



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 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 5, 2016

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

Vice Mayor Reed led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

Mayor asked for a moment of silence for those who lost their lives in Oakland fire Friday night and to all staff and first responders working to treat and identify victims.

2. RECOGNITIONS

2.B. [16-668](#) Presentation of 2016 City Council District Leadership Awards and Mayors Award of Excellence

District 1 - Moira Fry

District 2 - Dan Dillman

District 3 - Tanya Solis

District 4 - Arlene Lum

District 5 - Derick Lee

District 6 - Kathy Sanchez

Mayor's Community Service Award - Surlene Grant

Mayor's Award of Excellence in Business - 21st Amendment

PRESENTED

2.A. [16-669](#) Presentation of 2016 Service Awards

Orval "OB" Badger, Personnel Relations Board: 20 years (cumulative)
James A. Browne, Personnel Relations Board: 5 years
Stephen Cassidy, Arts Commission: 5 years (cumulative)
Darlene Cozzette-Daevu, Senior Commission: 5 years
Thomas Fitzsimons, Board of Zoning Adjustments: 5 years (cumulative)
Phyllis Gee, Library-Historical Commission: 5 years (cumulative)
Ursula Reed, City Council: 10 years (cumulative)
Edward Shapiro, Recreation & Parks Commission : 20 years
Rosemary Trujillo, Human Services Commission: 10 years
PRESENTED

3. **PRESENTATIONS**

3.A. [16-666](#) Update on Trailer Haven

PRESENTED

3.B. [16-659](#) Community Workforce Agreement (CWA) Update

PRESENTED

4. **PUBLIC HEARINGS**

4.A. [16-652](#) An Ordinance Repealing Chapter 3 of Title 3, Uniform Fire Code, and Adopting the 2016 California Fire Code (Based Upon the 2015 International Fire Code), Including Appendix D and Replacing Article 8 of Chapter 7-5 of Title VII of the San Leandro Municipal Code, Regulating and Governing the Safeguarding of Life and Property From Fire and Explosion Hazards Arising From the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and From Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of San Leandro; Providing for the Issuance of Permits and Collection of Fees Therefor; Repealing Ordinance No. 2013-018 of the City of San Leandro and All Other Ordinances or Parts of Laws in Conflict Therewith.

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

Aye: 6 - Cox, Cutter, Lee, Lopez, Prola, Thomas

Excused: 1 - Reed

Enactment No: Ordinance 2016-023

5. PUBLIC COMMENTS

Don Lacey (Gang resistance), David Cohen (San Leandro as a Sanctuary City), Surlene Grant (Support for Unity in the Community's "Community Conversations"), Mike Katz-Lacabe (Requests the retention policy for license plate reader data be reduced from one-year to six months), Diana Souza (Requesting update of 1.5 million dollar loan from Davis Street) Ellen Corbett and David True Love commented.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS**7. AMENDMENT OF CONSENT CALENDAR****8. CONSENT CALENDAR****Approval of the Consent Agenda**

A motion was made by Councilmember Cox, seconded by Councilmember Lee, to Approve the Consent Calendar. The motion carried by the following vote.

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

8.A. [16-667](#) Minutes of the November 21, 2016 Meeting

Approved as Submitted on the Consent Calendar.

8.B. [16-665](#) MOTION ratifying the appointment of Board of Zoning Adjustments member Tom Fitzsimmons to the Site Development Sub-Commission for a two-year term through December 1, 2018

Adopted on the Consent Calendar.

Enactment No: Min Order 2016-023

8.C. [16-616](#) Staff Report for Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with George Salinas Tree Preservation for Boulevard Yarwood Sycamore Tree Trimming

Received and Filed on the Consent Calendar.

[16-615](#) RESOLUTION Authorizing the City Manager to Execute a Non-Professional Services Agreement with George Salinas Tree Preservation for Boulevard Yarwood Sycamore Tree Trimming

Adopted on the Consent Calendar.

Enactment No: Reso 2016-161

8.D. [16-625](#) Staff Report for a Resolution Authorizing the City Manager to Enter the City into a Project Funding Agreement with the Alameda County Transportation Commission for Discretionary funding provided by Measure BB Transportation Sales Tax Revenue

Received and Filed on the Consent Calendar.

[16-627](#)

RESOLUTION Authorizing the City Manager to Enter the City into a Project Funding Agreement with the Alameda County Transportation Commission for Discretionary funding provided by Measure BB Transportation Sales Tax Revenue (Provides for an Agreement with the Alameda County Transportation Commission for the Grant of \$3,000,000 for Street Rehabilitation Work)

Adopted on the Consent Calendar.

Enactment No: Reso 2016-162

8.E. [16-647](#)

Staff Report for a Resolution Approving the San Leandro Police Officers' Association (SLPOA) Memorandum of Understanding

Received and Filed on the Consent Calendar.

[16-648](#)

RESOLUTION Approving the Memorandum of Understanding Between the City of San Leandro and the San Leandro Police Officers' Association (SLPOA) for the period January 1, 2016 through December 31, 2019.

Adopted on the Consent Calendar.

Enactment No: Reso 2016-163

8.F. [16-651](#)

Staff Report for Resolution Declaring Results of the General Municipal Election Held on Tuesday, November 8, 2016

Received and Filed on the Consent Calendar.

[16-653](#)

RESOLUTION Declaring the Results of the General Municipal Election Held on Tuesday, November 8, 2016 (accepts the statement of election results for City Council Districts 2, 4 and 6, and Measures NN, OO and PP)

Adopted on the Consent Calendar.

Enactment No: Reso 2016-164

8.G. [16-655](#)

Staff Report for a Resolution Accepting the Annual Report of the West San Leandro Shuttle Business Improvement District (BID) for Fiscal Year 2016-17 and Directing the City Manager to Impose the BID Assessment Rates As Increased by the Consumer Price Index (CPI)

Received and Filed on the Consent Calendar.

[16-654](#)

Resolution Accepting the Annual Report of the West San Leandro Shuttle Business Improvement District (BID) Fiscal Year 2016-17 and Directing the City Manager to Impose the BID Assessment Rates Increased by the Consumer Price Index (CPI)

Adopted on the Consent Calendar.

Enactment No: Reso 2016-165

- 8.H.** [16-629](#) ORDINANCE Repealing Article 1 of Chapter 5 of Title VII of the San Leandro Municipal Code, and Adopting CCR Title 24 California Building Standards Code, 2016 California Building Code, as Published by the International Code Council, as Chapter 5 of Title VII of the San Leandro Municipal Code, and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as “the City of San Leandro Building Code”

Adopted on the Consent Calendar.

Enactment No: Ordinance 2016-014

- 8.I.** [16-619](#) ORDINANCE Repealing Article 3 and Replacing Article 3 to Chapter 5 of Title VII of the San Leandro Municipal Code, Amending the State-Mandated California Building Standards Code, and Adopting by Reference the 2015 International Property Maintenance Code, as Amended, and Shall Be Known as the “City of San Leandro Property Maintenance Code”

Adopted on the Consent Calendar.

Enactment No: Ordinance 2016-015

- 8.J.** [16-608](#) ORDINANCE Repealing Article 4 of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Mechanical Code,” and Replacing with Article 4 of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Mechanical Code, as Published by the International Association of Plumbing and Mechanical Officials, is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro “Mechanical Code”

Adopted on the Consent Calendar.

Enactment No: Ordinance 2016-016

- 8.K.** [16-573](#) ORDINANCE Repealing Article 5 of Chapter 5 Of Title VII of the San Leandro Municipal Code, “National Electric Code” and Replacing with Article 5, of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Electrical Code, as Published by BNI Publications, Inc. is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro “Electrical Code”

Adopted on the Consent Calendar.

Enactment No: Ordinance 2016-017

- 8.L. [16-611](#)** ORDINANCE Repealing Article 6 of Chapter 5 Of Title VII of the San Leandro Municipal Code, Electrical-General Provisions, and Replacing with Article 6, Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Green Building Standards Code, as Published by the International Code Council, is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro “Green Building Code”
- Adopted on the Consent Calendar.**
- Enactment No: Ordinance 2016-018
- 8.M. [16-606](#)** ORDINANCE Repealing Article 7 of Chapter 5 of Title VII of the San Leandro Municipal Code, “Electrical-Procedure”, and Replacing with Article 7, of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Energy Code, as Published by the International Code Council, is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro “Energy Code”
- Adopted on the Consent Calendar.**
- Enactment No: Ordinance 2016-019
- 8.N. [16-609](#)** ORDINANCE Repealing Article 9 of Chapter 5 of Title VII of the San Leandro Municipal Code “Plumbing Code” and Replacing with Article 9 of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Plumbing Code, as Published by the International Association of Plumbing and Mechanical Officials is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro “Plumbing Code”
- Adopted on the Consent Calendar.**
- Enactment No: Ordinance 2016-020
- 8.O. [16-618](#)** ORDINANCE Repealing Article 10A of Chapter 5 of Title VII of the San Leandro Municipal Code, Uniform Swimming Pool, Spa and Hot Tub Code, and Replacing with Article 10A, Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Residential Code, as Published by the International Code Council, is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro “Residential Building Code”
- Adopted on the Consent Calendar.**
- Enactment No: Ordinance 2016-021
- 8.P. [16-592](#)** ORDINANCE Authorizing the Implementation of a Community Choice Aggregation Program Pursuant to California Public Utilities Code

Section 366.2

Adopted on the Consent Calendar.

Enactment No: Ordinance 2016-022

9. ITEMS REMOVED FROM CONSENT CALENDAR

10. ACTION ITEMS

10.A. [16-639](#) Staff Report for 2017 Draft State Legislative Platform and Summary of 2016 State Legislative Activities

[16-643](#) MOTION Adopting the 2017 State Legislative Platform and Summary of 2016 State Legislative Activities

A motion was made by Councilmember Cox, seconded by Councilmember 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 2016-024

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

No reportable action was taken in closed session this evening.

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:

Review camera policy vs. other cameras around the city and update on camera policies license plate readers to shorten retention period; how many cameras we have and the policies. (Cutter) Future Agenda 6 Ayes 1, No Prola

What is the City's responsibility for removing illegal dumping and holding residents responsible for associated costs/fines? (Thomas) Rules Committee 7 - Ayes

15. ADJOURN

RESPECTFULLY SUBMITTED:

TAMIKA GREENWOOD
City Clerk of the City of San Leandro