



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes - Draft 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  
Joyce Starosciak, District 4  
Pauline Russo Cutter, District 5  
Jim Prola, District 6*

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Monday, May 21, 2012

7:00 PM

City Council Chambers

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**\*\*\* MINUTES ARE DRAFT UNTIL ACCEPTED BY CITY COUNCIL \*\*\***

### 1. CALL TO ORDER

#### 1.A. PLEDGE OF ALLEGIANCE

#### 1.B. ROLL CALL

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

#### 1.C. ANNOUNCEMENTS

*None.*

### 2. PRESENTATIONS/ RECOGNITIONS

#### 2.A. 12-264

ADOPT: Resolution Appointing Katherine Frates as District 2 Member to Senior Commission (approves appointment for term ending December 31, 2012)

**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, Prola, Reed, Souza, Starosciak

Enactment No: Reso 2012-045

*Newly appointed Senior Commissioner Katherine Frates took her Oath of Office administered by the City Clerk.*

**2.B. 12-130** Proclamation Declaring June 2012 as "Ghirardelli Chocolate Month" in San Leandro and Proclaiming Ghirardelli Chocolate to Be the Official Chocolate of San Leandro in Honor of Ghirardelli Chocolate Company's 160th Anniversary

**2.C. 12-252** Proclamation Declaring June 2, 2012 as "Relay for Life Day" in San Leandro

### **3. PUBLIC HEARINGS – CITY COUNCIL**

**3.A. 12-253** Staff Report for an Ordinance Approving Zoning Map and Text Amendments for the Establishment of a Planned District by Rezoning the Subject Property from DA-1 (S) to "Planned Development District", and the Approval of a Planned Development Permit for a 27,664 Square Foot Retail Project Located at 1550 East 14th Street. Innisfree Ventures II, LLC - PLN2011-00039; APN 077 0540 009 00

*The Public Hearing for this item was conducted simultaneously with the Public Hearing for Item 3.B.*

**12-256** ADOPT: Ordinance No. 2012-010, an Ordinance Approving a Zoning Map and Text Amendment for the Establishment of a Planned District and the Approval of a Planned Development Permit for a 27,644 Square Foot Retail Project Located at 1550 East 14th Street (approves the rezoning and planned development of the Village Marketplace)

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

**Aye:** 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

Enactment No: Ordinance 2012-010

**3.B. 12-258** Staff Report for the Disposition and Development Agreement by and Between the City of San Leandro, in Its Capacity as the Successor Agency to the San Leandro Redevelopment Agency, and Innisfree Ventures II, LLC for the \$2.25 million Sale of 1550 East 14th Street for the Development of Village Marketplace (City to receive approximately \$270,000 of sales proceeds based upon its property tax allocation rate. Village Marketplace will bring on-going sales tax and property tax revenue to the City and will create approximately 113 jobs.)

*The Hearing was opened to the public.*

*AUDREY VELASQUEZ, on behalf of the San Leandro Downtown Business Association, expressed the DBA's support for the Village Marketplace project.*

*GAYE QUINN, Chair of the Chamber of Commerce, expressed the Chamber's strong support for the project.*

*DEBORAH COX, San Leandro resident, spoke in support of the project, and encouraged the search for small business tenants to fill the space.*

*MIKE KATZ, San Leandro resident, commented on the Issues with the process, such as the purchase of the property from Norcal, the Request for Qualifications process, the number of community meetings held, and the purchase price of the property.*

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

**12-257**

ADOPT: Resolution Authorizing the City Manager to Execute a Disposition and Development Agreement by and Between the City of San Leandro, in Its Capacity as the Successor Agency to the San Leandro Redevelopment Agency, and Innisfree Ventures II, LLC for the Sale and Development of 1550 East 14th Street (APN 077 0540 009) (provides for the sale and development of the Village Marketplace)

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

**Aye:** 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

Enactment No: Reso 2012-007 SA

#### **4. PUBLIC HEARINGS – OTHER**

*None.*

#### **5. PUBLIC COMMENTS**

*ANN MARIE ALEXANDER, Alameda resident, spoke regarding a claim she filed with the City, which involved the Police Department.*

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

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

*Items 8.C., 8.E., 8.L. and 8.M. 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 Councilmember Prola, seconded by Councilmember Souza, to Approve the Consent Calendar. The motion carried by the following vote.**

**Aye:** 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

**8.A. 12-231**

APPROVE: Minutes of the Meeting of May 7, 2012

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

- 8.B. 12-239** ACCEPT: Community Development Committee Meeting Highlights of April 17, 2012

**Accepted as Submitted on the Consent Calendar.**

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

- 8.D. 12-245** ACCEPT: Rules and Communications Committee Meeting Highlights of April 24, 2012

COMMITTEE RECOMMENDATION: Schedule approval of amendments to the City's banner policy (listed as Consent Calendar Item 8.I.)

**Accepted as Submitted on the Consent Calendar.**

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

- 8.F. 12-226** ADOPT: Ordinance No. 2012-007, an Ordinance Amending Section 2-2-500 of the San Leandro Municipal Code Relating to Business License Fees and Their Annual Adjustment to the Consumer Price Index (CPI) (increases business license tax by CPI of 2.6%)

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2012-007

- 8.G. 12-227** ADOPT: Ordinance No. 2012-008, an Ordinance Amending Section 2-18-210 of the San Leandro Municipal Code Relating to Emergency Communication System Access Tax and Its Annual Adjustment to the Consumer Price Index (CPI) (increases 9-1-1 tax by CPI of 2.6%)

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2012-008

- 8.H. 12-228** ADOPT: Ordinance No. 2012-009, an Ordinance Amending Title 2, Chapter 13, Section 2-13-140 of the San Leandro Municipal Code to Provide for an Adjustment to the Emergency Medical Services Tax (EMS Tax) Based on the Annual Consumer Price Index (CPI) Increase (increases EMS tax rate by CPI of 2.6%)

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2012-009

- 8.I. 12-178** Staff Report for Resolution Repealing and Reenacting Title 1, Chapter 8 of the San Leandro Administrative Code Regarding the City's Banner

## Policy

- 12-179** ADOPT: Resolution Repealing and Reenacting Title 8, Chapter 1 of the San Leandro Municipal Code Relating to Banner Policy (incorporates changes to permit commercial interests to place decorative banners on City streets in celebration of a special milestone, award or other accomplishment)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2012-046

- 8.J. 12-188** Staff Report for Resolution Authorizing the City Manager to Submit the Measure B Paratransit Application for the Expenditure of Measure B Paratransit Funds in FY 2012-13 to the Alameda County Transportation Commission (CTC)

- 12-189** ADOPT: Resolution Authorizing the City Manager to Submit the Measure B Paratransit Application for the Expenditure of Measure B Paratransit Funds in FY 2012-13 to the Alameda County Transportation Commission (CTC) [approves the application for Measure B Paratransit funds, \$254,752 (FLEX Shuttle), \$75,000 (Medical Transportation) and participation in the CTC Taxi Voucher One-Year Pilot Program]

**Adopted on the Consent Calendar.**

Enactment No: Reso 2012-047

- 8.K. 12-240** Staff Report for a Resolution Appropriating \$80,000 in Equipment Maintenance Fund Balance for the Purchase of Fuel for the Remainder of this Fiscal Year; and Appropriating \$15,000 in Equipment Maintenance Fund Balance to Cover the Existing Shortfall in the Budget Line Item Covering 'Vehicle Repair Outside' for the Remainder of this Fiscal Year

- 12-244** ADOPT: Resolution Appropriating \$80,000 in Equipment Maintenance Fund Balance for the Purchase of Fuel for the Remainder of this Fiscal Year; and Appropriating \$15,000 in Equipment Maintenance Fund Balance to Cover the Existing Shortfall in the Budget Line Item Covering 'Vehicle Repair Outside' for the Remainder of this Fiscal Year (approves appropriations in the sum of \$95,000)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2012-048

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

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

- 8.N. 12-209** Staff Report for a Resolution Authorizing the City Manager to Execute a Lease Agreement with Family Services Counseling and Community Resource Center for the City Property Located at 2208 San Leandro Boulevard, Contingent upon the Completion of Certain Conditions
- 12-208** ADOPT: Resolution Authorizing the City Manager to Execute a Lease Agreement with Family Services Counseling and Community Resource Center for the City Property Located at 2208 San Leandro Boulevard, Contingent upon the Completion of Certain Conditions (extends the lease with the tenant for five years with a five-year option to renew if the tenant completes some maintenance items beforehand)  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2012-049
- 8.O. 12-214** Staff Report for a Resolution Authorizing the City Manager to Negotiate the Sale of, and the Purchase and Sale Agreement for 2015 Laura Avenue (APN 077-0655-144-01)
- 12-215** ADOPT: Resolution Authorizing the City Manager to Negotiation the Sale of, and A Purchase and Sale Agreement for, the property located at 2015 Laura Avenue (APN 077-0655-144-01) (authorizes the City Manager to negotiate the sale of this City-owned property)  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2012-050
- 8.P. 12-220** Staff Report for a Resolution Accepting the Work for the 14901 East 14th Street Demolition Project, Project No. 11-962-39-001
- 12-221** ADOPT: Resolution Accepting the Work for 14901 East 14th Street Demolition Project, Project No. 11-962-39-001(provides for the acceptance of contract work by VEM General Engineering, Inc., filing of the Notice of Completion, and releasing of the performance and payment bonds)  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2012-051
- 8.Q. 12-146** Staff Report for the Resolution Accepting the Work for Marina Boulevard Street Rehabilitation, Project No. 10-150-38-329
- 12-191** ADOPT: Resolution Accepting the Work for Marina Boulevard Street Rehabilitation, Project No. 10-150-38-329 (provides for the acceptance of contract work by Gallagher & Burk, Inc., filing of the Notice of

Completion, releasing of the performance and payment bonds, and releasing of the maintenance bond upon completion of the one-year maintenance period)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2012-052

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.C. 12-216** ACCEPT: Facilities and Transportation Committee Meeting Highlights of April 10, 2012

COMMITTEE RECOMMENDATION: Schedule approval of the sale of the former Hugo's Linen property at 2015 Laura Avenue

**A motion was made by Councilmember Cutter, seconded by Councilmember Souza, that the Facilities and Transportation Committee Highlights of April 10, 2012 be Approved as Submitted. The motion carried by the following vote.**

**Aye:** 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

- 8.E. 12-263** ACCEPT: Shoreline - Marina Committee Meeting Highlights of May 1, 2012

*The Council continued this item to the June 4, 2012 City Council meeting.*

- 8.L. 12-246** Staff Report for Resolution Approving a Non-Professional Services Agreement between the City of San Leandro and Chrisp Company for Annual Street Re-Striping

- 12-247** ADOPT: Resolution Approving a Non-Professional Services Agreement with Chrisp Company for Annual Street Re-Striping (approves agreement in the amount of \$62,780 to refresh the existing lane markings on specified streets)

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

**Aye:** 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

Enactment No: Reso 2012-053

- 8.M. 12-184** Staff Report for a Resolution Appropriating Matching Funds for a 2012-13 Bicycle Transportation Account (BTA) Grant Project

- 12-187** ADOPT: Resolution Appropriating Matching Funds for a 2012-13 Bicycle Transportation Account (BTA) Grant Project (provides matching funding \$61,660 to implement Class II and Class III Bikeways in selected areas for a \$616,600 grant from the BTA)

**A motion was made by Councilmember Cutter, seconded by Vice Mayor**

Gregory, that this Resolution be Adopted. The motion carried by the following vote.

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

Enactment No: Reso 2012-054

## 10. ACTION ITEMS

### 10.A. 12-260 Presentation on Fiscal Year 2012-13 City Manager's Proposed Budget

*LIZ VARELA, Executive Director of Building Futures with Women and Children, urged the Council's support for \$20,000 in one-time funding for Building Futures.*

### 10.B. Report on Closed Session Actions Taken

*No reportable actions taken.*

## 11. CITY COUNCIL CALENDAR

*City Councilmembers announced upcoming events and coordinated attendance.*

## 12. CITY COUNCIL REPORTS AND ANNOUNCEMENTS

*City Councilmembers 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.*

## 13. ADJOURN

*The meeting was adjourned at 10:54 p.m. in memory of Suzanne Thomas Snedden.*

**RESPECTFULLY SUBMITTED:**

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**MARIAN HANDA**

**City Clerk of the City of San Leandro**