



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 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, November 3, 2014

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:09 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 6 - Cassidy, Cutter, Lee, Prola, Reed, Souza

Absent 1 - Gregory

1.C. ANNOUNCEMENTS

Mayor Cassidy announced the dedication of the new art mural at St. Leander's Parish on November 15th. Mayor Cassidy further announced that tomorrow is Election Day, and he encouraged everyone to vote.

Mayor Cassidy presented a proclamation, declaring November 15, 2014 as "America Recycles Day," to David Tucker of Waste Management.

2. RECOGNITIONS

None.

3. PRESENTATIONS

- 3.A. [14-474](#) Update from San Leandro Unified School District Regarding the Creation of the San Leandro Health and Wellness Center Located in the Former Girls, Inc. Facility

Comments were made by the following individual: Darlene Evans.

4. PUBLIC HEARINGS

None.

5. PUBLIC COMMENTS

None.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.D., 8.E., and 8.J. were removed from Consent Calendar to Item 9, Items Removed from Consent Calendar.

8. CONSENT CALENDAR

Approval of the Consent Calendar

A motion was made by Councilmember Souza, seconded by Councilmember Reed, to approve the Consent Calendar. The motion carried by the following vote.

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

8.A. [14-473](#) Minutes of the Meeting of October 20, 2014

Approved as submitted on the Consent Calendar.

8.B. [14-437](#) ORDINANCE Amending Section 1-5-400 to Eliminate Provisions Exempting Certain Public Works Contracts from Payment of Prevailing Wage Rates and to Add a Provision Requiring Compliance with California Labor Code Section 1782 (provides for eligibility to use state funding or financial assistance for City construction projects)

Adopted on the Consent Calendar.

Enactment No: Ordinance 2014-018

8.C. [14-467](#) MOTION Approving Resolution Commending Amada Robles for Her Years of Service on the Human Services Commission

Adopted on the Consent Calendar.

Enactment No: Min Order 2014-025

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

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

- 8.F.** [14-433](#) Staff Report for a Resolution Awarding a Construction Contract to AJW Construction for the Annual Sidewalk Repair Program 2014-15, Project No. 2015.0060
- [14-434](#) RESOLUTION Awarding a Construction Contract to AJW Construction for the Annual Sidewalk Repair Program 2014-15, Project No. 2015.0060 (awards the contract to the lowest responsible bidder, AJW Construction, in the amount of \$374,805.00 using Measure B Bicycle and Pedestrian Funds, Measure B Streets and Roads Funds, TDA Grant Funds, and CDBG Funds)
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2014-117
- 8.G.** [14-458](#) Staff Report for an Ordinance Repealing and Reenacting Title 3, Chapter 14 of the San Leandro Municipal Code Relating to Uniform Wastewater Discharge Regulations (updates definitions and pretreatment standards, expands grease interceptor requirements) and for an Ordinance Amending Title 3, Chapter 18 of the San Leandro Municipal Code Relating to Enforcement of Environmental Regulations (includes authority to issue Notices of Violation)
- [14-459](#) ORDINANCE Repealing and Reenacting Title 3 (Health and Safety), Chapter 14 of the San Leandro Municipal Code Relating to Uniform Wastewater Discharge Regulations (updates definitions and pretreatment standards, and expands grease interceptor requirements)
- Passed to print on the Consent Calendar.**
- Enactment No: Ordinance 2014-020
- [14-457](#) ORDINANCE Amending Title 3 (Health and Safety), Chapter 18 of the San Leandro Municipal Code Relating to Enforcement of Environmental Regulations (establishes authority for environmental inspectors to issue Notices of Violation)
- Passed to print on the Consent Calendar.**
- Enactment No: Ordinance 2014-021
- 8.H.** [14-468](#) Staff Report for a Legal Services Agreement with Bertrand, Fox, and Elliot for Legal Representation Associated with General Liability Claims and Claims Litigation
- [14-469](#) RESOLUTION Authorizing the City Manager to Enter into a Legal

Services Agreement with Bertrand, Fox, and Elliot for Legal Representation Associated with General Liability Claims and Claims Litigation (approves agreement for an amount not to exceed \$100,000 from the Self-Insurance Fund)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-118

- 8.I. [14-470](#) Staff Report for an Amendment to Legal Services Agreement with Jarvis, Fay, Doporto, and Gibson, LLP in the case of Ilmberger et al. v. City of San Leandro

[14-471](#) RESOLUTION Authorizing the City Manager to Enter into an Amendment to Legal Services Agreement with Jarvis, Fay, Doporto, and Gibson, LLP for Legal Representation Associated with the Ilmberger et al. v. City of San Leandro Litigation (approves amendment for an amount not to exceed \$110,000 from the Self-Insurance Fund)

Adopted on the Consent Calendar.

Enactment No: Reso 2014-119

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

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.D. [14-435](#) Staff Report for Resolution Establishing Application Fees for the Medical Cannabis Program

[14-462](#) RESOLUTION Establishing Application Fees for the Medical Cannabis Dispensary Program (establishes fees to off-set the City's anticipated staffing, operational and consulting costs associated with implementing a three-round application process)

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

Aye: 4 - Cassidy, Cutter, Prola, Reed

Abstain: 1 - Lee

Recused: 1 - Souza

Enactment No: Reso 2014-120

- 8.E. [14-379](#) Staff Report for a Resolution Awarding a Construction Contract to American Air Conditioning, Plumbing, and Heating for the Public Safety Building HVAC Equipment Replacement, Project No. 2013.0290

[14-380](#)

RESOLUTION Awarding a Construction Contract to American Air Conditioning, Plumbing and Heating for Public Safety HVAC Equipment Replacement, Project No. 2013.0290 (replaces aging HVAC equipment in the second floor mechanical room of the Public Safety Building at a cost of \$407,843.00 using appropriated Building Maintenance Funds in CIP accounts 687-18-136 and 687-18-007)

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

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

Enactment No: Reso 2014-121

8.J. [14-455](#)

MOTION Nominating Members to Arts Commission, as follows:

- Jenifer Engler as District 1 Member
- Dina Herrera as District 2 Member
- Susan Harlow-Schott as District 3 Member
- Anna Edwards as District 5 Member
- Nancy Gonchar as At-Large Member
- Suzanne Pershing as At-Large Member

Comments were made by the following individual: Richard Felix.

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

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

Enactment No: Min Order 2014-026

10. ACTION ITEMS**10.A.** [14-472](#)

Staff Report for 2015 Draft State Legislative Platform and Summary of 2014 State Legislative Activities

[14-477](#)

MOTION Adopting the 2015 State Legislative Platform and Summary of 2014 State Legislative Activities

A motion was made by Councilmember Souza, seconded by Councilmember Cutter, that this minute order be adopted as amended with deletion of the legislative priority related to sugar-sweetened beverages. The motion carried by the following vote.

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

Enactment No: Min Order 2014-027

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

No reportable action was taken in closed session.

12. CITY COUNCIL REPORTS

None.

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 a discussion next year regarding increasing the minimum wage in San Leandro.

15. ADJOURN

The meeting was adjourned at 8:56 p.m.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro