



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 6, 2014

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

Mayor Cassidy led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

Mayor Cassidy left the meeting during the recess.

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

1.C. ANNOUNCEMENTS

Mayor Cassidy announced that San Leandro received a \$500,000 grant from the COPS Hiring Program to fund four School Resource Officer positions. He also announced that the "Welcome" banners in the Council Chamber will be rotated so that eventually each language will be featured at the front of the room.

2. RECOGNITIONS

- 2.A. [14-406](#) Proclamation Declaring October 2014 Domestic Violence Awareness Month

3. PRESENTATIONS

- 3.A. [14-428](#) Update on West San Leandro
- 3.B. [14-430](#) Presentation by Asian Community Cultural Association of San Leandro on the Moon Festival Held on September 7, 2014

- 3.C. [14-421](#) Staff Report for Presentation and Discussion of Capital Improvement Program Process (CIP)

4. PUBLIC HEARINGS

- 4.A. [14-410](#) Staff Report for Review of the 2015-2023 Housing Element Update Working Draft

The Hearing was opened to the public.

Comments were made by the following individuals: David Johnson and Mia Ousley.

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

A motion was made by Councilmember Cutter, seconded by Councilmember Reed, to forward the Draft Housing Element to the State. No action was taken and the motion was replaced by a substitute motion.

[14-451](#)

MOTION to consider a substitute motion to forward the Draft Housing Element to the State, with amendment to strike Action 56.02-B: Rental Housing Inspection Program

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

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

Nay: 1 - Prola

Enactment No: Min Order 2014-020

The City Council recessed from 9:51 p.m. to 10:05 p.m.

Mayor Cassidy left the meeting during the recess and Vice Mayor Lee presided over the remainder of the meeting.

5. PUBLIC COMMENTS

Debra Brinson expressed concerns with drivers running the red light at the intersection leaving Davis West, as reported recently in the San Leandro Times. Ms. Brinson requested that something be done to improve safety at that intersection.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Manager Zapata reported on the progress of discussions regarding the issue of homelessness in San Leandro. The homeless task force has met, and will provide a future report to the Council on their discussions.

Mr. Zapata responded to Ms. Brinson's comments regarding the Davis West intersection, stating that he would pursue the issue with the Engineering and Transportation and Police Departments.

7. AMENDMENT OF CONSENT CALENDAR

Item 8.G. was 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 Reed, seconded by Councilmember Cutter, to approve the Consent Calendar. The motion carried by the following vote.

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

8.A. [14-295](#) Minutes of the Meeting of September 15, 2014

Approved as submitted on the Consent Calendar.

8.B. [14-351](#) ORDINANCE Amending Title 6, Chapter 2 of the San Leandro Municipal Code Relating to Electric Vehicle Charging Stations (authorizes the designation of parking spaces for the exclusive purpose of charging plug-in electric vehicles, establishes penalties for infractions, and authorizes the collection of fees for use of the chargers)

Adopted on the Consent Calendar.

Enactment No: Ordinance 2014-016

8.C. [14-408](#) Staff Report for an Ordinance Adding to and Amending San Leandro Municipal Code Subsections (n), (o) and (p) of Section 4-12-105 to Include Electronic Cigarette Vapors and the Smoking of Electronic Cigarettes and Amending San Leandro Municipal Code Subsection (a) of Section 4-12-400 to Expand the Smoking Products that Individuals and Entities Cannot Knowingly Allow Individuals to Use on Property Under Their Control

[14-409](#) ORDINANCE Adding and Amending San Leandro Municipal Code Subsections (n), (o) and (p) of Section 4-12-105 to Include Electronic Cigarette Vapors and the Smoking of Electronic Cigarettes and Amending San Leandro Municipal Code Subsection (a) of Section 4-12-400 to Expand the Smoking Products that Individuals and Entities Cannot Knowingly Allow Individuals to Use on Property Under Their Control (expands the prohibition of exposure to secondhand smoke to include smoke or vapor generated by electronic cigarettes)

Passed to print on the Consent Calendar.

Enactment No: Ordinance 2014-017

- 8.D.** [14-337](#) Staff Report for Resolution Approving the City of San Leandro Annual Affordable Housing Trust Fund Report for FY 2013-2014
- [14-338](#) RESOLUTION Approving the City of San Leandro Annual Affordable Housing Trust Fund Report for FY 2013-2014 (provides an annual report pursuant the City's Zoning Code Section 6-3028 and California Government Code Section 66006(b))
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2014-106
- 8.E.** [14-398](#) Staff Report for a Resolution Approving the Annual Rent Review Program Evaluation for July 2013 - June 2014
- [14-399](#) RESOLUTION Approving the Annual Rent Review Program Evaluation for July 2013 - June 2014 (reviews the program pursuant to San Leandro Municipal Code Section 4-32-500)
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2014-107
- 8.F.** [14-375](#) Staff Report for a Resolution of Award of Construction Contract to Frisco Pro Building Services, Incorporated for the Marina Community Center Storefront Window Replacement, Project No. 2005.0060
- [14-376](#) RESOLUTION Awarding Construction Contract to Frisco Pro Building Services, Incorporated for Marina Community Center (MCC) Storefront Window Replacement, Project No. 2005.0060 (replaces leaking storefront windows by the front entry of the MCC at a cost of \$87,500 using existing appropriation of Facilities Maintenance Funds in CIP accounts 687-18-135 and 687-18-007)
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2014-108
- Item 8.G. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.
- 8.H.** [14-404](#) Staff Report for a Resolution Authorizing the City Manager to Enter into a Memorandum of Understanding (MOU) with Union Pacific Railroad (UPRR) for the Modification of the Railroad Crossing at Polar Way
- [14-405](#) RESOLUTION Authorizing the City Manager to Enter into a Memorandum of Understanding (MOU) with Union Pacific Railroad (UPRR) for the Modification of the Railroad Crossing at Polar Way (widens Polar Way across the railroad tracks; all financial obligations related to the MOU will be borne by Chill Build, LLC)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-109

- 8.I. [14-423](#) Staff Report for a Resolution Approving a Budget Amendment to the City's Fiscal Year 2014-15 General Fund, Special Revenue Funds, Enterprise Funds and Internal Service Funds Budget

[14-424](#) RESOLUTION Approving Amendments to the City of San Leandro Budget for Fiscal Year 2014-15 (approves amendments for changes that require additional appropriations or re-appropriations between budget line items)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-110

- 8.J. [14-429](#) MOTION Nominating Patricia Minnis as District 5 Representative to Human Services Commission

Adopted on the Consent Calendar.

Enactment No: Min Order 2014-021

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.G. [14-401](#) Staff Report for a Resolution Approving a Consulting Services Agreement with Environmental Science Associates, Inc. (ESA), for the Environmental Clearance of the Heron Bay Shoreline Riprap Repair Project, Project No. 2006.0110

[14-402](#) RESOLUTION Approving a Consulting Services Agreement with Environmental Science Associates, Inc. for the Environmental Clearance of the Heron Bay Shoreline Riprap Repair Project; Project No. 2006.0110 (provides for environmental consulting services in the amount of \$69,206 from account number 147-42-150)

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

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

Enactment No: Reso 2014-111

10. ACTION ITEMS

None.

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

None.

15. ADJOURN

The meeting was adjourned at 10:32 p.m.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro