



# 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*

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Monday, June 2, 2014

7:00 PM

City Council Chambers

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### 1. CALL TO ORDER

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

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

*Mayor Cassidy led the Pledge of Allegiance to the Flag.*

#### 1.B. ROLL CALL

*Councilmember Reed left the meeting at 9:26 p.m.*

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

#### 1.C. ANNOUNCEMENTS

*Mayor Cassidy presented a proclamation to Dan Walters, proclaiming May 30, 2014 as Dan Walters Day in San Leandro. Mr. Walters was unable to attend the meeting of May 19th, when the proclamation was scheduled on the agenda for presentation.*

### 2. RECOGNITIONS

2.A. [14-213](#) Proclamation Declaring June 3, 2014 as Jose Tamayo Day

### 3. PRESENTATIONS

3.A. [14-222](#) Legislative Update from Townsend Public Affairs

3.B. [14-216](#) Update by Library on Summer Program Activities

3.C. [14-206](#) Update on East 14th Street in South San Leandro

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

## 5. PUBLIC COMMENTS

*Dwight Pitcaithley commented on the viability of retaining the San Leandro Marina for water transportation, and provided a financial analysis he prepared on the subject to the City Council.*

*David Johnson, CEO of the San Leandro Chamber of Commerce, commented on the East 14th South Area Strategy and thanked Recreation and Human Services Director Carolyn Knudtson and City staff and volunteers for bringing back the Cherry Festival.*

## 4. PUBLIC HEARINGS

### 4.A. [14-207](#)

Staff Report for Proposed Amendments to the City of San Leandro Zoning Code Related to Increasing Flexibility in Industrial and Commercial Uses; Adding Community Gardens; Revising Regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; Clarifying and Revising Planning Entitlement Processing; and Conducting General Text Updates in Zoning Code Article 3 Definitions; Article 5 Residential Districts; Article 6 Commercial and Professional Districts; Article 7 Industrial Districts; Article 8 Open Space District; Article 9 Public and Semipublic District; Article 16 Development Regulations; Article 17 Off-Street Parking and Loading Regulations; Article 18 Signs; Article 21 Zoning Permits Required, Environmental Review, Fees and Deposits; Article 22 Use Permits, Variances, and Parking Exceptions; Article 27 Amendments; and Article 28 Appeals

*Councilmember Reed left the meeting at 9:26 p.m.*

*The hearing was opened to the public.*

*Comments were made by the following individuals: D. Kevin Shipp, David Johnson, and A. Alan Berger.*

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

### [14-208](#)

ORDINANCE Amending the Zoning Code Article 3 Definitions; Article 5 Residential Districts; Article 6 Commercial and Professional Districts; Article 7 Industrial Districts; Article 8 Open Space District; Article 9 Public and Semipublic District; Article 16 Development Regulations; Article 17 Off-Street Parking and Loading Spaces Regulations; Article 18 Signs; Article 21 Zoning Permits Required; Article 22 Use Permits, Variances, and Parking Exceptions; Article 27 Amendments; and Article 28 Appeals Related to Increased Flexibility in Industrial and Commercial Uses; Adding Community Gardens Use and Regulations; Revising Regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; Clarifying and Revising Planning

Entitlement Application Processing; and Conducting General Text Updates (amends Zoning Code to increase flexibility in industrial and commercial uses; adds Community Gardens; revises regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; clarifies planning application processes; and provides general text updates)

**A motion was made by Councilmember Cutter, seconded by Councilmember Souza, that this ordinance be passed to print with amendment to increase the notification radius in Article 22 from 300 feet to 500 feet. The motion carried by the following vote.**

**Aye:** 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Ordinance 2014-007

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

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

*City Attorney Pio Roda announced the settlement in the case of Bay Cities Paving and Grading v. City of San Leandro.*

## 7. AMENDMENT OF CONSENT CALENDAR

*Item 8.I. 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 Cutter, to approve the Consent Calendar. The motion carried by the following vote.**

**Aye:** 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

8.A. [14-202](#) Minutes of the Meeting of May 19, 2014

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

8.B. [14-191](#) Staff Report for a Resolution Amending the San Leandro Management Organization (SLMO) salary schedule to revise the classification titles of Information Services Manager and Assistant Information Services Manager to Information Technology Manager and Assistant Information Technology Manager

[14-192](#) RESOLUTION Amending the San Leandro Management Organization (SLMO) Salary Schedule to Revise the Classification Titles of Information Services Manager and Assistant Information Services Manager to Information Technology Manager and Assistant

Information Technology Manager (revises titles to reflect current industry standards)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-047

**8.C.** [14-158](#)

Staff Report for Resolution Approving the City of San Leandro's Investment Policy for Fiscal Year 2014-15

[14-159](#)

RESOLUTION Approving the City of San Leandro's Investment Policy for Fiscal Year 2014-15 (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 on the Consent Calendar.**

Enactment No: Reso 2014-048

**8.D.** [14-160](#)

Staff Report for Resolution Establishing the City's Appropriation Limit for Fiscal Year 2014-15

[14-161](#)

RESOLUTION Establishing the City's Appropriation Limit for Fiscal Year 2014-15 (establishes the Gann appropriation limit at \$175,666,900 pursuant to California Government Code Section 7910 and California Constitution Article XIIB)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-049

**8.E.** [14-185](#)

Staff Report for a Resolution Awarding a Construction Contract to State Roofing Systems for the City Hall South End Roof Replacement Project, Project No. 2013.0300

[14-184](#)

RESOLUTION Awarding a Construction Contract to State Roofing Systems for the City Hall South End Roof Replacement Project, Project No. 2013.0300 (provides for replacement of a portion of the roof on City Hall at a cost of \$95,398 funded by the Building Management Fund)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-050

**8.F.** [14-199](#)

Staff Report for a Resolution Awarding a Construction Contract to A Good Sign & Graphic Company for the Downtown Garage Parking Sign Project, Project No. 2013.0341

[14-201](#)

RESOLUTION Awarding a Construction Contract to A Good Sign & Graphic Company for the Downtown Garage Parking Sign Project, Project No. 2013.0341 (awards the contract to the lowest responsible

bidder in the amount of \$43,825.00 from the City's Successor Agency Fund)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-051

**8.G.** [14-166](#)

Staff Report for a Resolution Accepting the Work for the Annual Overlay/Rehabilitation 2012-13 Project (Project No. 2013-0050)

[14-167](#)

RESOLUTION Accepting the Work for Annual Overlay/Rehabilitation 2012-13, Project No. 2013.0050 (provides for the acceptance of contract work by Gallagher & Burk, Inc., 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 2014-052

**8.H.** [14-197](#)

Staff Report for a Resolution Authorizing a Pilot Lease/Purchase Program for Police Fleet Vehicles

[14-198](#)

RESOLUTION Authorizing a Pilot Lease/Purchase Program for Police Fleet Vehicles (authorizes for Fiscal Year 2013-2014 a three-year lease/purchase agreement with any lending company not to exceed the financing rate of 4.25% and an amount not to exceed \$161,055)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-053

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

**8.J.** [14-194](#)

Staff Report for an Ordinance Adding Chapter 4-34 of the San Leandro Municipal Code Pertaining to Mobile Food Vending; an Ordinance Amending Chapter 4-5 of the San Leandro Municipal Code Pertaining to Peddlers, Solicitors, and Itinerant Merchants; and a Resolution to Reduce the Business License Tax for Mobile Food Vendors

[14-211](#)

ORDINANCE Adding Title 4, Chapter 4-34 of the San Leandro Municipal Code Relating to Mobile Food Vending (regulates mobile food vending)

**Passed to print on the Consent Calendar.**

Enactment No: Ordinance 2014-008

[14-210](#)

ORDINANCE Amending Title 4, Chapter 4-5 of the San Leandro

Municipal Code Relating to Peddlers, Solicitors, and Itinerant Merchants (provides for consistency with state law pertaining to public street vending)

**Passed to print on the Consent Calendar.**

Enactment No: Ordinance 2014-009

[14-200](#)

RESOLUTION Approving a Reduction of the Business License Tax for Mobile Food Vendors (waives the peddler/solicitor unit fee of \$36.50 per employee)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-054

**The City Council recessed from 10:18 p.m. to 10:29 p.m.**

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.I. [14-214](#) Staff Report for a Resolution Approving the Implementation of a Virtual Information Technology Infrastructure and Upgrade to the Police Dispatch System

[14-215](#)

RESOLUTION Approving an Agreement with Dell Professional Services to Build a Virtual Information Technology Infrastructure; Approving an Agreement with New World Systems to Upgrade the Police Department's Computer Aided Dispatch/Records Management System; and Authorizing the Appropriation of \$60,000 from the IT Fund Balance (approves two agreements totaling \$203,000 and authorizes appropriation in the amount of \$60,000 for the Police Department's Virtual IT Infrastructure Project)

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

**Aye:** 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Reso 2014-055

## 10. ACTION ITEMS

- 10.A. [14-232](#) MOTION to Create Ad Hoc Committee for Developing a Draft Ordinance to Protect Significant and Heritage Trees in San Leandro and Appoint Members to Committee

**A motion was made by Councilmember Cutter, seconded by Councilmember Souza, that this minute order be adopted to appoint Vice Mayor Lee and Councilmembers Prola and Reed. The motion carried by the following vote.**

**Aye:** 6 - Cassidy, Cutter, Gregory, Lee, Prola, Souza

Enactment No: Min Order 2014-013

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

*None.*

**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:*

- Consideration of letter of support for SB 1262 related to medical marijuana;*
- Discussion regarding a workforce labor agreement for City contracts that would include local hire;*
- Discussion regarding rail safety for pedestrians and motorists, to include the school districts; and*
- Discussion regarding pension obligations and post-retirement benefits covering City employees and Alameda County Fire employees.*

**15. ADJOURN**

*The meeting was adjourned at 11:06 p.m., in memory of Barbara Sidari.*

**RESPECTFULLY SUBMITTED:**

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