

CITY COUNCIL MEETING AGENDA

TUESDAY, SEPTEMBER 4, 2012



LIST OF CITY COUNCIL MEETINGS AND EVENTS ON THIS DATE (at the time of publication)

- 5:00 PM** Joint City Council and Successor Agency to Redevelopment Agency Special Meeting and Closed Session (agenda attached)
- 7:00 PM** City Council Regular Meeting (agenda attached)

AGENDAS

Agendas are available to the public at least 72 hours in advance of the meeting and are posted on the notice board outside the East 14th Street main entrance to the Civic Center by the Wednesday preceding the meeting. Special meeting agendas are available and posted not less than 24 hours prior to each special meeting. Agendas may be obtained from the City Clerk's Office. For information, call the City Clerk's Office at (510) 577-3366.

The complete agenda book is available for review at the City Clerk's Office, at the Main Library, and on the City website. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection with the agenda book, during normal business hours, and on the City's website at www.sanleandro.org.

If special accommodations are required for the disabled, please call the City Clerk's Office at (510) 577-3366 or TDD at (510) 577-3343 at least 5 working days prior to the meeting.

CITY COUNCIL GOALS FOR FISCAL YEAR 2012-2013

The following City Council Goals serve as a guide for the upcoming fiscal year, and provide overall direction for the City's services and programs:

- Place the City on a firm foundation for long-term fiscal sustainability
- Work with the community and all stakeholders towards completing major projects and programs for sustainable economic development
- Provide quality public safety services and work in partnership with the community to keep San Leandro safe
- Maintain and enhance the City's infrastructure
- Support programs, activities and communication that enhance the quality of life in San Leandro and promote a sense of community and civic pride
- Maintain and support a strong positive relationship between the City and schools

CITY COUNCIL MEETINGS

Regular meetings of the City Council are held on the first and third Mondays of each month at 7:00 p.m. in the Civic Center, City Council Chambers, 835 East 14th Street. Work Sessions of the City Council are held regularly at 7:00 p.m. on the second Monday of each month, with an additional Work Session scheduled on the fourth Monday, if needed, generally in the Civic Center Complex. At Work Sessions, City staff provide reports to the City Council on a variety of items and issues; however, usually, no formal action is taken at Work Session. Starting times for each item are approximate.

The City Council agenda also includes actions of the Successor Agency to the San Leandro Redevelopment Agency. In addition, meetings of the Economic Development Agency, Parking Authority and Public Financing Authority are held annually on the third Monday of June in conjunction with City Council meetings. All actions listed on the agenda are City Council actions, unless otherwise noted.

The City Council is prohibited by State law from discussing items not listed on the agenda unless, by a two-thirds vote, or unanimous vote if less than two-thirds of the members are present, the City Council finds that there is a need to take immediate action, and the need for the action came to the City's attention after the agenda was posted.

The order of business specified in the agenda may be changed if deemed appropriate by the Mayor and agreed to by a majority of the City Council.

PUBLIC PARTICIPATION

The City Council welcomes your participation at meetings.

AT REGULAR MEETINGS, you have several opportunities for public participation, as follows:

Public Hearings: Anyone wishing to speak regarding a Public Hearing should fill out a speaker card prior to the completion of the staff presentation and submit it to the City Clerk. The order of business for Public Hearings is as follows:

1. Staff presentation
2. Applicant/Appellant – 10 minutes
3. City Council Questions/Clarifications
4. Public Comments – 5 minutes per speaker, subject to adjustment by the Mayor
5. Applicant/Appellant Rebuttal – 5 minutes
6. City Council Comments/Questions/Action

Public Comments: The public is invited to make comments on items **that are not listed on the agenda** at this time. Public comments are limited to 3 minutes per speaker, subject to adjustment by the Mayor.

Consent Calendar: Members of the public who wish to address the City Council regarding items remaining on the Consent Calendar may do so for up to 3 minutes per item with a maximum of 5 minutes total for all items.

Items Removed from Consent Calendar and Action Items: Public comments on these items will be limited to 3 minutes per speaker, subject to adjustment by the Mayor.

When you address the City Council, you should **fill out a speaker card** and submit it to the City Clerk prior to or as the item is being announced so that the order of speakers may be determined and an official record of names and addresses obtained. Speakers should approach the podium and speak clearly into the microphone, stating their name for the record. There shall be no dialogue between persons speaking from the podium and the City Council until the speaker has completed his or her comments. Your item may be taken under consideration and referred to staff. All personal, racial or ethnic slurs, profane language, or disruptive conduct is prohibited. Any person who disrupts the meeting by expressing such conduct is subject to removal from the City Council Chambers and/or arrest.

AT WORK SESSIONS, the Mayor will inquire if anyone wishes to address the City Council during the portion of the agenda entitled "**Public Comments**." Public comments are limited to 3 minutes per speaker, subject to adjustment by the Mayor. If you wish to address the City Council, you should approach the podium and speak clearly into the microphone, stating your name and address for the record.



City of San Leandro

Civic Center
835 East 14th Street
San Leandro, California

Meeting Agenda 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
Vacant, District 4
Pauline Russo Cutter, District 5
Jim Prola, District 6*

Tuesday, September 4, 2012

5:00 PM

City Manager's Large Conference Room

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

1. CALL TO ORDER

1.A. ROLL CALL

Members Cutter, Gregory, Prola, Reed, Souza, Starosciak; Mayor Cassidy

2. PUBLIC COMMENTS

Public Comments are limited to 3 minutes per speaker, subject to adjustment by the Mayor. The public is invited to make comments on Closed Session items only at this time.

3. CLOSED SESSION

Adjourn to Closed Session regarding:

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

4. ADJOURN

Adjourn to Regular Meeting at 7:00 p.m.



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Pauline Russo Cutter, District 5
Jim Prola, District 6*

Tuesday, September 4, 2012

7:00 PM

City Council Chambers

1. CALL TO ORDER

1.A. PLEDGE OF ALLEGIANCE

1.B. ROLL CALL

Members Cutter, Gregory, Prola, Reed, Souza, Starosciak; Mayor Cassidy

1.C. ANNOUNCEMENTS

2. PRESENTATIONS/ RECOGNITIONS

- 2.A. 12-412** Presentation of the Scenarios for San Leandro - Stories About Our Future Report

3. PUBLIC HEARINGS – CITY COUNCIL

Public Hearing Comments are limited to 5 minutes per speaker, subject to adjustment by the Mayor. When you address the City Council, you should FILL OUT A SPEAKER CARD and submit it to the City Clerk so the order of speakers may be determined and an official record of names and addresses obtained.

4. PUBLIC HEARINGS – OTHER

5. PUBLIC COMMENTS

Public Comments are limited to 3 minutes per speaker, subject to adjustment by the Mayor. When you address the City Council, you should FILL OUT A SPEAKER CARD and submit it to the City Clerk so the order of speakers may be determined and an official record of names and addresses obtained. The public is invited to make comments on items of public interest NOT listed on the Agenda.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS**7. AMENDMENT OF CONSENT CALENDAR**

City Councilmembers or staff have an opportunity at this time to request that an item be removed from the Consent Calendar for the presentation of a staff report or other special consideration. Members of the Public may request the opportunity to address the City Council regarding items remaining on the Consent Calendar by filling out a speaker card and submitting it to the City Clerk prior to the calling of Item 7, Amendment of Consent Calendar. Items remaining on the Consent Calendar will be considered for approval under one motion.

8. CONSENT CALENDAR

Consent Calendar items are considered for approval by the City Council with one single action. As described above in Item 7, Amendment of Consent Calendar, the City Council may remove items from the Consent Calendar for purposes of presentation or discussion. Members of the public who have requested to address the Council regarding items remaining on the Consent Calendar may do so for up to 3 minutes per item with a maximum of 5 minutes for all items. Items listed on the Consent Calendar are deemed to have been read by title.

- 8.A. 12-400** APPROVE: Minutes of the Meeting of July 16, 2012
- 8.B. 12-432** ACCEPT: Community Development Committee Meeting Highlights of July 17, 2012
- 8.C. 12-360** ADOPT: Ordinance No. 2012-012, an Ordinance Repealing and Reserving Sections 4-1-810 and 4-1-815 Of Title 4, Chapter 4-1 of the San Leandro Municipal Code and Amending Article 3 of Title 4, Chapter 4-1 of the San Leandro Municipal Code Relating to Youth Curfews (reestablishes new definitions and defenses to violations and adds new violation provisions)
- 8.D. 12-396** MOTION: Motion Appointing Vice Mayor Michael Gregory as Representative, and Councilmember Pauline Russo Cutter as Alternate, to the Alameda County Transportation Commission Board of Directors
- 8.E. 12-121** Staff Report for Resolution Approving the Plans and Specifications and Calling for Bids on the BART-Downtown Pedestrian Interface Project, Federal Aid Project No. CML-5041(036), City Project No. 11-150-38-331, Along San Leandro Boulevard

- 12-393** ADOPT: Resolution Approving Plans and Specifications and Calling for Bids for the BART-Downtown Pedestrian Interface, Federal Aid Project No. CML-5041(036), City Project No. 11-150-38-331 (approves the plans and specifications and call for bids on pedestrian streetscape improvements along San Leandro Boulevard at an estimated cost of \$6.91M, with \$4.61M from a Transportation for Livable Cities grant, \$1.22M from Kaiser Community Impact funds, \$96,118 from Development Fees for Street Improvements (DFSI) funds, \$76,894 from Measure B Streets & Roads funds, \$211,458 from Measure B Bike & Pedestrian funds, and \$700,000 from Gas Tax funds)
- 8.F. 12-401** Staff Report for a Resolution Approving Plans and Specifications and Authorizing the Call for Bids for the Annual Sidewalk Repair Program 2012-13, Project No. 2013.0050
- 12-404** ADOPT: Resolution Approving Plans and Specifications and Calling for Bids for Annual Sidewalk Repair Program 2012-13, Project No. 2013.0050 (provides for removal and replacement of damaged concrete sidewalks, driveway approaches, curbs, and gutters throughout the City and installation of ADA compliant curb ramps at curb returns using Measure B Bicycle and Pedestrian Funds; Measure B Streets and Roads Funds; TDA Grant Funds; and CDBG Funds)
- 8.G. 12-301** Staff Report for a Resolution to Reject Bids for Annual Street Sealing 2011-12, Project No. 11-144-38-332
- 12-302** ADOPT: Resolution to Reject Bids for Annual Street Sealing 2011-12, Project No. 11-144-38-332 (rejects bids for the subject project)
- 8.H. 12-303** Staff Report for Resolution to Reject Bids for Asphalt Rubber Street Sealing 2011-12, Project No. 11-144-38-332
- 12-304** ADOPT: Resolution to Reject Bids for Asphalt Rubber Street Sealing 2011-12, Project No. 11-144-38-332 (rejects bids for the subject project)
- 8.I. 12-329** Staff Report for Resolution Accepting the Work for the 2009 Sanitary Sewer Pipeline Replacement Project, Project No. 09-593-52-211
- 12-330** ADOPT: Resolution Accepting the Work for the 2009 Sanitary Sewer Pipeline Replacement Project, Project No. 09-593-52-211 (provides for the acceptance of contract work by Tennyson Electric, Inc., filing of the Notice of Completion, releasing of the performance and payment bonds, and releasing of the maintenance bond upon completion of the one-year maintenance period)

9. ITEMS REMOVED FROM CONSENT CALENDAR

Public comments are limited to 3 minutes per speaker per item, subject to adjustment by the Mayor.

10. ACTION ITEMS

Public comments are limited to 3 minutes per speaker per item, subject to adjustment by the Mayor. When you address the City Council, you should fill out a speaker card and submit it to the City Clerk, prior to the calling of the Action Item.

- 10.A. 12-406** Staff Report for Resolution Amending the San Leandro Management Organization (SLMO) Salary Schedule to Add the Chief Innovation Officer (CIO) Classification
- 12-407** ADOPT: Resolution Amending the San Leandro Management Organization (SLMO) Salary Schedule to Add the Chief Innovation Officer (CIO) Classification (adds the new CIO classification)
- 10.B. 12-402** Staff Report for Resolution Approving Appointments to the City of San Leandro's Measure Z Oversight Committee as Required by Ordinance No. 2010-022
- 12-403** ADOPT: Resolution Approving Appointments to the City of San Leandro's Measure Z Oversight Committee as Required by Ordinance No. 2010-022 (appoints David Grodin, Geraldine Mellen, Esther Collier, and Corina Lopez, each to serve a 3-year term expiring on August 31, 2015)
- 10.C. 12-419** Discussion Regarding the San Leandro Unified School District Parcel Tax Measure on the November 6, 2012 Ballot
- 10.D. 12-431** Staff Report for City Council District 4 Vacancy, Update on Appointment Process and Preparation for Special Meeting on September 13, 2012
- 12-434** MOTION: Motion Determining the Field of Applicants to Interview to Fill the District 4 City Council Vacancy
- 10.E. 12-420** City Council Discussion and Determination of City Position on Five Resolutions of the League of California Cities to Be Voted on at the 2012 Annual Business Meeting (provides voting directions to the City's voting delegate and alternate as designated by Resolution No. 2012-081)
- 12-426** MOTION: Motion Supporting OR Opposing the League's Resolution Encouraging California Cities to Oppose the California Desert Protection Act of 2011
- 12-427** MOTION: Motion Supporting OR Opposing the League's Resolution Requesting Consideration of Suspension of Implementation or Revision of the California Global Warming Solutions Act (AB 32 of 2006)
- 12-428** MOTION: Motion Supporting OR Opposing the League's Resolution Calling Upon the Governor and Legislature to Enact Legislation that Would Correct Inefficiencies in the Audit System, Distribution System and Inequities in the Formulas for Distributing Court Ordered Arrest and Citation Fines, Fees and Assessments Generated by Local Government

12-429 MOTION: Motion Supporting OR Opposing the League's Resolution Raising Public Awareness and Supporting Tougher Laws Related to Internet Crimes Against Children

12-425 MOTION: Motion Supporting OR Opposing the League's Resolution Calling for an Emergency Management Mission for California Cities

10.F. Report on Closed Session Actions Taken

11. CITY COUNCIL CALENDAR

City Councilmembers announce calendar of upcoming events and coordinate attendance.

12. CITY COUNCIL REPORTS AND ANNOUNCEMENTS

City Councilmembers report on meetings and other local events attended since the last meeting; report on attendance at conferences and seminars; and make brief comments on issues of concern.

13. ADJOURN

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