

CITY COUNCIL MEETING AGENDA

MONDAY, JANUARY 7, 2013



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

- 5:00 PM** City Council and Successor Agency to Redevelopment Agency Special Meeting and Closed Session (agenda attached)
- 7:00 PM** City Council and Successor Agency to Redevelopment Agency 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
Benny Lee, District 4
Pauline Russo Cutter, District 5
Jim Prola, District 6*

Monday, January 7, 2013

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, Lee, Prola, Reed, Souza; Mayor Cassidy

1.B. ANNOUNCEMENTS

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. 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. the City of San Leandro Redevelopment Agency, et al. (Alameda County Superior Court, Case No. HG12614907)

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

- 3.B. Joint City Council and Successor Agency to Redevelopment Agency Conference with Legal Counsel - Anticipated Litigation Re: Department of Finance Low and Moderate Income Housing Fund Due Diligence Review Determination and AB 1484 True-Up Payment, as follows:

Initiation of Litigation Pursuant to California Government Code Section 54956.9(c) - 2 Matters

Potential Threat of Litigation Based on Existing Facts and Circumstances Pursuant to California Government Code Section 54956.9(b)(3)(B) - 2 Matters

- 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. in City Council Chambers



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835 East 14th Street
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Meeting Agenda City Council

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Jim Prola, District 6*

Monday, January 7, 2013

7:00 PM

City Council Chambers

Joint Meeting of City Council and Successor Agency to Redevelopment Agency

1. CALL TO ORDER

1.A. PLEDGE OF ALLEGIANCE

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

2. PRESENTATIONS/ RECOGNITIONS

2.A. 12-595 Proclamation Declaring January 2013 as "National Blood Donor Month" in San Leandro

2.B. 12-588 Presentation by Caltrans and the Alameda County Transportation Commission (ACTC) on the Interstate 880 High Occupancy Vehicle Lane (I-880 HOV) Project

2.C. 12-599 Presentation by Library Services Department and San Leandro Historical Society on Casa Peralta and Historic Structure 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. 12-600 APPROVE: Minutes of the Meeting of December 17, 2012

8.B. 12-606 ACCEPT: Rules and Communications Committee Meeting Highlights of December 11, 2012

COMMITTEE RECOMMENDATION: The Committee recommends that staff develop draft regulations, incorporating the information presented by staff, with the following two changes: 1) reduction of minimum square footage from 6,000 to 4,500 for allowing a maximum of four chickens without a permit; and 2) reduction in setback requirement from 20' to 5' (or consistent with the setback requirement for an accessory structure).

COMMITTEE RECOMMENDATION: The Committee recommends that a community meeting be held in early 2013 to present the draft regulations pertaining to chickens and bees, and to elicit community input.

COMMITTEE RECOMMENDATION: The Committee recommends that the Municipal Code be amended to allow the appointment of a youth member to the Library-Historical Commission.

8.C. 12-596 Staff Report for City Council Resolution Authorizing the Transfer (Return) of Properties to the Successor Agency of the Redevelopment Agency of the City of San Leandro and Successor Agency Resolution

Authorizing the Acceptance of Quitclaim Deeds for Said Properties as Required by State Law

12-598 ADOPT: Resolution of the City Council of the City of San Leandro Authorizing the Transfer of Properties to the Successor Agency to the Redevelopment Agency of the City of San Leandro Previously Transferred to the City from the Former Redevelopment Agency of the City of San Leandro (authorizes City return of non-public property assets to the Successor Agency as required by law)

12-597 ADOPT: Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Authorizing the Acceptance of Quitclaim Deeds for Properties Previously Transferred by the Former Redevelopment Agency of the City of San Leandro to the City of San Leandro (authorizes Successor Agency acceptance of the transfer of non-public property assets as required by law)

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. 12-602 Motion Appointing City Councilmembers to Intergovernmental Agencies

Alameda County Fire Department, Alameda County Fire Advisory Commission (appointment of 2 Representatives; term of office is 4 years, staggered)

Representative: Councilmember Cutter

July 1, 2011 to June 30, 2015

Representative: Councilmember Reed

February 21, 2012 to June 30, 2013

Alameda County Housing Authority, Housing Commission (nomination of 1 Representative; term of office is 4 years)

Representative: Councilmember Reed

January 1, 2011 to December 31, 2014

Alameda County Mosquito Abatement District, Board of Trustees (appointment of 1 Trustee; term of office is 2 years)

Trustee: Councilmember Prola

January 1, 2012 to December 31, 2013

Alameda County Transportation Commission, Board of Directors (appointment of 1 Representative and 1 Alternate; term of office is 1 year)

Representative: Councilmember Gregory

January 7, 2013 to January 6, 2014
Alternate: Mayor Cassidy
January 7, 2013 to January 6, 2014

Alameda County Waste Management Authority, Board of Directors
(appointment of 1 Representative and 1 Alternate; term of office is indefinite)

Representative: Councilmember Cutter
Alternate: Councilmember Souza

Association of Bay Area Governments (ABAG), General Assembly
(appointment of 1 Representative and 1 Alternate; term of office is indefinite)

Representative: Councilmember Gregory
Alternate: Councilmember Reed

East Bay Dischargers Authority (EBDA), Commission (appointment of 1 Representative and 1 Alternate; term of office is indefinite)

Representative: Councilmember Prola
Alternate: Councilmember Lee

League of California Cities, East Bay Division, Board of Directors
(appointment of 1 Representative and 1 Alternate; term of office is indefinite)

Representative: Councilmember Souza
Alternate: Councilmember Lee

Port of Oakland, Oakland Airport-Community Noise Management Forum
(appointment of 1 Representative and 1 Alternate; term of office is indefinite)

Representative: Councilmember Lee
Alternate: Councilmember Souza

10.B. Report on Closed Session Actions Taken

11. CITY COUNCIL CALENDAR, REPORTS, AND ANNOUNCEMENTS

City Councilmembers announce calendar of upcoming events and coordinate attendance; 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.

12. ADJOURN

CITY COUNCIL GOALS FOR FISCAL YEAR 2012-2013

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