary to the Council for consideration on February 16, 2016.

A motion was made by Councilmember Prola, seconded by Councilmember Lopez, that the highlights be accepted as submitted. The motion carried by the following vote.

Aye: 6 - Cox, Cutter, Lopez, Prola, Reed, Thomas

Nay: 1 - Lee

10. ACTION ITEMS

Item 10.A. was considered earlier in the agenda.

10.B. [16-016](#)

Staff Report for Proposed Amendments to the City of San Leandro Rent Review Ordinance

Comments were made by the following individuals: Carlos Carmona, Lorraine Montgomery, Howard Kees, K. Lee-Figueroa, Wayne Rowland, Alfredo Mejia, Llea Humphries, Adrienne Gilbert, Guillermo Elenes, Darlene Evans, Tom Silva, Leo West, Mia Ousley, John Sullivan, Blanca S., Lin Nay, Daniel Lee, and David Stark.

[16-017](#)

ORDINANCE Amending Title 4, Chapter 32 of the San Leandro Municipal Code Relating to the Rent Review Ordinance

A motion was made by Councilmember Thomas, seconded by Councilmember Lee, that this ordinance be passed to print with amendment, to change the increase threshold from 8% to 7%.

A substitute motion was made by Councilmember Prola, seconded by Vice Mayor Reed, to change the increase threshold from 8% to 5%. The motion failed by the following vote.

Aye: 2 - Prola, Reed

Nay: 5 - Cox, Cutter, Lee, Lopez, Thomas

The original motion that this ordinance be passed to print with amendment, to change the increase threshold from 8% to 7%, carried by the following vote.

Aye: 5 - Cox, Cutter, Lee, Lopez, Thomas

Nay: 2 - Prola, Reed

Enactment No: Ordinance 2016-002

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

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

- ECHO Housing funding and accessibility*
- Summary of items requested*

15. ADJOURN

The meeting was adjourned at 10:24 p.m.

RESPECTFULLY SUBMITTED:

TAMIKA GREENWOOD
City Clerk of the City of San Leandro