

CITY COUNCIL MEETING AGENDA REVISED



MONDAY, APRIL 21, 2014

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 (revised 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 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.

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 - Final-revised 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 21, 2014

6:00 PM

City Manager's Large Conference Room

Special Meeting and Closed Session

***The agenda was revised after publication to add a case under Item 3.A.**

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) – 2 Cases

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

Donald Sipple v. City of Hayward et al., Court of Appeal of the State of California, Second Appellate District, Division Two, Case No. B242893

**Item 3.A. was revised to add a second case.*

- 3.B. Public Employee Performance Evaluation Pursuant to California Government Code Section 54957

Title: City Attorney

- 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 21, 2014

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.** [14-136](#) Recognition of the Employee of the Quarter, Lizeth Jimenez, Administrative Specialist III, Public Works Services Department
- 2.B.** [14-127](#) Proclamation Declaring April 2014 as National Child Abuse Prevention Month
- 2.C.** [14-143](#) Proclamation Declaring April 25, 2014 as Arbor Day
- 2.D.** [14-146](#) Special Honorary Proclamation

3. PRESENTATIONS

- 3.A.** [14-069](#) Update by Youth Advisory Commission
- 3.B.** [14-074](#) Presentation by Alameda County and San Leandro Unified School District Staff on the School Based Clinic Project
- 3.C.** [14-091](#) Presentation by East Bay Municipal Utility District Director Frank Mellon on Water Shortage and Conservation Needs

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. [14-129](#)

Staff Report for Proposed Amendments to the City of San Leandro Zoning Code in Article 3, Section 1-304 Definitions; Article 6, Section 2-606 CC Districts - Use Regulations; Article 7, Sections 2-706 IG District - Use Regulations, 2-708 IP District - Use Regulations, and 2-712 IG(AU) District - Use Regulations; and Article 17, Section 4-1704 Off-Street Parking and Loading Spaces Required Related to a Medical Marijuana Dispensary

[14-130](#)

ORDINANCE Amending the City of San Leandro Zoning Code in Article 3, Section 1-304 Definitions; Article 6, Section 2-606 CC Districts - Use Regulations; Article 7, Sections 2-706 IG District - Use Regulations, 2-708 IP District - Use Regulations, and 2-712 IG(AU) District - Use Regulations; and Article 17, Section 4-1704 Off-Street Parking and Loading Spaces Required Related to a Medical Marijuana Dispensary (adds medical marijuana dispensary definition, use regulations, and parking requirements to the Zoning Code)

- 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.** [14-144](#) Minutes of the Meeting of April 7, 2014
- 8.B.** [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)
- ADOPT ORDINANCE NO. 2014-002
- 8.C.** [14-104](#) Staff Report for a Resolution Authorizing the City Manager to Execute a Mutual Assistance Agreement with California Water/Wastewater Agency Response Network (CalWARN) that Approves the City of San Leandro Become a Member of a Statewide Emergency Response Agency Comprised of Public and Private Water and Wastewater Utilities
- [14-105](#) RESOLUTION Authorizing the City Manager to Execute a Mutual Assistance Agreement with California Water/Wastewater Agency Response Network (CalWARN), which Approves the City of San Leandro Become a Member of a Statewide Emergency Response Agency Comprised of Public and Private Water and Wastewater Utilities (provides for emergency planning, response and recovery information before, during and after an emergency)
- 8.D.** [14-108](#) Staff Report for a Resolution Accepting the Work for the Public Improvements on Merced Street and Fairway Drive
- [14-109](#) RESOLUTION Accepting the Work for the Public Improvements on Merced Street and Fairway Drive (provides for accepting the work done by Kaiser Foundation Hospitals, 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.** [14-131](#) Staff Report for a Resolution Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2014-15 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements

[14-132](#) RESOLUTION Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2014-15 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements (provides for the submission of an application to the MTC for TDA Article 3 funds in the amount of \$71,898 for pedestrian/bicycle projects)

8.F. [14-137](#) Staff Report for Resolution Supporting the United States Postal Service

[14-135](#) RESOLUTION Supporting the United States Postal Service (urges federal legislative delegation to support efforts to secure the continuation of consistent mail delivery)

8.G. [14-145](#) Staff Report for a Resolution Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with The Lew Edwards Group for Strategic Consulting Services Associated with Revenue Measure Feasibility Services

[14-150](#) RESOLUTION Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with The Lew Edwards Group for Strategic Consulting Services Associated with Revenue Measure Feasibility Services (approves \$17,000 change order for account number 010-12-020-5120)

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. [14-142](#) Staff Report for Council Authorization for Consultant Assistance in the Implementation of the Medical Marijuana Dispensary Ordinance

[14-165](#) MOTION Authorizing Staff to Recruit a Consultant to Assist Staff in Developing and Managing the Process to Select One Medical Marijuana Dispensary in Accordance with the City's Medical Marijuana Dispensary Permit Ordinance

10.B. [14-153](#) Staff Report for Reassessment of Household Hazardous Waste Fee Proposal

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.