

CITY COUNCIL MEETING AGENDA

MONDAY, DECEMBER 16, 2013



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

- 6:00 PM** City Council Special Meeting and Closed Session (agenda attached)
6:30 PM 2013 Awards and Recognitions Reception (no agenda)
Location: Sister Cities Gallery
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 2013-2015

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
- Undertake programs and advance projects promoting sustainable economic development, including transforming San Leandro into a center for innovation
- 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 and implement programs, activities and strengthen communication that enhance the quality of life, including wellness, 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, December 16, 2013

6:00 PM

City Manager's Large Conference Room

Special Meeting and Closed Session

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

Heron Bay Homeowners Association v. City of San Leandro, Alameda County Superior Court, Case No. RG13677840

4. ADJOURN

Adjourn to 2013 Awards and Recognitions Reception at 6:30 p.m. in Sister Cities Gallery.



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835 East 14th Street
San Leandro, California

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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, December 16, 2013

7:00 PM

City Council Chambers

1. CALL TO ORDER

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

2. RECOGNITIONS

2.A. [13-613](#) Proclamation Declaring December 17, 2013 as Miguel Alvarez Day

2.B. [13-611](#) Presentation of 2013 City Council District Leadership Awards

Jerry and Jeni Engler - District 1
Vince Rosato - District 2
Caryl Ann Symons - District 3
Gary and Gregg Valenziano - District 4
Rick and Pam Richards - District 5
Bella Comelo - District 6
Nancy Fong - Mayor's Award of Excellence
Steve Song - Mayor's Award of Excellence in Business

2.C. [13-612](#) Presentation of 2013 Service Awards

Michael Gregory - 5 Years on City Council
Jim Prola - 5 Years on City Council
Ursula Reed - 5 Years on Library-Historical Commission and City Council
Diana Souza - 10 Years on Recreation and Parks Commission and City Council

3. PRESENTATIONS**4. PUBLIC HEARINGS**

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.

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**6.A. [13-609](#) City Manager Report on City Facility Holiday Closure Schedule****6.B. [13-614](#) City Manager Report on Status of City Council Follow-Up Requests in 2013****6.C. [13-615](#) City Manager Report on Communications and Outreach Resources****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.** [13-610](#) Minutes of the Meeting of December 2, 2013
- 8.B.** [13-563](#) Staff Report for Resolution Approving the City of San Leandro 2011 and 2012 Housing Element Annual Progress Report
- [13-564](#) RESOLUTION Approving the 2011 and 2012 San Leandro Housing Element Annual Progress Report and Authorizing the City Manager to Forward the Report to the California Department of Housing and Community Development and Governor's Office of Planning and Research (approves the report required by California Government Code §65400 and related to the status and progress in implementing the current Housing Element Update)
- 8.C.** [13-310](#) Staff Report for Approval of the City of San Leandro's 2014 Local Appointments List of the Upcoming Vacancies on the City's Boards and Commissions
- [13-311](#) MOTION Approving the Posting of the 2014 Local Appointments List on the Bulletin Boards Outside the City Council Chambers and at the Main Library, and on the City Website
- 8.D.** [13-547](#) Staff Report for an Ordinance Amending Article 1 of Title 4, Chapter 4-13 of the San Leandro Municipal Code Related to Unclaimed Property
- [13-548](#) ORDINANCE Amending Article 1 of Title 4, Chapter 4-13 of the San Leandro Municipal Code Related to Unclaimed Property (increases from \$10 to \$100 the value of unclaimed property required to be turned over to the Police Department)
- PASS TO PRINT
- 8.E.** [13-596](#) Staff Report for Resolution Approving and Confirming the Annual Report for Development Fees for Street Improvements (DFSI) and Park Development Fees for Fiscal Year 2012-13
- [13-599](#) RESOLUTION Approving and Confirming the Accounting Report for Development Fees for Street Improvements (DFSI) and Park Development Fees for Fiscal Year 2012-13 (reviews the annual accounting of development fees pursuant to California Government Code Section 66006)

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.** [13-598](#) ORDINANCE Adding Chapter 4-33 to Title 4 of the San Leandro Municipal Code Pertaining to Medical Cannabis Dispensary Permits (provides for establishment of one medical marijuana dispensary in the City and regulates its operations)

- ADOPT ORDINANCE NO. 2013-020

- 10.B.** [13-607](#) Staff Report for Resolution Approving an Exception to the 180-Day Waiting Period for Post-Retirement Employment Pursuant to Government Code Section 7522.56 for Loretta Jones

[13-608](#) RESOLUTION Approving an Exception to the 180-Day Waiting Period for Post-Retirement Employment Pursuant to Government Code Section 7522.56 for Loretta Jones (approves temporary employment of a retired employee)

- 10.C.** [13-601](#) Staff Report for Resolution Adopting the City of San Leandro Economic Development Initiatives and Work Plan

[13-600](#) RESOLUTION Adopting the San Leandro Economic Development Initiatives and Work Plan (provides for an inventory of ongoing and planned economic development projects and programs in the City)

- 10.D.** [13-617](#) Staff Report for Discussion and Approval of 2014 City Council Meeting Calendar

[13-622](#) MOTION Approving 2014 City Council Meeting Calendar

11. REPORT ON CLOSED SESSION ACTIONS TAKEN**12. CITY COUNCIL REPORTS**

City Councilmembers report on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting.

13. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS

City Councilmembers announce calendar of upcoming events and coordinate attendance; report on local events attended since the last meeting; and make brief comments on issues of concern.

14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

This section is to be used to propose items for consideration for future scheduling, and not for substantive discussion.

15. ADJOURN