



# City of San Leandro

Meeting Date: June 19, 2017

## Minutes

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**File Number:** 17-363

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.A.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Jeff Kay  
Assistant City Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** Minutes from the June 5, 2017 Council Meeting

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# 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 Pauline Russo Cutter*

*Deborah Cox, District 1*

*Ed Hernandez, District 2*

*Lee Thomas, District 3*

*Benny Lee, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, June 5, 2017

7:00 PM

City Council Chambers

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### Special Joint Meeting of the City Council, Successor Agency to San Leandro Redevelopment Agency and the San Leandro Public Financing Authority

#### 1. CALL TO ORDER

*The meeting was called to order at 7:14 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 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

#### 1.C. ANNOUNCEMENTS

*Mayor Cutter announced that Item 10A would be moved up before Item 5A on the agenda.*

#### 2. RECOGNITIONS

*None.*

#### 3. PUBLIC COMMENTS

#### 4. PRESENTATIONS

4.A. [17-332](#) Presentation by EBMUD

4.B. [17-331](#) Presentation of the 2017 San Leandro Mural Project Video

## 5. PUBLIC HEARINGS

- 5.A. [17-235](#) Staff Report for the Public Hearing and Adoption of the Proposed 2017-18 and 2018-19 Biennial Budget for the City of San Leandro, the Successor Agency to the Redevelopment Agency of the City of San Leandro, and the San Leandro Public Financing Authority
- A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Staff Report be Received and Filed. The motion carried by the following vote.**
- Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox
- [17-236](#) RESOLUTION Adopting the Biennial Budget of the City of San Leandro for the Fiscal Years July 1, 2017 to June 30, 2018 and July 1, 2018 to June 30, 2019
- A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox
- Enactment No: Reso 2017-072
- [17-237](#) RESOLUTION Adopting the Biennial Budget of the Successor Agency to the Redevelopment Agency of the City of San Leandro for the Fiscal Years July 1, 2017 to June 30, 2018 and July 1, 2018 to June 30, 2019 and Making a Determination Pursuant to California Health and Safety Code Section 33334.3
- A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox
- Enactment No: Reso 2017-003 SA
- [17-238](#) RESOLUTION Adopting the Biennial Budget of the Public Financing Authority of City of San Leandro for the Fiscal Years July 1, 2017 to June 30, 2018 and July 1, 2018 to June 30, 2019
- A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox
- Enactment No: Reso 2017-001 PFA
- 5.B. [17-306](#) Staff Report for a Public Hearing on a Proposed Amendment to the FY 2010-2011 U.S. Department of Housing and Urban Development (HUD) Annual Action Plan to Re-allocate \$100,000 in CDBG Funds

Originally Intended for a Proposed Childcare Center by BRIDGE Housing: \$10,000 for renovations to the Luella Fuller Home and \$90,000 for Continued Implementation of the City's ADA Transition Plan

**A motion was made by Councilmember Cox, seconded by Councilmember Lee, that this Staff Report be Approved. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

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

*None.*

## 7. AMENDMENT OF CONSENT CALENDAR

*Items 8D, 8E, 8F, 8K, 8L and 8N were removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.*

## 8. CONSENT CALENDAR

### Approval of the Consent Agenda

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

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

8.A. [17-322](#) Minutes of the May 15, 2017 Meeting

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

8.B. [17-233](#) Highlights of the Facilities and Transportation Committee Meeting of April 5, 2017

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

8.C. [17-279](#) Highlights of the Facilities and Transportation Committee Meeting of May 3, 2017

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

[17-222](#) RESOLUTION to Award a Construction Contract to Silman Construction for the Curb Ramp Upgrades 2016-17 Project, Project No. 2017.0070 (Recommends Award to the Lowest Responsible Bidder in the Amount of \$433,517.88 From Measure B Funds, Vehicle Registration Fees Funds, Transportation Development Act Funds (TDA), and Community Investment Funds for the Installation of Concrete Curb Ramps in Advance of Street Maintenance Work at Various Locations Throughout the City, and Authorization for the City Manager to Negotiate and Approve Individual Change Orders up to

5% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders up to 15% of the Original Contract Amount)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2017-073

**8.G. [17-276](#)**

Staff Report for a Resolution Amending the Non-Represented Part-Time Salary Schedule to comply with the City's Minimum Wage Ordinance

**Received and Filed on the Consent Calendar.**

[17-277](#)

RESOLUTION Amending the Non-Represented Part-Time Salary Schedule to Comply with the City's Minimum Wage Ordinance

**Adopted on the Consent Calendar.**

Enactment No: Reso 2017-074

**8.H. [17-261](#)**

Staff Report for a Resolution to Award a Construction Contract to American Pavement Systems, Inc. for the Annual Street Sealing 2016-17 Project, Project No. 2017.0070; Authorization for the City Manager to Negotiate and Approve Individual Change Orders Up to 10% of the Original Contract Amount; and Authorization for the City Manager to negotiate and approve cumulative change orders up to 30% of the original contract amount;

**Received and Filed on the Consent Calendar.**

[17-262](#)

RESOLUTION to Award a Construction Contract to American Pavement Systems, Inc. for the Annual Street Sealing 2016-17 Project, Project No. 2017.0070; authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 10% of the original contract amount and Cumulative Change Orders up to 30% of the original contract amount;

**Adopted on the Consent Calendar.**

Enactment No: Reso 2017-075

**8.I. [17-282](#)**

Staff Report for a Resolution Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2017-18 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements

**Received and Filed on the Consent Calendar.**

[17-283](#)

RESOLUTION Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2017-18 Transportation Development Act (TDA) Article 3

Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements in the Amount of \$82,700

**Adopted on the Consent Calendar.**

Enactment No: Reso 2017-076

**8.J.** [17-297](#) Staff Report Establishing the City's Appropriation Limit for Fiscal Year 2017-18

**Received and Filed on the Consent Calendar.**

[17-298](#) RESOLUTION Establishing the City's Appropriation Limit for Fiscal Year 2017-18

**Adopted on the Consent Calendar.**

Enactment No: Reso 2017-077

**8.M.** [17-323](#) Staff Report for Resolutions Updating the Designation of Persons Authorized to Make Financial Transactions and Investments of Funds

**Received and Filed on the Consent Calendar.**

[17-327](#) RESOLUTION of the City Council of the City of San Leandro, Acting in its Capacity as Successor Agency to the Redevelopment Agency of the City of San Leandro, Rescinding Resolution No. 2015-003 SA and Authorizing Investment of Monies by the Successor Agency to the Redevelopment Agency of the City of San Leandro in the Local Agency Investment Fund and Designating Certain Depositories and Further Authorizing Specified Officers to Remit Money in the City Treasury to the State Treasury for Deposit in the Local Agency Investment Fund (LAIF)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2017-004 SA

[17-325](#) RESOLUTION Rescinding Resolution No. 2015-137 and Designating Signatures on City Checks and Persons Authorized to Make Fund Transfers by Telephone and Wire (Updates Names Of City Officials Authorized To Deposit, Withdraw And Transfer Funds With Specific Banking Institutions For The City Treasury To Reflect The New Assistant Finance Director)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2017-078

[17-324](#) RESOLUTION Rescinding Resolution No. 2015-138 and Authorizing Investment of Monies in the Local Agency Investment Fund and Designating Certain Depositories and Further Authorizing Specified City Officials to Remit Money in the City Treasury to the State

Treasury for Deposit in the Local Agency Investment Fund

**Adopted on the Consent Calendar.**

Enactment No: Reso 2017-079

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.D. [17-310](#) Highlights of the Finance Committee Meeting of April 4, 2017
- A motion was made by Mayor Cutter, seconded by Councilmember Hernandez, that this Minutes be Approved as Submitted. The motion carried by the following vote.**
- Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox
- 8.E. [17-313](#) Highlights of the Finance Committee Meeting of May 2, 2017
- A motion was made by Mayor Cutter, seconded by Councilmember Hernandez, that this Minutes be Approved as Submitted. The motion carried by the following vote.**
- Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox
- 8.F. [17-221](#) Staff Report for a Resolution to Award a Construction Contract to Silman Construction for the Curb Ramp Upgrades 2016-17 Project, Project No. 2017.0070; Authorization for the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders Up to 15% of the Original Contract Amount.
- A motion was made by Mayor Cutter, seconded by Councilmember Lee, that this Staff Report be Received and Filed. The motion carried by the following vote.**
- Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox
- 8.K. [17-302](#) Staff Report for Amendment to Agreement with MV Transportation for Paratransit Services
- A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Staff Report be Received and Filed. The motion carried by the following vote.**
- Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox
- [17-305](#) RESOLUTION Authorizing the City Manager to Execute an Amendment to a Contractual Services Agreement with MV Transportation, Inc. to Extend the Term Through June 30, 2018 and to Increase the Amount of Total Compensation by \$233,360 to a Total Amount Not to Exceed \$408,380 to Provide Paratransit Services for an Amount Not to Exceed \$408,308

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

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Reso 2017-080

**8.L.** [17-312](#)

Staff Report to approve a resolution directing the City Attorney to use the Red Light Abatement Law to pursue enforcement against houses of prostitution within the City of San Leandro

**A motion was made by Councilmember Thomas, seconded by Councilmember Ballew, that this Staff Report be Received and Filed. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

[17-311](#)

RESOLUTION directing the City Attorney to use the Red Light Abatement Law to pursue enforcement against houses of prostitution within the City of San Leandro

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

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Reso 2017-081

**8.N.** [17-281](#)

Staff Report for an Ordinance to Amend Title 1, Chapter 12 of the San Leandro Municipal Code Relating to "Citation - Violations" and Title 3, Chapter 2 of the San Leandro Municipal Code Relating to Weed Abatement

**A motion was made by Councilmember Thomas, seconded by Councilmember Lee, that this Staff Report be Received and Filed. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

[17-296](#)

ORDINANCE Amending Title 1, Chapter 12 of the San Leandro Municipal Code Relating to "Citation - Violations" and Title 3, Chapter 2 of the San Leandro Municipal Code Relating to Weed Abatement (Modifications are recommended to the City's Code Enforcement and Weed Abatement Ordinances in order to improve and streamline the enforcement process)

**A motion was made by Councilmember Thomas, seconded by Councilmember Lee, that this Ordinance be Passed to Print. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Ordinance 2017-013



## 10. ACTION ITEMS

- 10.A. [17-307](#) Staff Report for an Ordinance of the City Council of the City of San Leandro adding Chapter 4.36 "Tobacco Retailers" to the San Leandro Municipal Code to require the licensure of Tobacco Retailers and to regulate the sale of cigars, cigarillos and electronic cigarettes

**A motion was made by Councilmember Ballew, seconded by Councilmember Lee, that this Staff Report be Received and Filed. The motion carried by the following vote.**

**Aye:** 5 - Lee, Lopez, Ballew, Hernandez, Cox

**Nay:** 1 - Cutter

**Abstain:** 1 - Thomas

[17-308](#)

ORDINANCE Of The City Of San Leandro Adding Chapter 4.36 "Tobacco Retailers" To The San Leandro Municipal Code To Require The Licensure Of Tobacco Retailers And To Regulate The Sale Of Cigars, Cigarillos And Electronic Cigarettes

**A motion was made by Councilmember Ballew, seconded by Councilmember Lee, that this Ordinance be Referred to the Rules Committee, due back on 6/26/2017. The motion carried by the following vote.**

**Aye:** 5 - Lee, Lopez, Ballew, Hernandez, Cox

**Nay:** 1 - Cutter

**Abstain:** 1 - Thomas

- 10.B. [17-266](#) Ordinance Authorizing an Amendment to the Contract between the Board of Administration of the California Public Employees' Retirement System and the City of San Leandro to Include Provisions Pursuant to Government Code Section 20516 "Cost Sharing" for Classic Local Police Members in Accordance with the San Leandro Police Officers Association (SLPOA) Memorandum of Understanding

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

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Ordinance 2017-012

- 10.C. [17-314](#) MOTION Appointing City Councilmembers to Serve on Alameda County Fire Advisory Commission until Replaced

**A motion was made by Mayor Cutter, seconded by Councilmember Lopez, that this Minute Order be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Cutter, Lee, Lopez, Ballew, Hernandez, Thomas, Cox

Enactment No: Min Order 2017-021

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

*No reportable action was taken in closed session this evening.*

**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**

*None.*

**15. ADJOURN**

*The meeting was adjourned at 11:47 p.m.*

**RESPECTFULLY SUBMITTED:**

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