



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, October 7, 2013

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:04 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

Donna Reed led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

Present 6 - Cassidy, Cutter, Gregory, Prola, Reed, Souza

Absent 1 - Lee

1.C. ANNOUNCEMENTS

None.

2. PRESENTATIONS/ RECOGNITIONS

2.A. [13-423](#) MOTION: Motion Approving Resolution Commending Donna Reed for Her Service on the Library-Historical Commission

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: 6 - Cassidy, Cutter, Gregory, Prola, Reed, Souza

Enactment No: Min Order 2013-048

2.B. [13-420](#) Proclamation Declaring October 2013 as Domestic Violence Awareness Month

- 2.C. [13-421](#) Proclamation Declaring October 2013 at National Crime Prevention Month
- 2.D. [13-480](#) Presentation Continued for the Next Generation Workplace District Study Around the New Kaiser Medical Center and the Lit San Leandro Fiber Optic Infrastructure in the Central San Leandro Area
- 2.E. [13-464](#) Presentation by Nextdoor on Best Practices and Implementation
- Item was removed from the agenda and will be rescheduled on the October 21st agenda.*

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

- 10.A. [13-479](#) Reconsideration of Raising the Flag of the People's Republic of China
- Comments were made by the following individuals: Cynthia Chandler, Mr. L. Gill, Giovanni Vassallo, Tenzin Wangchuk, Tsering Dolkar, Leo West, Mr. X, Steven Leung, Judy Qi, Suitei Huang, Alice Huang, Zhitao Li, Martin Huynh, Arlene Lum, Ed Collaco, Tenjin Tsepol, Chris Crow, Darlene Evans, Tenzin Rangdol, and Tashi Kunjo*

[13-466](#) MOTION: Motion to Reconsider Raising the Flag of the People's Republic of China

A motion was made by Mayor Cassidy and died for lack of a second.

A motion was made by Councilmember Reed, seconded by Councilmember Cutter, to refer the matter to the Human Services Commission to develop a policy for considering raising flags of other nations. No action was taken and the motion was replaced by a substitute motion.

[13-519](#) MOTION: Motion to Consider a Substitute Motion to Refer the Matter to an Ad Hoc Committee, Comprised of Mayor Cassidy and Councilmember Lee, to Develop a Policy for Raising Flags of Other Nations

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

Aye: 5 - Cutter, Gregory, Prola, Reed, Souza

Nay: 1 - Cassidy

Enactment No: Min Order 2013-049

[13-520](#) MOTION: Motion to Amend the Substitute Motion to Reform the Civic and Cultural Committee as an Ad Hoc Committee to Develop a Recommendation for City Council Consideration for Raising the Flags of Other Nations and Celebrating Other Cultures

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

Aye: 5 - Cutter, Gregory, Prola, Reed, Souza

Nay: 1 - Cassidy

Enactment No: Min Order 2013-050

The City Council recessed from 10:01 p.m. to 10:15 p.m.

3. PUBLIC HEARINGS – CITY COUNCIL

None.

4. PUBLIC HEARINGS – OTHER

None.

5. PUBLIC COMMENTS

MICHELLE MUSGROVE, Davis Street Family Resource Center, invited the City Council to the Stand Up for Davis Street comedy fundraising event at the BAL Theatre on October 11th.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Attorney Rich Pio Roda thanked the elected and appointed officials and staff who attended the September 23rd AB 1234 Ethics Training conducted by the City Attorney's Office.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.B. and 8.E. 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 Reed, to approve the Consent Calendar. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Prola, Reed, Souza

8.A. [13-455](#) APPROVE: Minutes of the Special Meeting and Work Session of September 9, 2013

Approved as submitted on the Consent Calendar.

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

8.C. [13-478](#) APPROVE: Minutes of the Special Meeting of September 23, 2013

Approved as submitted on the Consent Calendar.

8.D. [13-481](#) Staff Report for Amendments to the San Leandro Municipal Code and City Councilmembers Handbook to Add a Youth Member to the Library-Historical Commission

[13-437](#) PASS TO PRINT: An Ordinance Amending Chapter 3, Title 1 of the San Leandro Municipal Code by Amending Sections 1-3-125 and 1-3-800, and Adding Section 1-3-801, to Add a Youth Member to the Library-Historical Commission (adds a youth member as a full voting member to the Library-Historical Commission)

Passed to print on the Consent Calendar.

Enactment No: Ordinance 2013-008

[13-482](#) ADOPT: Resolution Amending Section XV-Boards and Commissions of the City of San Leandro Councilmembers Handbook, Related to Adding a Youth Member to the Library-Historical Commission (makes updates for the appointment of a youth member)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-125

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

8.F. [13-465](#) Staff Report for a Resolution Authorizing the City Manager or His Designee to Execute an On-Bill Financing Loan Agreement with Pacific Gas and Electric Company to Provide 0% Interest Loan Financing and a Rebate Grant Through Participation in the California Wastewater Process Optimization Program

[13-467](#) ADOPT: Resolution Authorizing the City Manager or His Designee to Execute an On-Bill Financing Loan Agreement with Pacific Gas and Electric Company (provides 0% interest loan financing for a California Wastewater Process Optimization Program qualified Energy Efficiency Project)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-126

8.G. [13-470](#) Staff Report for Resolution Approving a Budget Amendment to the City of San Leandro Budget for Fiscal Year 2013-14

[13-471](#) ADOPT: Resolution Approving a Budget Amendment Reflecting Adjustments to the City of San Leandro Budget Fiscal Year 2013-14 (amends the budget pursuant to City Charter Section 515)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-127

- 8.H.** [13-472](#) Staff Report for a Resolution Approving the San Leandro City Employees' Association (SLCEA) Memorandum of Understanding and a Resolution Approving the Conditions of Employer Paid Member Contributions for the San Leandro City Employees' Association (SLCEA)

[13-473](#) ADOPT: Resolution Approving a Memorandum of Understanding Between the City of San Leandro and the San Leandro City Employees' Association (SLCEA) for the period January 1, 2013 through December 31, 2015 (provides for a three-year contract)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-128

[13-474](#) ADOPT: Resolution Approving Conditions of Employer Paid Member Contributions for San Leandro City Employees' Association (SLCEA) Members (specifies the conditions of EPMC as required by the California Public Employees' Retirement System [CalPERS])

Adopted on the Consent Calendar.

Enactment No: Reso 2013-129

- 8.I.** [13-483](#) Staff Report for a Resolution Authorizing the City Manager to Execute Program Supplemental Agreement No. 020-N1 to Federal Aid Agreement 04-5041R with the California State Department of Transportation (Caltrans) for Funding Construction Activities Related to the Maintenance of Bridge 33C0134 that Carries Monarch Bay Drive over Alameda County Flood Control Canal A of Zone 2

[13-484](#) ADOPT: Resolution Authorizing the City Manager to Execute Program Supplemental Agreement No. 020-N1 to Federal Aid Agreement 04-5041R with the Department of Transportation of the State of California (Caltrans) for Funding Construction Activities Related to the Maintenance of Bridge 33C0134 that Carries Monarch Bay Drive over Alameda County Flood Control Canal A of Zone 2 (accepts \$315,388 in federal grant funds for the Monarch Bay Drive Bridge Maintenance and Repair Project)

Adopted on the Consent Calendar.

Enactment No: Reso 2013-130

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.B.** [13-477](#) APPROVE: Minutes of the Meeting of September 16, 2013

A motion was made by Councilmember Cutter after receiving confirmation that 4,500 square feet was used as the minimum lot size in Ordinance No. 2013-007 regarding chickens and bees, seconded by Vice Mayor Prola, that the minutes be approved as submitted. The motion carried by the following vote.

Aye: 6 - Cassidy, Cutter, Gregory, Prola, Reed, Souza

8.E. [13-460](#)

Staff Report for a Resolution of Project Compliance for Regional Measure 2 (RM 2) Implementing Agency for the Downtown San Leandro BART Pedestrian and Bicycle Access Project

[13-461](#)

ADOPT: Resolution of Project Compliance for Regional Measure 2 (RM 2) Implementing Agency for the Downtown San Leandro BART Pedestrian and Bicycle Access Project (allows for the allocation of RM 2 funding for the design and environmental phases of the subject project, assures that the City will comply with the MTC's RM 2 policy provisions, approves the Initial Project Report, and assures the City's completion of the project at a cost of \$831,000 using \$400,000 provided by the RM 2 SR2T program; \$346,000 of Measure B Bicycle/Pedestrian Countywide Discretionary Funds; and \$85,000 in matching funds from the City's Measure B Pass-Thru Funds to be appropriated during the Budget Adjustment process)

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

Aye: 6 - Cassidy, Cutter, Gregory, Prola, Reed, Souza

Enactment No: Reso 2013-131

10. ACTION ITEMS

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

10.B. Report on Closed Session Actions Taken

None.

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

Councilmember Reed requested that the City Council consider a resolution in support of immigration reform. There was consensus of the City Council to add to the agenda for the next regular meeting.

Councilmember Reed requested that the City Council consider supporting or participating in a sock and underwear drive to benefit April Showers. There was consensus of the City Council to support and participate in the drive, and sign the letter to local businesses.

Mayor Cassidy requested consideration of returning the holiday tree lighting to City Hall. There was consensus of the City Council to schedule this item.

13. ADJOURN

The meeting was adjourned at 11:00 p.m., in memory of Ruth Maltester.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro