



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

Ursula Reed, District 2

Lee Thomas, District 3

Benny Lee, District 4

Corina N. Lopez, District 5

Jim Prola, District 6

Monday, December 7, 2015

7:00 PM

City Council Chambers

1. CALL TO ORDER

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

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Cutter led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

Present 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas

1.C. ANNOUNCEMENTS

Items 10.A. and 10.B. would be moved up in the agenda after Item 2, Recognitions.

2. RECOGNITIONS

2.A. [15-657](#) MOTION Approving Resolution Commending Janet Palma for Her Years of Service on the Board of Zoning Adjustments

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

Aye: 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas

Enactment No: Min Order 2015-048

2.B. [15-654](#) Presentation of 2015 Service Awards

Mayor Pauline Cutter – 5 Years on City Council

Louis Heystek – 5 Years on Personnel Relations and Youth Advisory Commission

Jan Woycheshin – 5 Years on Senior Commission
Jennifer Heystek – 10 Years on Library-Historical Commission and Youth Advisory Commission
Carole Rinaldi – 10 Years on Library-Historical Commission
Esther Collier – 20 Years on Human Resources Commission, Recreation and Parks Commission, and Planning Commission

2.C. [15-501](#)

Presentation of 2015 City Council District Leadership Awards and Mayors Award of Excellence

Isobel F. Dvorsky – District 1
Morgan Mack-Rose – District 2
Jeanine Iturbide – District 3
Cartier Lee – District 4
Rob Rich – District 5
Diana Prola – District 6
Pastor Alan Fong – Mayor's Award of Excellence
John Martin, Drake's Brewing Company – Mayor's Award of Excellence in Business

Items 10.A. and 10.B. were moved to this point on the agenda and combined.

10.A. [15-582](#)

Staff Report for Proposed Amendments to the City of San Leandro Rent Review Ordinance

Comments were made by the following individuals: Jim Lotz, Tom Silva, Dan Sullivan, Lisa Sooms, Ashlee Sentman Candess Barker, Ismael Caro, Joseph Lotz, Robert Schwartz, Diana Williams, Ermina Pena, Aide Reyes, Patricia Hernandez, Richard Mellor, Barbara Fields, Mia Ousley, Leo West, Brenda Gallegos, Union De Vecinos, Tomas Morales, Yulisa Elenes, Myree Reyes, Yolanda Aranda, K. Lee-Figueroa, John Sullivan, Tamara Carson, Terry Smith, Ellen Muir, Alfredo Mejia, Mike Katz-Lacabe, Candelario Hernandez, Marisela Hernandez, Larry Velasco, Dennis White, Carlos Carmona, Delmy Mejia, and Samantha Rodriguez.

[15-583](#)

ORDINANCE Amending Title 4, Chapter 32 of the San Leandro Municipal Code Relating to the Rent Review Ordinance

A motion was made by Vice Mayor Prola, seconded by Councilmember Reed, that this ordinance be passed to print with amendment to include: 1) eligibility threshold for a rent review hearing is 8%, or \$75, or if there are one or more rent increases in the last 12 months. 2) The definition of residential property is expanded to include single family homes. 3) Renters are required to submit rent review hearing forms within 30 calendar days of receiving notice of rent increase. 4) Landlords are required to provide tenants of opportunity for rent review in the top three languages. The motion carried by the following vote.

Aye: 4 - Cox, Lopez, Prola, Reed

Nay: 1 - Cutter

Abstain: 2 - Lee, Thomas

Enactment No: Ordinance 2015-015

- 10.B. [15-655](#) Staff Report for a Resolution Approving the Annual Rent Review Program Evaluation for July 2014 - June 2015
Comments were made by the following individuals: Tom Silva and Dan Sullivan.
- [15-656](#) RESOLUTION Approving the Annual Rent Review Program Evaluation for July 2014 - June 2015 (reviews the program pursuant to San Leandro Municipal Code Section 4-32-500)
A motion was made by Mayor Cutter, seconded by Councilmember Reed, that this resolution be adopted. The motion carried by the following vote.
Aye: 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas
Enactment No: Reso 2015-192

The City Council recessed from 8:48 p.m. to 8:59 p.m., during the deliberation of Items 10.A. and 10.B.

3. PRESENTATIONS

- 3.A. [15-643](#) Staff Report for 2016 Draft State Legislative Platform and Summary of 2015 State Legislative Activities
- [15-644](#) MOTION Adopting the 2016 State Legislative Platform and Summary of 2015 State Legislative Activities
A motion was made by Vice Mayor Prola, seconded by Councilmember Cox, that this minute order be adopted. The motion carried by the following vote.
Aye: 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas
Enactment No: Min Order 2015-049

- 3.B. [15-416](#) Update on Local Hazard Mitigation Plan

4. PUBLIC HEARINGS

None.

5. PUBLIC COMMENTS

Darlene Evans spoke about safe neighborhoods.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

- 6.A. [15-676](#) City Manager Update on Siempre Verde Park
City Manager Zapata deferred his update to a future meeting.

7. AMENDMENT OF CONSENT CALENDAR

Item 8.K. was removed from Consent Calendar to Item 9, Items Removed from Consent Calendar and the City Attorney read an amendment to Item 8J into the record.

8. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Councilmember Reed, seconded by Vice Mayor Prola, to approve the Consent Calendar. as amended. The motion carried by the following vote.

Aye: 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas

- 8.A.** [15-648](#) Minutes of the Special Meeting and Closed Session of November 16, 2015
Approved as submitted on the Consent Calendar.
- 8.B.** [15-630](#) Minutes of the Meeting of November 16, 2015
Approved as submitted on the Consent Calendar.
- 8.C.** [15-633](#) Highlights of the Facilities and Transportation Committee Meeting of November 3, 2015
Accepted as submitted on the Consent Calendar.
- 8.D.** [15-640](#) Highlights of the Finance Committee Meeting of October 20, 2015
Accepted as submitted on the Consent Calendar.
- 8.E.** [15-614](#) Highlights of the Rules Committee Meeting of October 21, 2015
Accepted as submitted on the Consent Calendar.
- 8.F.** [15-624](#) ORDINANCE Amending Section 2-18-210 of the San Leandro Municipal Code Relating to the Temporary Reduction of the Emergency Communication System Access Tax (911 Tax) Percentage Rate for Single Access Lines on Prepaid Wireless Services
Adopted on the Consent Calendar.
Enactment No: Ordinance 2015-014
- 8.G.** [15-597](#) Staff Report for a Resolution Awarding a Construction Contract to Rosas Brothers Construction for the Annual Sidewalk Repair Program 2015-16, Project No. 2016.0060

[15-598](#) RESOLUTION Awarding a Construction Contract to Rosas Brothers Construction for the Annual Sidewalk Repair Program 2015-16, Project No. 2016.0060 (awards the contract to the lowest responsible bidder, Rosas Brothers Construction, in the amount of \$273,945.00 using Measure B Bicycle and Pedestrian Funds, Measure B Streets and Roads Funds and TDA Grant Funds)

Adopted on the Consent Calendar.

Enactment No: Reso 2015-185

8.H. [15-649](#) Staff Report for Resolution Approving the Measure HH Citizens Oversight Committee's Annual Report on Measure HH Sales Tax for Fiscal Year 2014-15

[15-650](#) RESOLUTION Approving the Measure HH Citizens Oversight Committee's Annual Report on Measure HH Sales Tax for Fiscal Year 2014-15

Adopted on the Consent Calendar.

Enactment No: Reso 2015-186

8.I. [15-637](#) Staff Report for Resolutions Specifying the Conditions to Pay and Report the Value of Employer Paid Member Contributions for Non-Represented Executive Management Employees and the San Leandro Police Officers' Association (SLPOA)

[15-638](#) RESOLUTION for Paying and Reporting the Value of Employer Paid Member Contributions for San Leandro Police Officers Association (SLPOA)

Adopted on the Consent Calendar.

Enactment No: Reso 2015-187

[15-639](#) RESOLUTION for Paying and Reporting the Value of Employer Paid Member Contributions for Non-Represented Executive Management Group

Adopted on the Consent Calendar.

Enactment No: Reso 2015-188

8.J. [15-658](#) Staff Report for Resolutions Approving Letters of Understanding Amending the Employment Agreements of the City Manager and Police Chief

[15-659](#) RESOLUTION Approving a Letter of Understanding to Amend the Employment Agreement for the City Manager Chris Zapata in Regards to Employer Paid Member Contributions (EPMC) Retirement Benefits to Comply with CalPERS Regulations

Adopted on the Consent Calendar as amended by the City Attorney.

Enactment No: Reso 2015-189

[15-660](#)

RESOLUTION Authorizing the City Manager to Amend the Employment Agreement for the Police Chief Sandra Spagnoli in Regards to Employer Paid Member Contributions (EPMC) Retirement Benefits to Comply with CalPERS Regulations

Adopted on the Consent Calendar.

Enactment No: Reso 2015-190

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

8.L. [15-495](#)

RESOLUTION Amending Resolution Nos. 2015-181 and 2015-182 to Rescind the Appointment/Reappointment of Four Members, and Nominating and Appointing Four Other Members to Youth Advisory Commission for Terms Ending August 31, 2016

Adopted on the Consent Calendar.

Enactment No: Reso 2015-191

9. ITEMS REMOVED FROM CONSENT CALENDAR

8.K. [15-645](#)

Staff Report for City Council Review of Legislative Priorities for the 2016 Federal Fiscal Year

[15-646](#)

MOTION Authorizing Staff to Include the Project and Federal Advocacy Summaries in the Packet of Materials Delivered to the City's Federal Advocate, Len Simon, and Used in the City's Advocacy Efforts over the Course of the Upcoming Year

- Urban Greenway
- Smart San Leandro: A Connected City
- Community Development Block Grant (CDBG) and HOME Programs
- Other Federal Policy Matters

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

Aye: 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas

Enactment No: Min Order 2015-050

10. ACTION ITEMS

Items 10.A. and 10.B. were considered earlier in the agenda.

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

No reportable action was taken in closed session.

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

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

By consensus, the City Council agreed to schedule the following items:

- Increase of reward amount from \$25,000 to \$50,000 for Joel Ramirez homicide*
- Discussion by Rules Committee on forced evictions (just cause)*
- Discussion by Rules Committee on relocation fee for long-term renters*
- Discussion by Rules Committee on restricting drones from flying over schools during school events*

15. ADJOURN

The meeting was adjourned at 12:00 a.m., in memory of Angelo Ruiz and Rick Richards.

RESPECTFULLY SUBMITTED:

TAMIKA GREENWOOD
City Clerk of the City of San Leandro