



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, September 15, 2014

7:00 PM

City Council Chambers

Joint Meeting of City Council and Successor Agency to Redevelopment Agency

1. CALL TO ORDER

The meeting was called to order at 7:07 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Cassidy led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

Mayor Cassidy announced the following:

- The City Council recently created an Arts Commission. Interested persons may apply by completing and submitting an application, which can be found on the City website.*
- A Town Hall meeting on transportation and housing will be held on Monday, September 22nd at 7:00 p.m. at the San Leandro Main Library.*
- A Senior Resource Fair will be held on Friday, September 19th from 10:00 a.m.- 1:00 p.m. at the Senior Community Center.*

2. RECOGNITIONS

- 2.A. [14-400](#) Proclamation Declaring September 2014 as National Preparedness Month

3. PRESENTATIONS

- 3.A. [14-367](#) Presentation by Metropolitan Transportation Commission (MTC) of the

I-880 Integrated Corridor Management (ICM) North Alameda Segment Project

- 3.B. [14-385](#) Presentation on Bay Area Rapid Transit (BART) Temporary Replacement Parking Strategy

With the consensus of the City Council, Item 5, Public Comments, was moved to this point on the agenda.

5. PUBLIC COMMENTS

The following individuals spoke regarding Alameda County Industries (ACI), the City's Living Wage ordinance, and unionizing recycling sorting workers: Amparo Romo (translated from Spanish by Agustin Ramirez), Salvador Hernandez (translated from Spanish by Agustin Ramirez), Agustin Ramirez, Fred Pecker and Jennifer Lin.

Pamela Fobert spoke in support of a candidate for County office.

The following individuals spoke regarding the San Leandro Police Department's application for a Homeland Security grant, the potential purchase of an armored vehicle, and the need for public input on the subject: Mike Katz-Lacabe, Margarita Lacabe, Jessica Bartholow, Cynthia Chandler, Mike Chase, Mia Ousley and Susan Harman.

Mika Lacabe spoke in support of a City Council candidate.

4. PUBLIC HEARINGS

- 4.A. [14-335](#) Staff Report for Resolution Approving the City of San Leandro Consolidated Annual Performance and Evaluation Report (CAPER) for the FY 2013-2014 Annual Action Plan

The hearing was opened to the public.

Comments were made by the following individual: Mia Ousley.

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

- [14-336](#) RESOLUTION Approving the City of San Leandro FY 2013-2014 Consolidated Annual Performance and Evaluation Report (CAPER) (approves the CAPER for submission to the U.S. Department of Housing and Urban Development)

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

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

Enactment No: Reso 2014-095

Item 5, Public Comments, was considered earlier in the agenda.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Attorney Pio Roda described the revisions to the agreement with ABM under Item 8.E.

7. AMENDMENT OF CONSENT CALENDAR

Item 8.E. 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 Reed, seconded by Vice Mayor Lee, to approve the Consent Calendar. The motion carried by the following vote.

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

8.A. [14-397](#) Minutes of the Meeting of September 2, 2014

Approved as submitted on the Consent Calendar.

8.B. [14-368](#) ORDINANCE Amending Sections 1-3-100, 1-3-110 and 1-3-115 of the San Leandro Municipal Code, and Adding Title I, Chapter 3, Article 16 to the San Leandro Municipal Code Relating to the Establishment of an Arts Commission (establishes a nine-member Arts Commission and its powers and duties)

Adopted on the Consent Calendar.

Enactment No: Ordinance 2014-015

8.C. [14-373](#) Staff Report for a Resolution Authorizing the City Manager to Execute Agreements with the California Department of Transportation for the San Leandro Creek Trail Master Plan

[14-374](#) RESOLUTION Authorizing the City Manager to Execute Agreements with the California Department of Transportation for the San Leandro Creek Trail Master Plan (enables the City to accept a \$201,510 Caltrans Partnership Planning for Sustainable Transportation grant for the development of a San Leandro Creek Trail Master Plan, and make a \$10,000 funding match)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-096

8.D. [14-349](#) Staff Report for a Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period

January 1 - June 30, 2015, Pursuant to Health and Safety Code Section 34177(l)

[14-348](#)

RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period January 1 - June 30, 2015, Pursuant to Health and Safety Code Section 34177(l) (approves the six-month payment schedule detailing the obligations of the former Redevelopment Agency)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-005 SA

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

8.F. [14-340](#)

Staff Report for a Resolution Awarding a Construction Contract to Columbia Electric, Inc. for the Hesperian Boulevard/Springlake Drive Railroad Crossing Improvements, Project No. 12-150-38-325 and Appropriating \$180,000 from the Measure B Bicycle and Pedestrian Fund for the Project

[14-339](#)

RESOLUTION Awarding a Construction Contract to Columbia Electric, Inc. for the Hesperian Boulevard/Springlake Drive Railroad Crossing Improvements, Project No. 12-150-38-325 and Appropriating \$180,000 of Measure B Bicycle and Pedestrian Funds for the Project (provides for pedestrian safety equipment including accessible sidewalks, ramps and push button devices at a cost of \$236,936.50 funded by the Measure B Bicycle and Pedestrian Fund and the Section 130 Federal Grant)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-097

8.G. [14-345](#)

Staff Report for a Resolution Approving Parcel Map 10213 for 1400 San Leandro Boulevard; Assessor's Parcel Number 075-0039-007-05; Owner: San Francisco Bay Area Rapid Transit District; Sub-divider and Applicant: BRIDGE Housing Corporation

[14-346](#)

RESOLUTION Approving Parcel Map 10213 for 1400 San Leandro Boulevard; Assessor's Parcel Number 075-0039-007-05; Owner: San Francisco Bay Area Rapid Transit District; Sub-divider and Applicant: BRIDGE Housing Corporation (provides for the approval of Parcel Map 10213 for 1400 San Leandro Boulevard)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-098

- 8.H. [14-363](#) Staff Report for a Resolution Authorizing a Sole Source Purchase of Polara Navigator Accessible Pedestrian Systems (APS) from Western Pacific Signal, LLC for the Accessible Pedestrian Signals - New Freedom Project to Ensure Citywide Equipment Compatibility, Project No. 150-38-344

[14-364](#) RESOLUTION Authorizing a Sole Source Purchase of Polara Navigator Accessible Pedestrian Systems (APS) from Western Pacific Signal, LLC for the Accessible Pedestrian Signals - New Freedom Project to Ensure Citywide Equipment Compatibility, Project No. 150-38-344 (provides for a sole source purchase through Western Pacific Signal, LLC at a cost of \$110,674.62 using funds from the Cycle 4 New Freedom Grant and Transportation Development Act Funds and matching appropriated annual sidewalk program funds)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-099

- 8.I. [14-365](#) Staff Report for a Resolution Authorizing the City Manager to Enter into an Agreement with the Bay Area Air Quality Management District (BAAQMD) to Receive Grant Funding from the Transportation Fund for Clean Air (TFCA) Program to Install Twenty-Eight Electronic Bicycle Lockers ("E-Lockers") at The San Leandro BART Station

[14-366](#) RESOLUTION Authorizing the City Manager to Enter into an Agreement with The Bay Area Air Quality Management District (BAAQMD) to Receive \$70,000 in Grant Funding from the Transportation Fund for Clean Air (TFCA) to Install Twenty-Eight Electronic Bicycle Lockers ("E-Lockers") at the San Leandro BART Station (provides authorization for the City Manager to enter into an Agreement with the Bay Area Air Quality Management District to install twenty-eight Electronic Bicycle Lockers at the San Leandro BART Station at a total cost of \$92,817.73 with City's Matching Funds at \$22,817.73 from Measure B Bicycle and Pedestrian Funds)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-100

- 8.J. [14-387](#) Staff Report for Resolution Approving the Measure Z Citizens Oversight Committee's Annual Report on Measure Z Sales Tax for Fiscal Year 2013-14

[14-388](#) RESOLUTION Approving the Measure Z Citizens Oversight Committee's Annual Report on Measure Z Sales Tax for Fiscal Year 2013-14 (reviews the report on the revenue and expenditure of the quarter-cent sales tax)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-101

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.E. [14-350](#) Staff Report for a Resolution Authorizing the City Manager to Execute a Bay Area Charge Ahead Project 2 - Approval to Proceed with ABM to Install Three Electric Vehicle Charging Stations (two at the Downtown Parking Garage and one at the Water Pollution Control Plant); for an Ordinance Amending Title 6, Chapter 2 of the San Leandro Municipal Code Relating to Electric Vehicle Charging Stations (adds definitions, requirements and penalties for parking in electric vehicle charging station parking stalls); and for a Resolution Amending Title 6, Chapter 4 of the San Leandro Administrative Code Relating to Fees for Electric Vehicle Charging

[14-352](#) RESOLUTION Authorizing the City Manager to Execute a Bay Area Charge Ahead Project 2 - Approval to Proceed with ABM to Install Three Electric Vehicle Charging Stations (provides for installation of two stations at the Downtown Parking Garage and one at the Water Pollution Control Plant at a cost of \$2,760.00, \$1,840 from Account No. 132-35-003-5240 and \$920.00 from Account No. 593-52-113-5240)

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

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

Enactment No: Reso 2014-102

[14-351](#) ORDINANCE Amending Title 6, Chapter 2 of the San Leandro Municipal Code Relating to Electric Vehicle Charging Stations (authorizes the designation of parking spaces for the exclusive purpose of charging plug-in electric vehicles, establishes penalties for infractions, and authorizes the collection of fees for use of the chargers)

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

Enactment No: Ordinance 2014-016

[14-353](#) RESOLUTION Amending Title 6, Chapter 4 of the San Leandro Administrative Code Relating to Fees and Charges for Electric Vehicle Charging at the Downtown Parking Garage and the Water Pollution Control Plant (sets hourly charging fees and parking fines)

A motion was made by Councilmember Cutter, seconded by Councilmember

Souza, that this resolution be adopted. The motion carried by the following vote.

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

Enactment No: Reso 2014-103

10. ACTION ITEMS

- 10.A. [14-342](#) Staff Report for a Resolution Approving First Amendment to HOME Investment Partnerships Program (HOME) Funds Loan Agreement, Promissory Note, Deed of Trust, and Regulatory Agreement and Authorizing Execution of First Amendment to Loan Agreement and Regulatory Agreement with Alameda Housing Associates, L.P. and Update on the Affordable Rental Housing Project (Cornerstone Apartments) Located at 1400 San Leandro Boulevard
- [14-343](#) RESOLUTION Approving the First Amendment to a HOME Investment Partnerships Program (HOME) Funds Loan Agreement, Promissory Note, Deed of Trust, and Regulatory Agreement and Authorizing Execution of the First Amendment to the Loan Agreement and Regulatory Agreement with Alameda Housing Associates, L.P. for the Affordable Rental Housing Project (Cornerstone Apartments) Located at 1400 San Leandro Boulevard (updates language in the original version and to reflect the current project scope and extends the loan term from 20 to 55 years at 3% annual simple interest)
- A motion was made by Councilmember Prola, seconded by Councilmember Cutter, that this resolution be adopted. The motion carried by the following vote.**
- Aye:** 7 - Cassidy, Cutter, Gregory, Lee, Prola, Reed, Souza
- Enactment No: Reso 2014-104
- 10.B. [14-386](#) Staff Report for Update on Medical Cannabis Dispensary Program
- Councilmember Souza recused herself from this item, and left the City Council Chamber.*
- 10.C. [14-384](#) Staff Report for a Resolution of the City Council of the City of San Leandro Declaring the City Council's Intention to Establish the West San Leandro Shuttle Business Improvement District (BID) and Setting a Public Hearing Relating Thereto for November 3, 2014
- Comments were made by the following individual: David Johnson/San Leandro Chamber of Commerce.*
- [14-383](#) RESOLUTION of the City Council of the City of San Leandro Declaring the City Council's Intention to Establish the West San Leandro Shuttle Business Improvement District (BID) and Setting a Public Hearing Relating Thereto for November 3, 2014 (starts the

45-day process to re-establish the BID which would levy an annual \$21 per employee assessment on the approximately 600 businesses in the BID to fund approximately 50% of an enhanced LINKS shuttle service. Public hearing on the establishment of the BID scheduled for November 3, 2014)

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

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

Enactment No: Reso 2014-105

- 10.D. [14-403](#) City Council Discussion Regarding the Roles and Responsibilities of Councilmembers Speaking in Front of Other Elected Bodies

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

City Attorney Pio Roda reported that, in accordance with Govt. Code section 54957.1(a)(5), the City Council by unanimous vote formed an ad hoc committee composed of Mayor Cassidy, Councilmember Prola and Councilmember Reed, to review and make recommendations on the City Manager's performance evaluation and contract.

12. CITY COUNCIL REPORTS

Due to the late hour, City Councilmembers limited this item to reporting on attendance at intergovernmental agency meetings 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 a City Council community meeting in 2015, held outside City Hall, to discuss the Police Department's grant request for purchase of an armored vehicle.

15. ADJOURN

The meeting was adjourned at 10:56 p.m.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro