



# 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*

*Ed Hernandez, District 2*

*Lee Thomas, District 3*

*Benny Lee, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, June 19, 2017

7:00 PM

City Council Chambers

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### Joint Meeting of the City Council and the Successor Agency to the San Leandro Redevelopment Agency

#### 1. CALL TO ORDER

*The meeting was called to order at 7:03 p.m.*

#### 1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

*Barbara Jue led the Pledge of Allegiance to the Flag.*

#### 1.B. ROLL CALL

**Present** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

#### 1.C. ANNOUNCEMENTS

*The Mayor announced a misnumbering on the Consent Agenda.*

#### 2. RECOGNITIONS

2.A. [17-362](#) Recognition of the Winners of the Martin Luther King, Jr. Day Oratorical/Poetry Slam: Alvin Wong and Asiya Sulaiman

2.B. [17-350](#) Proclamation Declaring June 2017 as Lesbian, Gay, Bisexual, Transgender and Questioning/Queer Senior Safe, Visible and Celebrated Month

2.C. [17-364](#) Proclamation Declaring June 2017 as Elder Abuse Awareness Month

2.D. [17-365](#) Proclamation Declaring June 19, 2017 as Roberts Awards Day

### 3. PUBLIC COMMENTS

*There were no public comments.*

### 4. PRESENTATIONS

- 4.A. [17-198](#) Port of Oakland Update on Airport Runway Maintenance

### 5. PUBLIC HEARINGS

- 5.A. [17-219](#) Staff Report for an Ordinance Amending Zoning Code Article 3, Definitions; Article 6, Commercial and Professional Districts; Article 7, Industrial Districts; and Article 16, Non-Residential Districts, Involving Updates to Definitions and Regulations Enabling Cannabis Product Manufacturing and Laboratories, and a Resolution Adding Title 5, Chapter 6 to the Administrative Code to identify a pilot program for Cannabis Product Manufacturing applications.

[17-220](#) ORDINANCE Amending Zoning Code Article 3, Definitions; Article 6, Commercial and Professional Districts; Article 7, Industrial Districts; and Article 16, Nonresidential Uses, to Enable Cannabis Product Manufacturing and Laboratories.

**A motion was made by Councilmember Lee, seconded by Councilmember Cox, that this Ordinance be Passed to Print. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Ordinance 2017-014

[17-339](#) RESOLUTION Adding Title 5, Chapter 6 to the San Leandro Administrative Code, Establishing a Cannabis Product Manufacturing Pilot Program

**A motion was made by Councilmember Lee, seconded by Councilmember Cox, that this Resolution - Council be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Reso 2017-082

- 5.B. [17-172](#) Staff Report for City of San Leandro U.S. Department of Housing and Urban Development (HUD) Final FY 2017-2018 Annual Action Plan

[17-173](#) RESOLUTION Approving the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Final FY 2017-2018 Annual Action Plan (implements the Housing and Community Development Strategies of the FY 2015-2019 Consolidated Plan and authorizes the

execution of all related documents by the City Manager and submission of the Action Plan to HUD)

*There were seven speakers on this item.*

**A motion was made by Councilmember Ballew, seconded by Councilmember Lee, that this Resolution - Council be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Reso 2017-083

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

City Manager's Recognition of the Award received from the American Planning Association California Chapter Northern 2017 Award of Excellence for Comprehensive Plan Small Jurisdiction in recognition of the City of San Leandro 2035 General Plan Update

## **7. AMENDMENT OF CONSENT CALENDAR**

## **8. CONSENT CALENDAR**

### **Approval of the Consent Agenda**

**A motion was made by Councilmember Cox, seconded by Councilmember Thomas, to Approve the Consent Calendar. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

**8.A. [17-363](#)** Minutes from the June 5, 2017 Council Meeting

**Approved as Submitted**

**8.B. [17-352](#)** Highlights of the Rules Committee Meeting of May 22, 2017

**Approved as Submitted**

**8.C. [17-358](#)** MOTION Ratifying the Mayor's Appointment of Elmer Penaranda to the Oversight Board for the Successor Agency to the Former Redevelopment Agency of the City of San Leandro

**Adopted**

Enactment No: Min Order 2017-022

**8.D. [17-351](#)** RESOLUTION Reappointing Diana Prola as District 6 Member to the Library-Historical Commission for Term Ending December 31, 2020

**Adopted**

Enactment No: Reso 2017-084

- 8.E. [17-303](#) Staff Report for a Resolution Authorizing the City Manager to Execute the Administering Agency-State Agreement No. 04-5041F15 and the Program Supplement Agreement No. 025-F to Provide \$37,655 in Grant Funds for the Design Phase of the Davis Street (State Route 112) and Carpentier Street High-intensity Activated crossWalk (HAWK) Signal Project.

**Received and Filed**

- [17-304](#) RESOLUTION Authorizing the City Manager to Execute the Administering Agency-State Agreement No. 04-5041F15 and Program Supplement Agreement No. 025-F to Provide \$37,655 in Grant Funds for the Design Phase of the Davis Street (State Route 112) and Carpentier Street High-intensity Activated crosswalk (HAWK) Signal Project (provides for \$37,655 of federal funding for pedestrian safety improvements at Davis Street and Carpentier Street)

**Adopted**

Enactment No: Reso 2017-085

- 8.F. [17-292](#) Staff Report for a Resolution Authorizing the City Manager to Execute the Program Supplement Agreement, No. N023 Rev. 1 to Administering Agency-State Agreement for Federal-Aid Project No. 04-5041R to Provide \$399,300 in Grant Funds for the Construction Phase of the Bancroft Avenue and Sybil Avenue Intersection Improvements

**Received and Filed**

- [17-293](#) RESOLUTION Authorizing the City Manager to Execute a Program Supplement Agreement No. N023 Rev. 1 to Administering Agency-State Agreement for Federal-Aid Project No. 04-5041R to Provide \$399,300 in Grant Funds for the Construction Phase of the Bancroft Avenue and Sybil Avenue Intersection Improvements (provides for \$399,300 of federal funding for intersection improvements at Bancroft Avenue and Sybil Avenue)

**Adopted**

Enactment No: Reso 2017-086

- 8.G. [17-299](#) Staff Report for Resolution Approving the City of San Leandro's Investment Policy for Fiscal Year 2017-18

**Received and Filed**

- [17-300](#) RESOLUTION Approving the City of San Leandro's Investment Policy for Fiscal Year 2017-18 (provides for annual review and approval of the City's Investment Policy as required by California Government

Code Section 53600 et seq., and Section VIII of the San Leandro Investment Policy)

**Adopted**

Enactment No: Reso 2017-087

- 8.H. [17-329](#) Staff Report for the HOME Consortium Agreement Between the City of San Leandro and the County of Alameda for Federal Fiscal Years 2018-2020

**Received and Filed**

[17-330](#) RESOLUTION to Authorize the Continued Participation of the City of San Leandro in the Alameda County HOME Consortium for HOME Funds and Authorizing Execution of the Necessary Documents to Maintain the Eligibility of the Consortium for HOME Program Funds in Accordance with the National Affordable Housing Act of 1990

**Adopted**

Enactment No: Reso 2017-088

- 8.I. [17-333](#) Staff Report for a Resolution to Approve the City of San Leandro 2016 Housing Element Annual Progress Report

**Received and Filed**

[17-334](#) RESOLUTION to Approve the 2016 San Leandro Housing Element Annual Progress Report and Authorizing the City Manager to Forward the Report to the California Department of Housing and Community Development and Governor's Office of Planning and Research (Approves the Report Required by California Government Code §65400 Related to the Status of and Progress in Implementing the Current San Leandro General Plan Housing Element Update)

**Adopted**

Enactment No: Reso 2017-089

- 8.J. [17-353](#) Staff Report for Resolution Approving a Consultant Services Agreement for Third Party Plan Check Services Between the City of San Leandro and AHG Architectural Services for an amount not-to-exceed \$130,000

**Received and Filed**

[17-354](#) RESOLUTION Authorizing the City Manager to Execute a Consultant Services Agreement with AHG Architectural Services for Third Party Plan Check Services (authorizes a 2-year \$130,000 agreement for third party plan check services for the Building Division to continue providing plan check services in a timely manner)

**Adopted**

Enactment No: Reso 2017-090

Item 8K removed to Item 9, Items Removed from the Consent Calendar

Item 8L removed to Item 9, Items Removed from the Consent Calendar

**8.M. [17-369](#)**

MOTION Appointing Councilmember Cox as Representative and Councilmember Hernandez as Alternate to the Association of Bay Area Governments (ABAG), General Assembly

*Councilmember Thomas made a motion that the ordinance be amended to change the threshold amount from 15% to 12%, to exclude properties that are 4 units or less, to include provisions from the Health and Safety Code, to allow repairs to be deducted from the second payment and to remove the joint check system. The item will return on July 3, 2017*

**Adopted**

Enactment No: Min Order 2017-023

**9. ITEMS REMOVED FROM CONSENT CALENDAR****8.K. [17-356](#)**

Staff Report for a Resolution to Approve Recommendations from the Human Services Commission for Community Assistance Program Grants for 2017-18

**[17-357](#)**

RESOLUTION to Approve Recommendations from the Human Services Commission for 2017-18 Community Assistance Program (CAP) Grant Recipients

**A motion was made by Councilmember Lopez, seconded by Councilmember Cox, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Reso 2017-091

**8.L. [17-296](#)**

ORDINANCE Amending Title 1, Chapter 12 of the San Leandro Municipal Code Relating to "Citation - Violations" and Title 3, Chapter 2 of the San Leandro Municipal Code Relating to Weed Abatement (Modifications are recommended to the City's Code Enforcement and Weed Abatement Ordinances in order to improve and streamline the enforcement process)

**A motion was made by Mayor Cutter, seconded by Councilmember Cox, that this Ordinance be Passed to Print. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Ordinance 2017-013

**10. ACTION ITEMS**

**10.A.** [17-335](#) Staff Report for an Ordinance Adding a Tenant Relocation Assistance Program to the City of San Leandro Municipal Code to Require the Payment of Tenant Relocation Assistance for Landlord-Caused Terminations of Tenancy and to Require Additional Notice Prior to Termination of Tenancy

[17-336](#) ORDINANCE of the City of San Leandro Adding Chapter 4.37 "Tenant Relocation Assistance" to the San Leandro Municipal Code to Require the Payment of Tenant Relocation Assistance for Landlord-Caused Terminations of Tenancy and to Require Additional Notice Prior to Termination of Tenancy

*Vice Mayor Thomas made a motion to accept the recommendations with the following amendments: the threshold will be changed from 15 % to 12%, exclude units on a single parcel with 4 units or less, any payments that tenants receive under the Health and Safety code can be deducted from San Leandro's tenant relocation payment, landlords can use the second relocation payment to deduct for damages that are not covered by the security deposit, and no joint check system. To return on July 3rd.*

*There were eleven speakers on this item.*

**A motion was made by Councilmember Thomas, seconded by Councilmember Lee, that this Ordinance be Amended. The motion carried by the following vote.**

**Aye:** 6 - Lee, Lopez, Ballew, Hernandez, Thomas, Cox

**Nay:** 1 - Cutter

**10.B.** [17-340](#) Staff Report for Resolution Authorizing the City Manager to Execute a Purchase and Sale Agreement with BAU Bay Area Urban Development, LLC., for Sale of Successor Agency-owned property at 2101 Marina Boulevard (APN 079A-0568-005-00)

[17-342](#) RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Authorizing the Executive Director to Execute a Purchase and Sale Agreement with BAU Bay Area Urban Development, LLC. for Sale of the Successor Agency-owned Property at 2101 Marina Boulevard (APN 079A-0568-005-00) at a Price of \$513,000

**A motion was made by Councilmember Hernandez, seconded by Councilmember Cox, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Reso 2017-005 SA

**10.C.** [17-344](#) Staff Report for Resolution Authorizing the City Manager to Execute a

Purchase and Sale Agreement with David Langon Construction, Inc. for Sale of Successor Agency-owned property at 1595 Washington Avenue (APN: 075-0005-011-01) and 268 Parrott Street (APN: 075-0005-012-00).

[17-345](#)

RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Authorizing the Executive Director to Execute a Purchase and Sale Agreement with David Langon Construction, Inc. for Sale of the Successor Agency-owned Property at 1595 Washington Avenue (APN: 075-0005-011-01) and 268 Parrott Street (APN: 075-0005-012-00) for a price of \$1,150,000.

**A motion was made by Mayor Cutter, seconded by Councilmember Cox, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Reso 2017-092

**11. REPORT ON CLOSED SESSION ACTIONS TAKEN**

**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**

*Due to the late hour, City Councilmembers limited this item to announcing calendar of upcoming events and coordinating attendance.*

**14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS**

*Councilmember Ballew made a motion that the council revisit the tax structure for cannabis labs and manufacturing.*

**15. ADJOURN**

*The meeting was adjourned at 10:57 p.m.*

**RESPECTFULLY SUBMITTED:**

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**TAMIKA GREENWOOD**  
City Clerk of the City of San Leandro