



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, December 16, 2013

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:12 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

San Leandro School Board Trustee and District Leadership Awardee Vince Rosato led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

None.

2. RECOGNITIONS

2.A. [13-613](#) Proclamation Declaring December 17, 2013 as Miguel Alvarez Day

2.B. [13-611](#) Presentation of 2013 City Council District Leadership Awards

Jerry and Jeni Engler - District 1
Vince Rosato - District 2
Caryl Ann Symons - District 3
Gary and Gregg Valenziano - District 4
Rick and Pam Richards - District 5
Bella Comelo - District 6
Nancy Fong - Mayor's Award of Excellence
Steve Song - Mayor's Award of Excellence in Business

The District 4 Leadership award will be presented at a future City Council meeting.

2.C. [13-612](#) Presentation of 2013 Service Awards

Michael Gregory - 5 Years on City Council

Jim Prola - 5 Years on City Council

Ursula Reed - 5 Years on Library-Historical Commission and City Council

Diana Souza - 10 Years on Recreation and Parks Commission and City Council

City Clerk Marian Handa noted that the members had served more years than were listed on the agenda.

3. PRESENTATIONS

None.

4. PUBLIC HEARINGS

None.

5. PUBLIC COMMENTS

None.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS**6.A. [13-609](#)** City Manager Report on City Facility Holiday Closure Schedule**6.B. [13-614](#)** City Manager Report on Status of City Council Follow-Up Requests in 2013**6.C. [13-615](#)** City Manager Report on Communications and Outreach Resources**7. AMENDMENT OF CONSENT CALENDAR**

Item 8.B. 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 Souza, seconded by Vice Mayor Prola, to approve the Consent Calendar. The motion carried by the following vote.

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

8.A. [13-610](#) Minutes of the Meeting of December 2, 2013

Approved as submitted on the Consent Calendar.

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

- 8.C.** [13-310](#) Staff Report for Approval of the City of San Leandro's 2014 Local Appointments List of the Upcoming Vacancies on the City's Boards and Commissions
- [13-311](#) MOTION Approving the Posting of the 2014 Local Appointments List on the Bulletin Boards Outside the City Council Chambers and at the Main Library, and on the City Website
- Adopted on the Consent Calendar.**
- Enactment No: Min Order 2013-059
- 8.D.** [13-547](#) Staff Report for an Ordinance Amending Article 1 of Title 4, Chapter 4-13 of the San Leandro Municipal Code Related to Unclaimed Property
- [13-548](#) ORDINANCE Amending Article 1 of Title 4, Chapter 4-13 of the San Leandro Municipal Code Related to Unclaimed Property (increases from \$10 to \$100 the value of unclaimed property required to be turned over to the Police Department)
- Passed to print on the Consent Calendar.**
- Enactment No: Ordinance 2013-021
- 8.E.** [13-596](#) Staff Report for Resolution Approving and Confirming the Annual Report for Development Fees for Street Improvements (DFSI) and Park Development Fees for Fiscal Year 2012-13
- [13-599](#) RESOLUTION Approving and Confirming the Accounting Report for Development Fees for Street Improvements (DFSI) and Park Development Fees for Fiscal Year 2012-13 (reviews the annual accounting of development fees pursuant to California Government Code Section 66006)
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2013-156

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.B.** [13-563](#) Staff Report for Resolution Approving the City of San Leandro 2011 and 2012 Housing Element Annual Progress Report
- Comments were made by the following individual: David Erlich.*

[13-564](#)

RESOLUTION Approving the 2011 and 2012 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 Governor's Office of Planning and Research (approves the report required by California Government Code §65400 and related to the status and progress in implementing the current Housing Element Update)

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

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

Enactment No: Reso 2013-157

10. ACTION ITEMS

10.A. [13-598](#)

ORDINANCE Adding Chapter 4-33 to Title 4 of the San Leandro Municipal Code Pertaining to Medical Cannabis Dispensary Permits (provides for establishment of one medical marijuana dispensary in the City and regulates its operations)

Comments were made by the following individual: Pat Eisfeld.

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

Aye: 5 - Cassidy, Cutter, Gregory, Prola, Reed

Nay: 2 - Lee, Souza

Enactment No: Ordinance 2013-020

10.B. [13-607](#)

Staff Report for Resolution Approving an Exception to the 180-Day Waiting Period for Post-Retirement Employment Pursuant to Government Code Section 7522.56 for Loretta Jones

[13-608](#)

RESOLUTION Approving an Exception to the 180-Day Waiting Period for Post-Retirement Employment Pursuant to Government Code Section 7522.56 for Loretta Jones (approves temporary employment of a retired employee)

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

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

Enactment No: Reso 2013-158

10.C. [13-601](#)

Staff Report for Resolution Adopting the City of San Leandro Economic Development Initiatives and Work Plan

[13-600](#)

RESOLUTION Adopting the San Leandro Economic Development

Initiatives and Work Plan (provides for an inventory of ongoing and planned economic development projects and programs in the City)

A motion was made by Councilmember Reed, seconded by Councilmember Souza, that this resolution be adopted as amended to change the title to "Economic Development Strategy and Work Plan." The motion carried by the following vote.

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

Enactment No: Reso 2013-159

10.D. [13-617](#)

Staff Report for Discussion and Approval of 2014 City Council Meeting Calendar

[13-622](#)

MOTION Approving 2014 City Council Meeting Calendar as Presented with Modification to Incorporate Question and Answer Sessions with Spanish-Speaking and Chinese-Speaking Communities, and a Work Session Topic on the Environment and Sustainability

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

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

Enactment No: Min Order 2013-060

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

City Attorney Rich Pio Roda made the following report:

In accordance with subdivision (a)(3)(B) of California Government Code Section 54957.1, a mutually agreed upon settlement was reached in the case of Katherine Hutchinson, individually and as personal representative for the Estate of Darnell Hutchinson; Estate of Darnell Hutchinson et al. v. City of San Leandro, and Officers Brian Buss and Jeff Walton, individually and in their official capacities as Police Officers for the City of San Leandro. Without admitting liability, for a full and final release of all claims from an incident that occurred on or about October 9, 2011 and including all matters alleged in the claim and the lawsuit, Northern District Case No. C12 – 03898(PJH), the Plaintiffs were paid \$80,000 by the City of San Leandro. The vote was 7 ayes, and 0 nays.

12. CITY COUNCIL REPORTS

City Councilmembers reported on attendance at intergovernmental agency meetings, conferences, and seminars attended since the last meeting.

13. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS

City Councilmembers announced 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 scheduled for consideration in January 2014 a resolution in support of the continued planning and discussion of the development of the San Leandro Creek Walk and scheduled in January or February a presentation or report on the resources available during the winter months for the homeless.

15. ADJOURN

The meeting was adjourned at 10:13 p.m.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro