



# 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**

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Monday, May 19, 2014

7:00 PM

City Council Chambers

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### 1. CALL TO ORDER

*The meeting was called to order at 7:07 p.m.*

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

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

#### 1.B. ROLL CALL

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

#### 1.C. ANNOUNCEMENTS

*Mayor Cassidy announced that, due to the length of the May 5th meeting, per the Council's rules no City Council comments were made, so there was no opportunity to congratulate Councilmember Lee on his election as Vice Mayor or to thank Councilmember Prola for his service as Vice Mayor for the previous twelve months. Councilmembers thanked Councilmember Prola for his year of service as Vice Mayor, and congratulated Councilmember Lee for his election to Vice Mayor. Vice Mayor Lee thanked the Council for their trust in electing him Vice Mayor.*

### 2. RECOGNITIONS

**2.A.** [14-176](#) Proclamation Declaring May 18-24, 2014 as National Public Works Week

**2.B.** [14-209](#) Proclamation Declaring May 30, 2014 as Dan Walters Day

*Mayor Cassidy announced that Dan Walters was unable to attend tonight's meeting. This item will be scheduled for a future date, so that Mr. Walters can attend and receive his proclamation.*

### 3. PRESENTATIONS

3.A. [14-195](#) Update on Bicycle and Pedestrian Master Plan

3.B. [14-204](#) Update on Cherry Festival

3.C. [14-190](#) Staff Report for Consideration of Various Options in Adopting an Ordinance to Protect Significant and Heritage Trees in San Leandro

*Comments were made by the following individuals: John Manuel, Robert Talley, Michael Preto, Melissa Marggraff, Gerd Marggraff, Audrey Albers, Steve Modifer, Bob Mercer, Justin Agrella, Adolfo, Ochoa, Althea Bragg, Paul G. Vargas, Liz Eisler, Mike Katz-Lacabe, David Erlich, and Kas Shields.*

[14-205](#) MOTION Providing Direction to Staff Regarding an Ordinance to Protect Significant and Heritage Trees in San Leandro

*It was the consensus of the Council to create a City Council ad hoc committee to develop a draft ordinance to protect significant and heritage trees in San Leandro.*

### 4. PUBLIC HEARINGS

*None.*

### 5. PUBLIC COMMENTS

*Don Crosatto, representing Machinists Union Local 1546, commented on the San Leandro Nissan Hyundai Kia dealership, which operates a combined service department for the three automobile makes. Mr. Crosatto stated that the owner of the dealership is being told by Nissan Motor Co. that he is in violation of his franchise by operating a single service facility. Mr. Crosatto urged the Council to contact Nissan Motors and express concern over their actions.*

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

6.A. [14-196](#) Update on Homeless Shelter and Homelessness in San Leandro

*Comments were made by the following individuals: Liz Varela, Kinkini Banerjee, Nicole Devereau Bell, Moira Fry, and Mike Katz-Lacabe.*

### 7. AMENDMENT OF CONSENT CALENDAR

*There was no amendment to the Consent Calendar.*

### 8. CONSENT CALENDAR

#### Approval of the Consent Calendar

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

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

- 8.A.** [14-193](#) Minutes of the Meeting of May 5, 2014  
**Approved as submitted on the Consent Calendar.**
- 8.B.** [14-085](#) ORDINANCE Amending Section 2-2-500 of the San Leandro Municipal Code Relating to the Annual Consumer Price Index (CPI) Adjustment of the Business License Fees (increases business license fees by CPI of 2.2%)  
**Adopted on the Consent Calendar.**  
Enactment No: Ordinance 2014-004
- 8.C.** [14-087](#) ORDINANCE Amending Section 2-18-210 of the San Leandro Municipal Code Relating to the Annual Consumer Price Index (CPI) Adjustment of the Emergency Communication System Access Tax (911 Tax) (increases 911 Tax by CPI of 2.2%)  
**Adopted on the Consent Calendar.**  
Enactment No: Ordinance 2014-005
- 8.D.** [14-088](#) ORDINANCE Amending Section 2-13-140 of the San Leandro Municipal Code to Relating to the Annual Consumer Price Index (CPI) Adjustment of the Emergency Medical Services Tax (EMS Tax) (increases EMS tax by CPI of 2.2%)  
**Adopted on the Consent Calendar.**  
Enactment No: Ordinance 2014-006
- 8.E.** [14-072](#) Staff Report for a Resolution Approving the City of San Leandro 2013 Housing Element Annual Progress Report  
[14-073](#) RESOLUTION Approving the 2013 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 the Governor's Office of Planning and Research (approves the report required by California Government Code §65400 related to the status and progress in implementing the current Housing Element Update)  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2014-041
- 8.F.** [14-173](#) Staff Report for Third Quarter Financial Report as of March 31, 2014 for the 2013-14 General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds Budget

[14-189](#) RESOLUTION Accepting the Third Quarter Financial Report as of March 31, 2014 for the 2013-14 General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds Budget (provides a summary on revenues and expenditures)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-042

**8.G.** [14-120](#) Staff Report for a Resolution Authorizing the City Manager to Accept the 2014-2015 Measure B Paratransit Application for a \$280,887 Grant Allocation for the San Leandro Paratransit Program to the Alameda County Transportation Commission, and to Negotiate, Execute and Administer All Documents and Awarded Funds in Support of These Activities

[14-119](#) RESOLUTION Approving and Authorizing the City Manager to Submit the Alameda County Transportation Commission Approved Measure B Paratransit Application for the Expenditure of Measure B Paratransit Funds in FY 2014-15 (accepts grant allocation of \$280,887 for Flex Shuttle)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-043

**8.H.** [14-133](#) Staff Report for a Resolution Awarding a Construction Contract to Gallagher & Burk, Inc. for the Annual Overlay/Rehabilitation 2013-14 Project, Project No. 2014.0050

[14-134](#) RESOLUTION Awarding a Construction Contract to Gallagher & Burk, Inc. for Annual Overlay/Rehabilitation 2013-14, Project No. 2014.0050 (awards the contract to the lowest responsible bidder, Gallagher & Burk, Inc. in the amount of \$626,275.00 from Measure B, Vehicle Registration Fees, and Gas Tax Funds for street reconstruction)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-044

**8.I.** [14-174](#) Staff Report for a Resolution Approving a Consulting Services Agreement with JT2 Integrated Resources for Workers' Compensation Third Party Claims Administration Services

[14-175](#) RESOLUTION Approving a Consulting Services Agreement with JT2 Integrated Resources for Workers' Compensation Third Party Claims Administration Services (provides for three years of services in the amount of \$345,145 plus a flat fee structure for bill review charges estimated at \$198,000)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2014-045

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

*None.*

## 10. ACTION ITEMS

- 10.A. [14-156](#) Staff Report for the 2014-15 Budget Amendment Reflecting Projected Budget Adjustments to the City's General Fund, Special Revenue Funds, Enterprise Funds and Internal Service Funds Budget

*Comments were made by the following individual: Mitch Reitman.*

[14-157](#)

RESOLUTION Approving a Budget Amendment to the City of San Leandro Budget for Fiscal Year 2014-15 (amends the General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds budget)

**A motion was made by Councilmember Cutter, seconded by Vice Mayor Lee, that this resolution be adopted as amended to add \$300,000 for police vehicle fleet replacement. The motion carried by the following vote.**

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

Enactment No: Reso 2014-046

## 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

*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 a resolution of support of federal legislation for reauthorization of funding for local transportation projects*
- Presentation by Rebecca Lacocque from Arroyo High School on the Summer Internship Program*
- Consideration of a ballot measure to change the timing of the annual Vice Mayor selection*

**15. ADJOURN**

*The meeting was adjourned at 11:32 p.m.*

**RESPECTFULLY SUBMITTED:**

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