



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, July 1, 2013

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:12 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

[13-363](#)

MOTION: Motion Adding an Agenda Item for a Presentation by the City Clerk on Opening City Hall to Allow Marriage Ceremonies

Mayor Cassidy announced that the presentation would be placed at the end of Item 2, Presentations/ Recognitions.

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

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

Enactment No: Min Order 2013-036

2. PRESENTATIONS/ RECOGNITIONS

2.A. [13-338](#)

MOTION: Motion Approving Resolution Honoring Dennis Byas

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

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

Enactment No: Min Order 2013-037

- 2.B.** [13-346](#) ADOPT: Resolution Reappointing Rosemary Trujillo as District 2 Member to Human Services Commission (approves reappointment for term ending December 31, 2016)

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

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

Enactment No: Reso 2013-091

- 2.C.** [13-347](#) ADOPT: Resolution Reappointing Edward Hernandez as District 2 Member to Planning Commission (approves reappointment for term ending December 31, 2016)

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

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

Enactment No: Reso 2013-092

- 2.D.** [13-348](#) ADOPT: Resolution Reappointing Dina Herrera as District 2 Member to Recreation and Parks Commission (approves reappointment for term ending December 31, 2016)

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

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

Enactment No: Reso 2013-093

- 2.E.** [13-349](#) ADOPT: Resolution Reappointing Katherine Frates as District 2 Member to Senior Commission (approves reappointment for term ending December 31, 2016)

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

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

Enactment No: Reso 2013-094

- 2.F.** [13-270](#) Proclamation Declaring July 2013 as Parks Make Life Better Month

- 2.G.** [13-331](#) Update on Activities by San Leandro Recreation and Human Services Department

- 2.H.** [13-364](#) Report on Marriage Ceremonies at City Hall

There was consensus of the City Council to direct staff to develop a proposal to conduct marriage ceremonies at City Hall on one day in late July.

3. PUBLIC HEARINGS – CITY COUNCIL

None.

4. PUBLIC HEARINGS – OTHER

None.

5. PUBLIC COMMENTS

Tibor Svraka, San Leandro resident, spoke regarding the business license tax that he is required to pay, even though none of his business is performed in San Leandro. Mr. Svraka expressed his objection to the retroactive penalty.

David Ehrlich, San Leandro resident, commented regarding the One Bay Area Plan and the need to put the Plan to a vote of the people.

Jeffrey Oksen, San Leandro resident, commented on the BART strike and the hardship it is causing BART patrons.

Rose Johnson, Davis Street Family Resource Center, thanked the City Council for consideration of the CDBG (Community Development Block Grant) public services grant to the DSFRC.

Wafaa Aborashed, Davis West Neighborhood Group, commented on the noise from the freeway and Oakland Airport commercial jets becoming unacceptable. Ms. Aborashed asked what the City could do to provide recreational activities at reasonable cost to the children in her neighborhood.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

Assistant City Manager Lianne Marshall gave brief background on the San Leandro Unified School District project to extend the pathway from Washington Elementary School around the perimeter of McCartney Park. Engineering and Transportation Director Uche Udemezue described the proposed project, noting that only a small portion of the pathway is on City property, and summarizing concerns raised by the neighbors.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.D. and 8.H. were 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 Vice Mayor Prola, seconded by Councilmember Cutter, to approve the Consent Calendar. The motion carried by the following vote.

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

8.A. [13-336](#) APPROVE: Minutes of the Meeting of June 17, 2013

Approved as submitted on the Consent Calendar.

8.B. [13-265](#) Staff Report for Approving Community Development Block Grant (CDBG) Agreements for FY 2013-2014 Between the City of San Leandro and CDBG Subrecipients For Public Services Grants

[13-266](#) ADOPT: Resolution Approving Community Development Block Grant (CDBG) Agreements for FY 2013-2014 Between the City of San Leandro and CDBG Subrecipients for Public Services Grants to Child Abuse Listening, Interviewing, and Coordination Center; Davis Street Family Resource Center; Family Emergency Shelter Coalition; Service Opportunities for Seniors, Inc.; Spectrum Community Services; and Eden Council for Hope and Opportunity Housing (approves 6 public services agreements in a total amount of \$107,420 from the Fiscal Year 2013-2014 CDBG funds)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-095

8.C. [13-267](#) Staff Report for Approving Community Development Block Grant (CDBG) Consulting Services Agreement for \$90,000 in FY 2013-2014 Between the City of San Leandro and Neighborhood Solutions - \$19,000 for Program Administration and \$71,000 for the Provision of Housing Rehabilitation Grants

[13-268](#) ADOPT: Resolution Approving the Community Development Block Grant (CDBG) Consulting Services Agreement for \$90,000 in FY 2013-2014 Between the City of San Leandro and Neighborhood Solutions - \$19,000 for Program Administration and \$71,000 for the Provision of Housing Rehabilitation Grants (provides for the administration of housing assistance to very low-income homeowners)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-096

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

8.E. [13-292](#) Staff Report for a Resolution Awarding a Construction Contract to Gallagher & Burk, Inc. for the Annual Overlay/Rehabilitation 2012-13 Project, Project No. 2013.0050

[13-293](#) ADOPT: Resolution Awarding Construction Contract to Gallagher & Burk, Inc. for the Annual Overlay/Rehabilitation 2012-13 Project,

Project No. 2013.0050 (awards a contract to the lowest responsible bidder, Gallagher & Burk, Inc. in the amount of \$1,771,573.00 for the reconstruction of various streets in San Leandro using Measure B, VRF, Gas Tax, Proposition 1B - Local Streets & Roads, CIP, WPCP, and Neighborhood Traffic Calming funds)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-097

- 8.F.** [13-305](#) Staff Report for a Resolution Approving Plans and Specifications and Calling for Bids for the Westgate Soundwall Repair Project, Project No. 2012.0200

[13-306](#) ADOPT: Resolution Approving Plans and Specifications and Calling for Bids for Westgate Soundwall Repair Project, Project No. 2012.0200 (recommends approval of the plans and specifications and call for bids)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-098

- 8.G.** [13-324](#) Staff Report for Resolution Approving the Conditions of Employer Paid Member Contributions for San Leandro Police Officers' Association (SLPOA) Members to Reach the Full 9% of the Employee Share over the Contract Term

[13-325](#) ADOPT: Resolution Approving the Conditions of Employer Paid Member Contributions for San Leandro Police Officers' Association (SLPOA) Members (implements employee and employer contribution rates to the California Public Employees' Retirement System [CalPERS] as specified in the Memorandum of Understanding approved by the City Council on March 18, 2013)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-099

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

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.D.** [13-288](#) Staff Report for a Resolution Accepting the Engineer's Report for Fiscal Year 2013-14 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 and Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2013-14

[13-290](#)

ADOPT: Resolution Accepting the Engineer's Report for Fiscal Year 2013-14 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 (provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development)

A motion was made by Councilmember Lee, 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 2013-100

[13-291](#)

ADOPT: Resolution Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2013-14 (provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development)

A motion was made by Councilmember Lee, 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 2013-101

8.H. [13-340](#)

Staff Report on the Independent Auditor's City of San Leandro Memorandum of Internal Control and Required Communications for the year-ended June 30, 2012

[13-342](#)

MOTION: Motion Accepting the City's Memorandum of Internal Control for the Year Ended June 30, 2012

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

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

Enactment No: Min Order 2013-038

10. ACTION ITEMS10.A. [13-341](#)

Staff Report for Council Discussion / Direction on Business License Tax Holiday for New Businesses

One speaker commented on this item: Dave Johnson, San Leandro Chamber of Commerce.

10.B. 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

None.

13. ADJOURN

The meeting was adjourned at 10:21 p.m., in memory of the 19 firefighters who lost their lives while fighting the Yarnell Hill wildfire in Arizona.

RESPECTFULLY SUBMITTED:

MARIAN HANDA

City Clerk of the City of San Leandro