

CITY COUNCIL MEETING AGENDA

MONDAY, APRIL 7, 2014



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

- 5:30 PM** City Council 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 before the meeting and are posted on the bulletin board outside the East 14th Street entrance to City Hall. Special meeting agendas are available and posted not less than 24 hours before each special meeting. Agendas may be obtained from the City Clerk's Office, on the City's website, or by subscribing to our electronic agenda distribution. 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 at the City Clerk's Office, 835 East 14th Street, San Leandro, and on the City's website at www.sanleandro.org.

CITY COUNCIL GOALS FOR FISCAL YEAR 2014-2015

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 San Leandro on a firm foundation for long-term fiscal accountability
- Advance projects and programs promoting sustainable economic development, including transforming San Leandro into a center for innovation
- Provide quality public safety service and grow our partnership with the community to keep San Leandro safe
- Maintain and enhance San Leandro's infrastructure
- Support and implement programs, activities and strengthen communication that enhances the quality of life and wellness, celebrates the arts and diversity and promotes civic pride
- Maintain and support a strong positive relationship between the City, schools and the educational community

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. When you address the City Council, you should approach the podium and speak clearly into the microphone, stating your 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 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.

If you wish to 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 obtained.

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 for the record.

AT SPECIAL MEETINGS, the public may address the City Council concerning an item on the agenda only. 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 fill out a speaker card and submit it to the City Clerk so that the order of speakers may be determined and an official record of names obtained.



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, April 7, 2014

5:30 PM

City Manager's Large Conference Room

Special Meeting and Closed Session

Councilmember Souza may participate in this meeting via teleconference call from Loews Atlanta Hotel, 1065 Peachtree Street NE, Atlanta, GA 30309 (room number available at the front desk). The agenda will be posted at the remote location before the meeting, and the teleconference location will be accessible to the public.

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 Real Property Negotiators Pursuant to California Government Code Section 54956.8

Property: An approximately 14-foot wide strip of land north of and coincident to the common lines of the City of San Leandro parcel of land commonly known as Eden Road and the City of Oakland property to the northwest, as shown on the "Eden Road Plan Line" adopted by the San Leandro City Council on February 5, 2007 by Ordinance No. 2007-002

City Negotiators: Chris Zapata, City Manager; Lianne Marshall, Assistant City Manager; and Clem Shute and Andrew W. Schwartz, Shute, Mihaly & Weinberger LLP, outside counsel

Negotiating Parties: City; Port of Oakland

Under Negotiation: Port's contribution of Port land for Eden Road improvements

3.B. Conference with Legal Counsel – Anticipated Litigation

Initiation of Litigation Pursuant to California Government Code Section 54956.9(d)(4) – 1 Legal Action

3.C. Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1) – 9 Cases

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

McDougall v. Rite Aid Corp., City of San Leandro, Alameda County Superior Court, Case No. HG13675456

Richard L. Parker v. City of San Leandro, San Leandro Police Department, Alameda County Superior Court, Case No. HG12642989

Charles W. Finch v. City of San Leandro, et al, Alameda County Superior Court, Case No. HG11598760

Alicia Carson v. Halcyon Place, Dennis Lanterman, City of San Leandro, Alameda County Superior Court, Case No. RG13707295

Tajai Calip v. City of San Leandro Police Sergeant Chris Albert, Alameda County Superior Court, Case No. RG13707627

Dora Muir v. City of San Leandro, Alameda County Superior Court, Case No. RG 14709107

Robert Lawrence Williams v. City of San Leandro, Chief of Police, Officer Mund, U.S. District Court California Northern District (Oakland), Case No. 4:13-cv-02302-CW

Bay Cities Paving & Grading, Inc. v. City of San Leandro (Real Party in Interest, Oliver DeSilva, Inc.), Court of Appeal for the State of California, First Appellate District, Division 2, Case No. A137971

3.D. Liability Claim Pursuant to California Government Code Section 54956.95

Claimant: Dilling, Guy / Santos Robinson Mortuary

Agency Claimed Against: City of San Leandro

4. ADJOURN

Adjourn to Regular Meeting at 7:00 p.m. in City Council Chambers.



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, April 7, 2014

7:00 PM

City Council Chambers

Councilmember Souza may participate in this meeting via teleconference call from Loews Atlanta Hotel, 1065 Peachtree Street NE, Atlanta, GA 30309 (room number available at the front desk). The agenda will be posted at the remote location before the meeting, and the teleconference location will be accessible to the public.

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.** [14-092](#) Presentation of a \$10,000 Check from the San Leandro Optimist Club to the City to Support Youth and Family Activities; and Recognition for the San Leandro Optimist Club's Commitment to Sponsor the Cherry Festival for Three Years
- 2.B.** [14-111](#) Presentation by the City Council to the Boys & Girls Clubs of San Leandro of a Check for \$15,000 for High Speed Internet Connectivity from the City's Commercial Incentive Program for Broadband Connections
- 2.C.** [14-118](#) RESOLUTION Appointing Janet Plankenhorn as District 5 Member to Senior Commission (approves appointment for term ending December 31, 2014)

- 2.D. [14-121](#) RESOLUTION Appointing Laurel Wilson as Youth Member to Library-Historical Commission (approves appointment for term ending August 31, 2014)
- 2.E. [14-077](#) Proclamation Declaring April 13 - 19, 2014 as National Public Safety Telecommunicators Week
- 2.F. [14-125](#) Proclamation Declaring April 2014 as Fair Housing Month
- 2.G. [14-126](#) Proclamation Declaring April 8, 2014 as SiLin Huang Day

3. PRESENTATIONS

- 3.A. [14-124](#) Presentation on Ecosystem Health and the Need for Fresh Water for the San Francisco Bay Delta Estuary by Darcie Luce, Water Policy Specialist, Friends of the San Francisco Estuary
- 3.B. [14-122](#) Presentation on the Jefferson Awards' Lead360 Challenge Program by Jack Nelson, San Leandro High School

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.

- 4.A. [14-106](#) Staff Report for PLN2013-00045: Rezone, Planned Development, Development Agreement, and Site Plan Review to Develop an Office/Technology Campus with up to a Maximum of 500,000 Square Feet of Office and Other Related Uses Located in Multiple Buildings on the 7.3 Acre Project Site that Encompasses Four Separate Parcels, Identified as 1333 Martinez Street, Assessor's Parcel Numbers 75-47-2, 75-47-7, 75-47-3-2, and 75-42-2-1; Westlake Development Partners, LLC (Applicant); Chang Income Property Partnership, LP (Property Owner) (The development will occur in three phases consisting of three-, five- and six-story technology-focused office buildings and related site improvements such as on-site and off-site landscaping, bike path, pedestrian path, and utilities; and surface parking for the development of Phase 1. Future phases will require the construction of a multi-level parking structure.)

[14-128](#) MOTION Making Findings and Approving a Mitigated Negative Declaration and Associated Mitigation Monitoring Program for the Downtown Office/Technology Campus Project (PLN 2013-00045) at 1333 Martinez Street, Assessor's Parcel Numbers 75-47-2, 75-47-7, 75-47-3-2, and 75-42-2-1, as Complete and in Compliance with the California Environmental Quality Act (CEQA)

[14-107](#) ORDINANCE Approving a Rezoning, a Planned Development and a Site Plan Review, and a Development Agreement for the Downtown Office/Technology Campus Project, 1333 Martinez Street (PLN 2013-00045)

- PASS TO PRINT

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. [14-117](#) Minutes of the Meeting of March 17, 2014

8.B. [14-058](#) Staff Report on the City of San Leandro Workers' Compensation Program

8.C. [14-071](#) Staff Report for a Resolution Accepting the Work for the Annual Sidewalk Repair Program 2012-13, Project No. 2013.0060

[14-076](#) RESOLUTION Accepting the Work for the Annual Sidewalk Repair Program 2012-13, Project No. 2013.0060 (provides for accepting the work done by Rosas Brothers Construction, filing the Notice of Completion, releasing the performance and payment bonds, and releasing the maintenance bond upon completion of the one-year maintenance period)

- 8.D. [14-079](#) Staff Report for a Resolution Accepting the Work for the Westgate Soundwall Repair Project, Project No. 2012.0200
- [14-081](#) RESOLUTION Accepting the Work for the Westgate Soundwall Repair Project, Project No. 2012.0200 (provides for accepting the contract work by Pleasanton Engineering Contractors, Inc., filing the Notice of Completion, releasing the performance and payment bonds, and releasing the maintenance bond upon completion of the one-year maintenance period)
- 8.E. [14-093](#) Staff Report for the HOME Consortium Agreement Between the City of San Leandro and the County of Alameda for Federal Fiscal Years 2015-2017
- [14-094](#) RESOLUTION Approving the HOME Consortium Agreement between the City of San Leandro and the County of Alameda for Federal Fiscal Years 2015-2017 (authorizes the continued participation of the City of San Leandro in the Alameda County HOME Consortium)

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. [14-114](#) Staff Report for a Resolution Amending Section II of the City of San Leandro Councilmembers Handbook to Add the Vice Mayor Selection Process
- [14-115](#) RESOLUTION Amending Section II of the City of San Leandro Councilmembers Handbook to Add Vice-Mayor Selection (provides for the annual selection of Vice-Mayor by a process of rotation)

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

MEETING ACCESSIBILITY

The meeting is shown live on the City of San Leandro's website at <https://sanleandro.legistar.com/>. The video recording of the meeting will remain accessible to the public on the City of San Leandro's website.

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.