



City of San Leandro

Meeting Date: October 1, 2012

Minutes

File Number: 12-466

Agenda Section: CONSENT CALENDAR

Agenda Number: 8.B.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Lianne Marshall
Assistant City Manager

FINANCE REVIEW: Not Applicable

TITLE: APPROVE: Minutes of the Meetings of September 17, 2012

ATTACHMENTS

- Draft Minutes of Special Meeting and Closed Session
- Draft Minutes of Regular Meeting

PREPARED BY: Marian Handa, City Clerk, City Manager's Office



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 Stephen H. Cassidy
Michael Gregory, District 1
Ursula Reed, District 2
Diana Souza, District 3
Thomas C. Dlugosh, District 4
Pauline Russo Cutter, District 5
Jim Prola, District 6*

Monday, September 17, 2012

5:00 PM

City Manager's Large Conference Room

***** MINUTES ARE DRAFT UNTIL ACCEPTED BY CITY COUNCIL *****

Joint Special Meeting and Closed Session of City Council and Successor Agency to Redevelopment Agency

1. CALL TO ORDER

1.A. ROLL CALL

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

2. PUBLIC COMMENTS

DAVID ERLICH, San Leandro resident, spoke in support of the City Manager and City Attorney.

3. CLOSED SESSION

3.A. City Council

Conference with Legal Counsel - Existing Litigation Pursuant to California Government Code Section 54956.9(a) - 1 Case:

International Church of the Foursquare Gospel v. City of San Leandro (Ninth Circuit Court of Appeal, Case No. 09-15163)

- 3.B. Joint City Council and Successor Agency to Redevelopment Agency Conference with Legal Counsel - Existing Litigation Pursuant to California Government Code Section 54956.9(a) - 2 Cases:

The Estate of Douglas M. King, et al. v. City of San Leandro Redevelopment Agency, et al. (Alameda County Superior Court, Case No. HG12614907)

The Estate of Douglas M. King, et al. v. City of San Leandro, et al. (Alameda County Superior Court, Case No. HG12630231)

- 3.C. City Council Conference with Labor Negotiators Pursuant to California Government Code Section 54957.6:

Agency Designated Representative: Chris Zapata, City Manager
Employee Organizations: San Leandro City Employees' Association/International Federation of Professional and Technical Engineers, Local 21 (SLCEA/IFPTE); San Leandro Management Organization (SLMO); San Leandro Police Officers' Organization (SLPOA); and San Leandro Police Management Association

- 3.D. City Council Public Employee Performance Evaluation Pursuant to California Government Code Section 54957:

Title: City Manager

- 3.E. City Council Public Employee Performance Evaluation Pursuant to California Government Code Section 54957:

Title: City Attorney

4. ADJOURN

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro



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Monday, September 17, 2012

7:00 PM

City Council Chambers

***** MINUTES ARE DRAFT UNTIL ACCEPTED BY CITY COUNCIL *****

Joint Meeting of City Council and Successor Agency to Redevelopment Agency

1. CALL TO ORDER

The meeting was called to order at 7:06 p.m.

1.A. PLEDGE OF ALLEGIANCE

Deputy City Manager Jacqui Diaz and Community Development Director Luke Sims led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

None.

2. PRESENTATIONS/ RECOGNITIONS

2.A. 12-417 Presentation by East Bay Municipal Utility District (EBMUD) on Seismic Upgrade Project for Chabot Dam

2.B. 12-421 MOTION: Motion Approving Resolution Commemorating Former Mayor Jesse Robredo of Naga City, Philippines, San Leandro's Sister City

A motion was made by Councilmember Prola, seconded by Councilmember Souza, that the Resolution Commemorating Former Mayor Jesse Robredo of Naga City, Philippines, be adopted. The motion carried by the following vote.

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

Enactment No: Min Order 2012-039

3. PUBLIC HEARINGS – CITY COUNCIL

- 3.A. 12-414** Staff Report for Resolution Approving the City of San Leandro Consolidated Annual Performance and Evaluation Report (CAPER) of the FY 2011-2012 Annual Action Plan

The Hearing was opened to the public.

DAVID ERLICH, San Leandro resident, asked if all the Community Development Block Grant funds could be added up and spent as the City needs it, rather than as is required by the federal government.

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

- 12-415** ADOPT: Resolution Approving the City of San Leandro FY 2011-2012 Consolidated Annual Performance and Evaluation Report (CAPER) (approves the CAPER for submission to the U.S. Department of Housing and Urban Development)

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

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

Enactment No: Reso 2012-104

4. PUBLIC HEARINGS – OTHER

None.

5. PUBLIC COMMENTS

KATIE KIRKBRIDE, Executive Director of the Peter Sategna Educational Foundation in Hayward, commented that the foundation is a 501(C)(3) non-profit organization that provides grants for scholarships to students and veterans.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Manager Zapata thanked Luke Sims and Jacqui Diaz for their service to San Leandro. He introduced Fire Division Chief Kevin Johnston and new Human Resources Manager LaTanya Bellow.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.A. and 8.B. were 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 Cutter, seconded by Councilmember Souza, to Approve the Consent Calendar. The motion carried by the following vote.

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

Items 8.A. and 8.B. were removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.

8.C. 12-437 ACCEPT: Shoreline-Marina Committee Highlights of July 10, 2012

Approved as Submitted on the Consent Calendar.

8.D. 12-450 Staff Report Recommending that the Successor Agency Convey Certain Former Redevelopment Agency Assets to the City of San Leandro and Recommending that the City Approve the Conveyance of these Assets from the Former Redevelopment Agency to the City

12-447 ADOPT: Resolution Approving the Transfer of Certain Former Redevelopment Agency Real Property Assets to the City of San Leandro (provides for the City Council approval of the transfer of properties - both public purpose properties and properties with agreements that proceeds shall be paid to the City - from the Successor Agency to the City)

Adopted on the Consent Calendar.

Enactment No: Reso 2012-105

12-449 ADOPT: Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Approving the Transfer of Certain Former Redevelopment Agency Real Property Assets to the City of San Leandro (provides for the Successor Agency approval of the transfer of properties - both public purpose properties and properties with agreements that proceeds shall be paid to the City - from the Successor Agency to the City of San Leandro)

Adopted on the Consent Calendar.

Enactment No: Reso 2012-012 SA

8.E. 12-453 MOTION: Motion Nominating Phyllis Gee as At-Large Member to Library-Historical Commission

Adopted on the Consent Calendar.

Enactment No: Min Order 2012-040

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.A. 12-423** APPROVE: Minutes of the Meeting of September 4, 2012
- A motion was made by Councilmember Prola, seconded by Councilmember Cutter, that the Minutes be approved with an amendment to the wording of Minute Order 2012-034 on Item 10.E. The motion carried by the following vote.**
- Aye:** 7 - Cassidy, Cutter, Dlugosh, Gregory, Prola, Reed, Souza
- 8.B. 12-451** ACCEPT: Rules and Communications Committee Highlights of August 28, 2012
- A motion was made by Councilmember Reed, seconded by Councilmember Prola, that the Highlights be Accepted as Submitted. The motion carried by the following vote.**
- Aye:** 6 - Cassidy, Cutter, Gregory, Prola, Reed, Souza
- Nay:** 1 - Dlugosh

10. ACTION ITEMS

- 10.A. 12-363** Staff Report for Resolution Adopting the San Leandro Commercial Broadband Strategy
- 12-362** ADOPT: Resolution Adopting the San Leandro Commercial Broadband Strategy (adopts the Broadband Strategy which will guide ongoing efforts to expand broadband access for businesses in San Leandro)
- A motion was made by Councilmember Reed, seconded by Councilmember Souza, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Cassidy, Cutter, Dlugosh, Gregory, Prola, Reed, Souza
- Enactment No: Reso 2012-106
- 12-448** MOTION: Motion Establishing the Broadband Connection Business Incentive Program as an Eligible Use of the FY 2012-13 Funding Appropriation for Business Incentive Programs
- A motion was made by Councilmember Reed, seconded by Councilmember Souza, that this Minute Order be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Cassidy, Cutter, Dlugosh, Gregory, Prola, Reed, Souza
- Enactment No: Min Order 2012-041
- 10.B. 12-418** ADOPT: Resolution Supporting San Leandro Unified School District Measure L for the November 2012 Election (endorses the ballot

measure to levy a tax on parcels within the District for 5 years)

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

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

Enactment No: Reso 2012-107

10.C. 12-452

ADOPT: Resolution Opposing Proposition 32 on the November 2012 Ballot (opposes the proposition to prohibit unions and corporations from using payroll-deducted funds for political purposes and from contributing to candidates and candidate-controlled committees)

A motion was made by Councilmember Prola, seconded by Councilmember Reed, that this Resolution be adopted, with the last paragraph amended to read, "BE IT FURTHER RESOLVED that the City Council of the City of San Leandro opposes Proposition 32." The motion carried by the following vote.

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

Nay: 1 - Dlugosh

Enactment No: Reso 2012-108

10.D. Report on Closed Session Actions Taken

No reportable actions taken.

11. CITY COUNCIL CALENDAR

City Councilmembers announced upcoming events and coordinated attendance.

12. CITY COUNCIL REPORTS AND ANNOUNCEMENTS

City Councilmembers reported on meetings and other local events attended since the last meeting, reported on attendance at conferences and seminars, and made brief comments on issues of concern.

13. ADJOURN

The meeting was adjourned at 9:16 p.m.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro