



# 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 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**

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Monday, April 20, 2015

7:00 PM

City Council Chambers

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### 1. CALL TO ORDER

*The meeting was called to order at 7:05 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

*Mayor Cutter noted receipt of a card from the family of Mildred Massey, mother of Congresswoman Barbara Lee, thanking the Council for its condolences.*

*Mayor Cutter requested for a vote of the City Council to add Item 2.F., a proclamation declaring April 22, 2015 as Captain Edward Tracey Day, to the agenda. See the end of this section for the vote.*

*Mayor Cutter announced the removal of Item 2.B. from the agenda.*

[15-273](#)

MOTION Adding to this Agenda the Proclamation Declaring April 22, 2015 as Captain Edward Tracey Day

**A motion was made by Vice Mayor Prola, seconded by Councilmember Reed, 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 2015-026

### 2. RECOGNITIONS

- 2.A. [15-221](#) Proclamation Declaring April 2015 as Fair Housing Month
- 2.B. [15-236](#) Proclamation Declaring April 27 to May 3, 2015 as Solar Week  
*The item was removed from the agenda.*
- 2.C. [15-242](#) Proclamation Declaring April 24, 2015 as Arbor Day
- 2.D. [15-237](#) MOTION Approving Resolution Commending Scott Rennie for His Years of Service on the Planning Commission  
**A motion was made by Councilmember Cox, 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 2015-027
- 2.E. [15-227](#) RESOLUTION Appointing David Anderson as District 1 Member to Senior Commission for Term Ending December 31, 2018  
**A motion was made by Councilmember Cox, seconded by Vice Mayor Prola, that this resolution be adopted. The motion carried by the following vote.**  
**Aye:** 7 - Cox, Cutter, Lee, Lopez, Prola, Reed, Thomas  
Enactment No: Reso 2015-078
- 2.F. [15-274](#) Proclamation Declaring April 22, 2015 as Captain Edward Tracey Day
3. **PRESENTATIONS**
- 3.A. [15-203](#) Staff Report for Overview and Discussion of the City of San Leandro's Rent Review Program
4. **PUBLIC HEARINGS**
- 4.A. [15-215](#) Staff Report for APL15-0001; Appeal of two conditions of approval in an approved Site Plan Review, PLN2014-00028, granted by the Board of Zoning Adjustments (BZA) on February 5, 2015 to construct a new 161,200 square foot warehouse building on the western portion of 1717 Doolittle Drive. One condition requires payment of \$329,487 for Development Fees for Street Improvements and the other requires payment of \$264,880 for Undergrounding Utilities Conversion Fees. [A BZA approval is final, but it can be appealed to the City Council. In this case, Appellant appeals the imposition and amount of the two conditions that require payment of the fees cited above. The City Council must conduct a public hearing, after which it must consider granting the appeal to impose and/or modify the fee amount(s) or it

may deny the appeal and affirm the approval of the BZA to require payment of the fees prior to the issuance of building permits. The property is zoned IG Industrial General District. Alameda County Assessor's Parcel Number 79A-541-10; A. Comstock, Comstock Realty Partners, Inc. (Appellant).]

*The Hearing was opened to the public.*

*Comments were made by the following individuals: Craig Burger, Comstock Realty Partners; Stephen Cassidy; Wafaa Aborashed; and Darlene Evans.*

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

[15-220](#)

RESOLUTION to Deny an Appeal, APL15-0001, by Comstock Realty Partners, Inc. (Appellant appeals the Board of Zoning Adjustments Site Plan Review Approval Imposing Fees for Development Fee for Street Improvements and Underground Utilities Conversion Fee, PLN2014-00028)

**A motion was made by Vice Mayor Prola, seconded by Councilmember Cox, that this resolution be adopted as amended, to allow payment of fees at Certificate of Occupancy. The motion carried by the following vote.**

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

Enactment No: Reso 2015-079

**4.B.** [15-202](#)

Staff Report for the Approval of the City of San Leandro U.S. Department of Housing and Urban Development (HUD) FY 2015-2019 Five-Year Consolidated Plan and FY 2015-2016 Annual Action Plan

*The hearing was opened to the public.*

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

[15-208](#)

RESOLUTION Approving the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Final FY 2015-2019 Five-Year Consolidated Plan and Final FY 2015-2016 Annual Action Plan (authorizes the execution of all related documents by the City Manager and submission of the Plans to HUD)

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

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

Enactment No: Reso 2015-080

## 5. PUBLIC COMMENTS

*Rose Johnson and Liz Varela expressed appreciation to the City Council for its support to social services and its commitment to needs assessment.*

*James Aguilar provided an update on his work in youth in government, and urged discussions on district-wide elections and lowering the voting age to 16.*

*Darlene Evans spoke regarding community behaviors and speaker time limits.*

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

- 6.A. [15-247](#) City Manager Update on Medical Marijuana Dispensary Selection Process

## 7. AMENDMENT OF CONSENT CALENDAR

*Items 8.F. and 8.G. 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 Reed, 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. [15-228](#) Minutes of the Special Meeting and Closed Session of April 6, 2015

**Approved as submitted on the Consent Calendar.**

- 8.B. [15-229](#) Minutes of the Meeting of April 6, 2015

**Approved as submitted on the Consent Calendar.**

- 8.C. [15-170](#) Staff Report for a Resolution of Project Compliance for Regional Measure 2 (RM 2) Implementing Agency for the Downtown San Leandro BART Pedestrian and Bicycle Access Project

[15-171](#) RESOLUTION Declaring Project Compliance as the Regional Measure 2 (RM 2) Implementing Agency for the Downtown San Leandro BART Pedestrian and Bicycle Access Project

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-081

- 8.D. [15-194](#) Staff Report for a Resolution Awarding a Construction Contract to All Phase Excavation & Construction, Inc. for the Fiber Loop City Hall to Main Library Project, Project No. 2013.0270 and Appropriation of \$30,000.00 from the General Fund Economic Uncertainty Reserves

[15-195](#) RESOLUTION Awarding a Construction Contract to All Phase

Excavation & Construction, Inc. for the Fiber Loop City Hall to Main Library Project, Project No. 2013.0270 and Appropriating \$30,000.00 from the General Fund (awards a contract to the lowest responsible bidder in the amount of \$62,990.00 for the installation of a separate fiber optic communication line between City Hall and the Main Library and appropriates \$30,000.00 from the General Fund Economic Uncertainty Reserves for the project)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-082

**8.E. [15-175](#)**

Staff Report for a Resolution to Award a Construction Contract to Con-Quest Contractors, Inc. for the Sanitary Sewer Line Replacement/Repair 2012-13 Project, Project No. 2013.0120, and Appropriating \$279,512.00 for the Project from the Water Pollution Control Enterprise Fund

**[15-176](#)**

RESOLUTION Awarding a Construction Contract to Con-Quest Contractors, Inc. for the Sanitary Sewer Line Replacement/Repair 2012-13 Project, Project No. 2013.0120, and Appropriating \$279,512.00 from the Water Pollution Control Enterprise Fund for the Project (awards a contract to the lowest responsible bidder in the amount of \$1,114,310.00 for the repair or replacement of sewer and storm facilities using Water Pollution Control Enterprise Funds and Measure B Funds and provides for the allocation of \$279,512.00 of Water Pollution Control Enterprise Funds for the subject project)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2015-083

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

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

**9. ITEMS REMOVED FROM CONSENT CALENDAR**

**8.F. [15-209](#)**

Staff Report for Motion Accepting the Funding Recommendations as Formulated by the Human Services Commission for the Community Assistance Program (CAP) Grant FY 2015-17 Contingent on City Council Approval and Adoption of the 2015-16 and 2016-17 Proposed Biennial Budget

**[15-210](#)**

MOTION Accepting the Funding Recommendations Formulated by the Human Services Commission Approving the FY 2015-17 Community Assistance Program (CAP) Grant Allocations Contingent on City Council Approval and Adoption of the 2015-16 and 2016-17 Proposed

## Biennial Budget on June 1, 2015

- Building Futures for Women and Children – \$10,000
- Davis Street Family Resource Center/Family Support Services – \$4,500
- Eden I&R/211 – \$15,000 (for a total of \$25,000)
- Family Emergency Shelter Coalition (FESCO) – \$15,000
- Family Service Counseling Center – \$20,500
- Family Violence Law Center – \$15,000
- Girls Inc. – \$25,000
- La Clinica de la Raza, Inc. – \$15,000
- Ruby's Place – \$15,000
- Safe Alternative to Violent Environments (SAVE) – \$15,000

**A motion was made by Mayor Cutter, 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 2015-028

**8.G.** [15-211](#)

Staff Report for the Resolution to Approve the City Manager's Appointment of the City Clerk

[15-212](#)

RESOLUTION Approving the City Manager's Appointment of Tamika Thomas as the City Clerk

**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 2015-084

**10. ACTION ITEMS**

**10.A.** [15-216](#)

Staff Report for Resolution Authorizing Appropriation of \$400,000 to the Community Assistance Budget to Support Social Services from the 2014-15 General Fund Economic Uncertainty Reserve

*Comments were made by the following individuals: Phil Ladew and Kinkini Banerjee, both with Building Future with Women and Children.*

[15-217](#)

RESOLUTION Appropriating \$400,000 to the 2014-15 Recreation and Human Services Budget to Support Social Services from the 2014-15 General Fund Economic Uncertainty Reserve: \$100,000 for Homeless Task Force (Warming Center Continuation); \$75,000 for Social Service Needs Assessment; \$60,000 for Homeless Task Force (Basic Needs); \$50,000 for Homeless Task Force (Shelter Support); \$50,000 for Contingency; \$40,000 for San Leandro Unified School District Wellness Center Permit; and \$25,000 for Domestic Violence Prevention Coalition

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

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

Enactment No: Reso 2015-085

**10.B. [15-197](#)**

Staff Report for a Resolution Approving \$250,000 to Fund Economic Development and Arts Initiatives to Enhance the Business Climate in the Fiscal Year 2014-15 Budget

**[15-214](#)**

RESOLUTION Authorizing the City Manager to Expend Funds for Economic Development and Arts Initiatives and to Appropriate \$250,000 from General Fund Reserves and Transfer the Funds to the Following Accounts: \$20,000 for the General Plan Economic Development Element to 010-41-001 (Community Development, Planning); \$100,000 for Implementation of the Community Workforce Agreement to 010-14-012 (City Manager's Contingency Fund); \$50,000 for an Arts Master Plan to 010-61-013 (Recreation & Human Services, Community Promotion); \$60,000 for Utility Box Art Wraps and Decorative Street Banners to 010-41-003 (Community Development, Business Development); and, \$20,000 for LINKS Enhanced Service Start Up Costs to 170-36-127 (LINKS)

**A motion was made by Councilmember Reed, seconded by Councilmember Cox, that this resolution be adopted as amended, to not restrict utility box art to wraps. The motion carried by the following vote.**

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

Enactment No: Reso 2015-086

**10.C. [15-230](#)**

Presentation on Fiscal Year 2015-2017 Budget Development - Follow-Up on General Fund and All Other Funds

**11. REPORT ON CLOSED SESSION ACTIONS TAKEN**

*None.*

**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**

*None.*

**15. ADJOURN**

*The meeting was adjourned at 11:31 p.m., and*

- In memory of Norma Ann Rutledge, mother of former City Councilmember Joyce Starosciak.*
- In memory of Police Captain Ed Tracey.*

**RESPECTFULLY SUBMITTED:**

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**VIVIAN CHIU**

**Acting City Clerk of the City of San Leandro**