



# City of San Leandro

Meeting Date: October 3, 2016

## Minutes

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**File Number:** 16-504

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.A.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:**

**FINANCE REVIEW:** Not Applicable

**TITLE:** Minutes from September 19, 2016 Meeting

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# 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, September 19, 2016

7:00 PM

City Council Chambers

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### Joint Meeting of City Council and Successor Agency to Redevelopment Agency

#### 1. CALL TO ORDER

*The meeting was called to order at 7:07 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

*None.*

#### 2. RECOGNITIONS

2.A. [16-425](#) Proclamation Declaring October 1, 2016 as Bay Day

#### 3. PRESENTATIONS

3.A. [16-472](#) Presentation by the Oakland International Airport Update on Fleet Week 2016.

#### 4. PUBLIC HEARINGS

4.A. [16-444](#) Staff Report for Resolution Approving the City of San Leandro

Consolidated Annual Performance and Evaluation Report (CAPER)  
for the FY 2015-2016 Annual Action Plan

[16-445](#)

RESOLUTION Approving the City of San Leandro FY 2015-2016 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 Vice Mayor Reed, seconded by Councilmember 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 2016-116

4.B. [16-455](#)

Staff Report on Certification of the San Leandro 2035 General Plan Environmental Impact Report and Adoption of the 2035 General Plan

4.B.1 [16-456](#)

RESOLUTION Certifying an Environmental Impact Report and Adopting Mitigation Findings, Alternatives Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program for the San Leandro 2035 General Plan (as required under the California Environmental Quality Act)

**A motion was made by Councilmember Cox, seconded by Councilmember 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 2016-117

4.B.2 [16-457](#)

RESOLUTION Adopting the San Leandro 2035 General Plan

*This item was voted on in 2 parts based on Councilmember recusals.*

*4.B.2.a Segment 1 High Density Residential (West of E. 14th St, between W. Broadmoor Blvd & Stoakes Ave)*

*Prola/Lee 6 Ayes, 1 Recuse - Lopez*

*4.B.2.b Segment 2 Parks and Recreation (Floresta Park)*

*Cox/Lopez 6 Ayes, 1 Recuse - Thomas*

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

**Aye:** 5 - Cox, Cutter, Lee, Prola, Reed

**Recused:** 2 - Lopez, Thomas

Enactment No: Reso 2016-118

4.C. [16-458](#)

Staff Report for an Ordinance to Amend the City of San Leandro

Zoning Code, and the City Zoning Map, and to Amend the Downtown Transit-Oriented Development Special Policy Areas ("S" overlays) to Conform with the City of San Leandro 2035 General Plan and 2007 Downtown Transit Oriented Development Strategy

[16-459](#)

ORDINANCE Amending Zoning Code Article 3, Definitions; Article 6, Commercial and Professional Districts; Article 7, Industrial Districts; Article 16, Development Regulations; Article 18 Signs; Article 25 Site Plan Review, and the City of San Leandro Zoning Map to Bring the San Leandro Zoning Code and Zoning Map into Conformance with the 2035 General Plan, and General Text Updates

*The Council adopted the ordinance as amended to change "marijuana" to "cannabis" in the Zoning Code*

**A motion was made by Vice Mayor Reed, seconded by Councilmember Cox, that this Ordinance be Adopted as Amended. The motion carried by the following vote.**

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

Enactment No: Ordinance 2016-012

[16-460](#)

ORDINANCE Amending Ordinance 2007-021 (to Create Special Review Criteria for Certain Properties within the Downtown Transit-Oriented Development Study Area Generally within ½ Mile Radius of the Intersection of East 14th Street and Davis Streets) to Remove Special Project Areas SP-1, Downtown South Gateway and SP- 8 BART/Westlake Properties; and to Modify the Special Review Criteria for SP-2, Washington Plaza Shopping Center and San Leandro Plaza; SP-3, Town Hall Square and Vicinity; and SP-5, North Alvarado Sites.

**A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Ordinance be Adopted. The motion carried by the following vote.**

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

Enactment No: Ordinance 2016-011

## 5. PUBLIC COMMENTS

*There were three speakers.*

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

*City Manager discussed fundamentals of communications including past steps to enhance communications. Televised meetings, social media, and a City Page in the San Leandro Times.*

## 7. AMENDMENT OF CONSENT CALENDAR

*Item 8G was removed from the consent calendar and moved to Item 9.*

## 8. CONSENT CALENDAR

### Approval of the Consent Agenda

**A motion was made to Approve the Consent Calendar. The motion carried by the following vote.**

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

**8.A.** [16-467](#)

Minutes of the September 6, 2016 Meeting

**Approved as Submitted.**

**8.B.** [16-468](#)

MOTION: Motion Nominating Emily Breslin as District 1 Member to Arts Commission

**Received and Filed.**

Enactment No: Minute Order 2016-021

**8.C.** [16-475](#)

RESOLUTION Appointing Diana Prola as District 6 Member to the Library Historical Commission for Term ending December 21, 2018

**Adopted on the Consent Calendar.**

Enactment No: Reso 2016-119

**8.D.** [16-353](#)

Staff Report for a Resolution Approving a Consulting Services Agreement with Carollo Engineers, Inc. for Close-out Consulting Services and Services not completed under the Engineering Consulting Services Agreement on the Water Pollution Control Plant Rehabilitation Project, Project No. 08-593-52-239

**Received and Filed.**

[16-355](#)

RESOLUTION Approving a Consultant Services Agreement with Carollo Engineers, Inc. for Close-Out Consulting Services and Services not completed under the Engineering Consulting Services Agreement on the Water Pollution Control Plant Rehabilitation Project, Project 08-593-52-239, in the Amount of \$375,589 to be Funded by Water Pollution Control Plant Enterprise Funds (provides for assistance to staff with the resolution of claims filed by the construction contractor related to potential and alleged delay costs, unresolved contract change orders and credit to City for work items removed from construction contract, and completion of consultant contract tasks carried over from prior contract)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2016-120

- 8.E.** [16-415](#) Staff Report for a Resolution Appropriating Capital Funds for Existing Project Purposes in Accordance with the City Charter  
**Received and Filed.**
- [16-416](#) RESOLUTION Extending the Appropriating Appropriation of Capital Funds for Existing Projects Purposes in Accordance with the City Charter (extends previous appropriations for five years and prevents said appropriations from returning to fund balance at the present time)  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2016-121
- 8.F.** [16-469](#) Staff Report for Resolutions Approving an Agreement Regarding Expenditure of Excess Bond Proceeds and Authorizing the Acceptance of the Transfer of Excess Bond Proceeds Between the Successor Agency to the Redevelopment Agency of the City of San Leandro to the City of San Leandro  
**Received and Filed.**
- [16-470](#) RESOLUTION Of The Governing Board Of The Successor Agency To The Redevelopment Agency Of The City Of San Leandro Approving An Agreement Regarding Expenditure Of Excess Bond Proceeds And Authorizing The Transfer Of Excess Bond Proceeds To The City Of San Leandro  
**Adopted on the Consent Calendar.**  
Enactment No: SA Reso 2016-004

Item 8G Removed to Item 9 - Items removed from Consent Calendar

- [16-471](#) RESOLUTION Of The City Council Of The City Of San Leandro Approving An Agreement Regarding Expenditure Of Excess Bond Proceeds And Authorizing The Acceptance Of The Transfer Of Excess Bond Proceeds From The Successor Agency To The Redevelopment Agency Of The City Of San Leandro To The City Of San Leandro  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2016-122

### **Approval of the Consent Agenda**

**A motion was made by Councilmember Prola, seconded by Councilmember Cox, to Approve the Consent Calendar. The motion carried by the following vote.**

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

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.G. [16-420](#) ORDINANCE that Accelerates Implementation of the Statewide Minimum Wage Requirements in San Leandro
- A motion was made by Councilmember Prola, seconded by Vice Mayor Reed, that this Ordinance be Adopted. The motion carried by the following vote.**

**Aye:** 6 - Cox, Cutter, Lopez, Prola, Reed, Thomas

**Abstain:** 1 - Lee

Enactment No: Ordinance 2016-010

## 10. ACTION ITEMS

- 10.A. [16-473](#) Staff Report for Amendments to the Medical Cannabis Dispensary Ordinance to Facilitate the Issuance of a Third Dispensary Permit

[16-474](#) ORDINANCE Amending Title 4, Chapter 4-33 of the San Leandro Municipal Code Pertaining to Medical Cannabis Dispensary Permits

**A motion was made by Councilmember Prola, seconded by Councilmember Thomas, that this Ordinance be Adopted. The motion carried by the following vote.**

**Aye:** 6 - Cox, Cutter, Lopez, Prola, Reed, Thomas

**Abstain:** 1 - Lee

Enactment No: Ordinance 2016-013

## 11. REPORT ON CLOSED SESSION ACTIONS TAKEN

*City Attorney Pio Roda reported on initiated action.*

## 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

*Multicultural Commission Report - October 17, 2016*

*Motion to agendize consideration of award of third dispensary permit to Blum. Prola/Reed 6 Ayes , 1 Abstention- Lee (October 17, 2016 or next meeting thereafter.)*

*Report from CCE - October 17, 2016*

**15. ADJOURN**

*The meeting was adjourned at 10:28 p.m.*

**RESPECTFULLY SUBMITTED:**

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**TAMIKA GREENWOOD**  
City Clerk of the City of San Leandro