



# 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 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, March 4, 2013

7:00 PM

City Council Chambers

---

### 1. CALL TO ORDER

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

### 1.A. PLEDGE OF ALLEGIANCE

*Assistant City Attorney Richard Pio Roda led the Pledge of Allegiance to the Flag.*

### 1.B. ROLL CALL

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

### 1.C. ANNOUNCEMENTS

*By the consensus of the City Council, Item 10.B. was moved up on the agenda to immediately follow Item 2, Presentations/Recognitions.*

## 2. PRESENTATIONS/ RECOGNITIONS

2.A. [13-093](#) Proclamation Declaring March 2013 as American Red Cross Month

2.B. [13-094](#) Proclamation Declaring March 2013 as National Nutrition Month

2.C. [13-081](#) Update on the City of San Leandro Climate Action Plan

With the consensus of the Council, Item 10.B. was moved to this point on the agenda.

10.B. [13-076](#) Staff Report for a Memorandum of Understanding Between the City of San Leandro and the San Leandro Unified School District Regarding the Use, Maintenance and Operation of the Pacific Sports Complex

and Burrell Field

[13-075](#)

MOTION: Motion Directing Staff to Work with the San Leandro Unified School District Staff in Drafting a Memorandum of Understanding Detailing the Use, Maintenance and Operation Responsibilities, and Establishment of a Separate Fund Which Tracks Revenues and Expenditures Associated with Oversight of the Pacific Sports Complex and Burrell Field

**A motion was made by Councilmember Cutter, seconded by Councilmember Prola, that this minute order be adopted as amended to include:**

- If necessary, there will be an allocation of General Fund revenue to support the City's portion of the maintenance and operation costs;
- The City will continue to maintain and operate the tennis courts and open field area of the complex;
- Burrell Football Stadium will continue to be maintained and operated by the School District; and
- The agency responsible for maintaining a facility has control over the usage, frequency and time of operations of that facility.

The motion carried by the following vote.

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

Enactment No: Min Order 2013-009

**The City Council recessed from 8:54 p.m. to 9:11 p.m.**

### **3. PUBLIC HEARINGS – CITY COUNCIL**

**3.A.**

[13-044](#)

Staff Report for Resolution Amending Section 6.4.100 of the San Leandro Administrative Code to Increase the Subpoena Fee for the Personal Appearance of Police Officers

*The Hearing was opened to the public.*

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

[13-087](#)

ADOPT: Resolution Amending Section 6.4.100 of the San Leandro Administrative Code to Increase the Subpoena Fee for the Personal Appearance of Police Officers (increases the witness fee for a police officer from \$150 to \$275 to conform with a change to state law)

**A motion was made by Councilmember Souza, seconded by Councilmember 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 2013-024

### **4. PUBLIC HEARINGS – OTHER**

*None.*

## 5. PUBLIC COMMENTS

*WILLIAM CUBLEY, San Leandro resident, protested a parking ticket he received.*

*RALPH FARIAS, JR., San Leandro resident, spoke on behalf of Mr. Mohamed, requesting an increase to the hours of operation for his liquor store near MacArthur and Bridge.*

*DARLENE EVANS, San Leandro resident, commented on various subjects including duplexes, City trees, and neighbor relations.*

*MOUFEED MOHAMED, owner of Champagne Terrace on MacArthur and Bridge, requested an increase to his liquor store's operating hours.*

*CHARLES GILCREST, San Leandro resident, announced Davis Street's free tax preparation service.*

*DAVID ERLICH, San Leandro resident, spoke regarding ICLEI and climate protection.*

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

*None.*

## 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 Reed, seconded by Councilmember Souza, to approve the Consent Calendar. The motion carried by the following vote.**

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

**8.A. [13-080](#)** APPROVE: Minutes of the Special Meeting of February 12, 2013

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

**8.B. [13-082](#)** APPROVE: Minutes of the Meeting of February 19, 2013

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

**8.C. [13-055](#)** MOTION: Motion Approving Resolution Commending Gloria Calegari for Her Years of Service on the Library-Historical Commission

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2013-010

- 8.D. [13-079](#) MOTION: Motion Nominating Carl Basuino as District 4 Member to Senior Commission

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2013-011

- 8.E. [13-090](#) Staff Report for Acceptance of the City of San Leandro's Investment Report for the Quarter Ended December 31, 2012

[13-092](#) MOTION: Motion Accepting the City of San Leandro's Investment Report for Quarter Ended December 31, 2012

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2013-012

- 8.F. [13-003](#) Staff Report for a Resolution Accepting the Work for the Bancroft Avenue and 136th Avenue Traffic Signal Project, Project No. 11-150-38-330; State Project No. SR2SL-5041(038)

[13-004](#) ADOPT: Resolution Accepting the Work for the Bancroft Avenue and 136th Avenue Traffic Signal Project, Project No. 11-150-38-330; State Project No. SR2SL-5041(038) (provides for the acceptance of the contract work by Amland Corporation, 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 2013-025

- 8.G. [13-059](#) Staff Report for a Resolution Accepting the Work for the Estudillo Callan 2008 Parking Garage Project, Project No. 08-962-86-067

[13-060](#) ADOPT: Resolution Accepting the Work for the Estudillo Callan 2008 Parking Garage Project, Project No. 08-962-86-067 (provides for the acceptance of the contract work by Webcor Construction, LP, 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 2013-026

- 8.H. [13-070](#) Staff Report for Resolution Approving Designation of the Alameda County Source Reduction and Recycling Board as the Local Task Force under State Law for the Purpose of Reviewing and Commenting on County Integrated Waste Management Plan Amendments

[13-067](#) ADOPT: Resolution Approving Designation of the Alameda County Source Reduction and Recycling Board as the Local Task Force Under State Law for the Purpose of Reviewing and Commenting on County Integrated Waste Management Plan Amendments (approves designation to streamline the review process)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2013-027

8.I. [13-077](#) Staff Report for Resolution Approving an Amendment of the Joint Exercise of Powers Agreement Creating the Alameda County Waste Management Authority

[13-068](#) ADOPT: Resolution Approving an Amendment of the Joint Exercise of Powers Agreement Creating the Alameda County Waste Management Authority (provides for the use of the County's rules as the basis for legal restrictions upon the exercise of power of the board)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2013-028

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

*None.*

## 10. ACTION ITEMS

10.A. [13-088](#) Staff Report for the Resolution Approving the Comprehensive Annual Finance Report (CAFR) for the Year Ending June 30, 2012

[13-089](#) ADOPT: Resolution Approving and Confirming the Comprehensive Annual Financial Report (CAFR) for the Year Ending June 30, 2012 (reviews the report on financial transactions of the City and on disclosure of significant information regarding the City's operations, assets, and liabilities)

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

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

Enactment No: Reso 2013-029

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

10.C. [13-091](#) Review of Proposed 2013 City Council Work Session Calendar

10.D. Report on Closed Session Actions Taken

*Assistant City Attorney Pio Roda reported on two actions taken by the Council during tonight's closed session:*

*1) The City Council voted 6-0 (Councilmember Reed absent) to amend the closed session agenda to add an urgency item regarding the sale of City-owned property located at 2015 Laura Avenue, San Leandro.*

*2) The City Council voted 7-0 to authorize the City Manager to negotiate the terms and consummate the sale of property located at 2015 Laura Avenue.*

## **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**

*There was consensus by the Council to schedule the following items:*

- Consideration of a resolution in support of reducing Greenhouse Gas pollution under the Clean Air Act*
- Consideration of directing the City Manager to fly the rainbow flag at City Hall on the day the Supreme Court hears oral arguments regarding Proposition 8*

## **13. ADJOURN**

*The meeting was adjourned at 10:41 p.m. in memory of Mary Virginia Muto.*

**RESPECTFULLY SUBMITTED:**

---

**MARIAN HANDA**  
City Clerk of the City of San Leandro