

CITY COUNCIL MEETING AGENDA

MONDAY, JUNE 16, 2014



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

- 6:30 PM** City Council Special Meeting and Closed Session (agenda attached)
7:00 PM City Council, Parking Authority, Public Financing Authority, and Successor Agency to
Redevelopment Agency 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, June 16, 2014

6:30 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) – 1 Case

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

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.

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*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, June 16, 2014

7:00 PM

City Council Chambers

Joint Meeting of City Council, Parking Authority, Public Financing Authority, and Successor Agency to Redevelopment Agency

Mayor Cassidy may participate in this meeting via telephone conference call from 6305 Willowdale Drive, Plano, TX 75093. The agenda will be posted at the remote location before the meeting, and the teleconference location will be accessible to the public.

This is the annual regular meeting date for the San Leandro Parking Authority and the San Leandro Public Financing Authority. By convening and adjourning this joint meeting, the authorities will satisfy their annual meeting requirements. There are no items on this agenda for the authorities to consider.

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. [14-212](#) Proclamation Declaring June 2014 as Elder Abuse Month

3. PRESENTATIONS

- 3.A. [14-233](#) Staff Report for a Resolution Approving the Hospital Services Grant Agreement and Authorizing the City Manager to Execute the Same with the Alameda Health System to Subsidize the Emergency Services Department and Acute In-Patient Services at the San Leandro Hospital in the Amount of \$1,000,000 Per Year for Three Years, for a Total of \$3,000,000

[14-234](#) RESOLUTION Approving and Authorizing the City Manager to Execute a Hospital Services Grant Agreement with the Alameda Health System to Subsidize the Emergency Services Department and Acute In-Patient Services at the San Leandro Hospital in the Amount of \$1,000,000 Per Year for Three Years, for a Total of \$3,000,000 and Appropriate the Amount Due From the General Fund Unrestricted Reserve (Account 010-14-010) for Fiscal Years 2013-14, 2014-15 and 2015-16

- 3.B. [14-181](#) Presentation of Check to Alameda Health System for San Leandro Hospital

- 3.C. [14-103](#) Overview of the General Plan, Housing Element and Community Engagement Strategy

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

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. [14-163](#)

Minutes of the Meeting of June 2, 2014

8.B. [14-208](#)

ORDINANCE Amending the Zoning Code Article 3 Definitions; Article 5 Residential Districts; Article 6 Commercial and Professional Districts; Article 7 Industrial Districts; Article 8 Open Space District; Article 9 Public and Semipublic District; Article 16 Development Regulations; Article 17 Off-Street Parking and Loading Spaces Regulations; Article 18 Signs; Article 21 Zoning Permits Required; Article 22 Use Permits, Variances, and Parking Exceptions; Article 27 Amendments; and Article 28 Appeals Related to Increased Flexibility in Industrial and Commercial Uses; Adding Community Gardens Use and Regulations; Revising Regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; Clarifying and Revising Planning Entitlement Application Processing; and Conducting General Text Updates (amends Zoning Code to increase flexibility in industrial and commercial uses; adds Community Gardens; revises regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; clarifies planning application processes; and provides general text updates)

- ADOPT ORDINANCE NO. 2014-007

8.C. [14-211](#)

ORDINANCE Adding Title 4, Chapter 4-34 of the San Leandro Municipal Code Relating to Mobile Food Vending (regulates mobile food vending)

- ADOPT ORDINANCE NO. 2014-008

8.D. [14-210](#)

ORDINANCE Amending Title 4, Chapter 4-5 of the San Leandro Municipal Code Relating to Peddlers, Solicitors, and Itinerant Merchants (provides for consistency with state law pertaining to public street vending)

- ADOPT ORDINANCE NO. 2014-009

8.E. [14-225](#)

Staff Report for the 2014-15 Budget Amendment Reflecting Projected Budget Adjustments to the Successor Agency to the Redevelopment Agency

[14-227](#)

RESOLUTION of the Successor Agency to the Redevelopment Agency Approving the Budget Amendment for the Fiscal Year Commencing July 1, 2014 to June 30, 2015 and Making a Determination Pursuant to California Health and Safety Code Section 33334.3 (approves budget adjustments)

8.F. [14-242](#) Staff Report for a Resolution Vacating Approvals of Resolution No. 01-13, 02-13, 2013-043 and Suspending and/or Refraining from Undertaking Any Construction Pursuant to or in Reliance on the Vacated Project Approvals (Halus Power Systems)

[14-243](#) RESOLUTION Setting Aside and Vacating City Council Resolution No. 2013-043 that Affirmed the Board of Zoning Adjustments' Decision to Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program Project and Approving a Height Variance as Set Forth in Board of Zoning Adjustments ("BZA") Resolution No. 01-13 Adopting the Mitigated Negative Declaration and Mitigation Monitoring Program Project for the Halus Power Systems Wind Turbine Project ("The Project") Pursuant to the California Environmental Quality Act ("CEQA"); and BZA Resolution No. 02-13 Approving a Height Variance for the Project Pursuant to the City of San Leandro's Zoning Code; and Prohibiting Halus from Undertaking and/or Suspending Any Construction of the Project or Any Activity Pursuant to or in Reliance on the Vacated Project Approvals (Board of Zoning Adjustments Resolution Nos. 01-13, 02-13, and City Council Resolution No. 2013-043) Unless and Until the City Fully Complies with CEQA; All in Accordance with a Peremptory Writ of Mandate Issued by the Alameda County Superior Court (complies with writ of mandate)

8.G. [14-237](#) Staff Report for Amendment of Legal Services Agreement with Meyers Nave

[14-218](#) RESOLUTION Approving Amendment No. 1 to Current Agreement for Legal Services with Meyers, Nave, Riback, Silver & Wilson ("Meyers Nave") (extends the existing agreement for one year in an amount not to exceed \$783,200)

8.H. [14-247](#) Staff Report for the November 4, 2014 General Municipal Election for the City of San Leandro

[14-183](#) RESOLUTION Calling for the Holding of a General Municipal Election to Be Held on Tuesday, November 4, 2014, for the Election of a Mayor and Three City Councilmembers; Requesting the Board of Supervisors to Consolidate the Election with the Statewide General Election; and Adopting Regulations for Candidate Statements (provides for the conduct of the November 2014 General Municipal Election for a Mayor and Council Districts 1, 3, and 5, at an estimated cost of \$60,000 from the General Fund)

[14-245](#) ORDINANCE Establishing Election and Nomination Procedures for the November 4, 2014 General Municipal Election (provides for the method of conducting the election pursuant to City Charter Section 610)

- PASS TO PRINT AND ADOPT

- 8.I. [14-186](#) Staff Report for the Matter of Authorizing the City Manager to Execute an Improvement Agreement with Chang Income Property Partners, LP for Public Improvements on Martinez Street; Resolution of Intention Calling for a Public Hearing to Vacate Portions of the Public Right-of-Way and Retain Public Utility Easements on Martinez Street Between West Estudillo Avenue and Thornton Avenue; and West Estudillo Avenue Between Alvarado Street and Martinez Street; and Setting the Date for a Public Hearing on the Vacation of Portions of the Public Right-of-Way for July 21, 2014
- [14-187](#) RESOLUTION Authorizing the City Manager to Execute an Improvement Agreement with Chang Income Property Partners, LP for Public Improvements on Merced Street (the purpose of the agreement is to guarantee and permit Chang Income Property Partners to make improvements to certain public right-of-ways)
- [14-188](#) RESOLUTION of Intention Calling for a Public Hearing to Vacate Portions of the Public Right-of-Way and Retain Public Utility Easements on a Portion of Martinez Street Between West Estudillo Avenue and Thornton Boulevard; and West Estudillo Avenue Between Alvarado Street and Martinez Street; and Scheduling a Public Hearing Date for July 21, 2014 (the purpose of this action is to make public the City Council's intention to vacate portions of public streets and also to announce a date for a public hearing related to the vacations)
- 8.J. [14-219](#) Staff Report for Approving Community Development Block Grant (CDBG) Agreements for FY 2014-2015 Between the City of San Leandro and CDBG Sub-recipients for Public Services Grants
- [14-221](#) RESOLUTION Approving Community Development Block Grant (CDBG) Agreements for FY 2014-2015 Between the City of San Leandro and CDBG Sub-recipients for Public Services Grants to Child Abuse Listening, Interviewing, and Coordination Center for \$14,200; Davis Street Family Resource Center for \$42,720; Family Emergency Shelter Coalition for \$14,507; Service Opportunities for Seniors, Inc. for \$18,100; Spectrum Community Services for \$14,200; and Eden Council for Hope and Opportunity Housing for \$10,000 (approves 6 agreements totaling \$113,727)
- 8.K. [14-224](#) Staff Report for a Resolution Approving the Community Development Block Grant (CDBG) Consulting Services Agreement for \$90,000 in FY 2014-2015 Between the City of San Leandro and Neighborhood Solutions - \$19,000 for Program Administration and \$71,000 for the Provision of Housing Rehabilitation Grants

[14-226](#) RESOLUTION Approving the Community Development Block Grant (CDBG) Consulting Services Agreement for \$90,000 in FY 2014-2015 Between the City of San Leandro and Neighborhood Solutions - \$19,000 for Program Administration and \$71,000 for the Provision of Housing Rehabilitation Grants (provides grants to approximately 15 homeowners for minor home repair, mobile home repair, accessibility, exterior paint, exterior yard clean-up, and seismic strengthening)

8.L. [14-235](#) Staff Report for a Resolution Approving, and Authorizing the City Manager to Execute, a Lease of Approximately 3,675 Square Feet of Office Space on the Second Floor of San Leandro City Hall, Formerly Occupied by the Alameda County Fire Department, to the San Leandro Unified School District for District Administration

[14-236](#) RESOLUTION Approving, and Authorizing the City Manager to Execute, a Lease of Approximately 3,675 Square Feet of Office Space on the Second Floor of San Leandro City Hall, Formerly Occupied by the Alameda County Fire Department, to the San Leandro Unified School District for Public School District Administration Purposes (leases space at a rent of \$56,000 for the first year, to escalate by the Consumer Price Index [CPI] each year, for a term of 5 years, with an option for an additional 5 years)

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 [14-231](#) Staff Report for a Loan to the Davis Street Family Resource Center in the Amount of \$1.5 Million for the Purpose of Funding Start-Up Costs to Provide Health Services to Eligible Patients

[14-238](#) RESOLUTION Authorizing the City Manager to Execute a Loan Agreement and Promissory Note By and Between the City of San Leandro (City) and the Davis Street Family Resource Center (DSFRC) to Assist DSFRC with Opening a Community Health Clinic Located at 1190 Davis Street (provides a \$1,500,000 loan from the City's General Fund Unrestricted Reserves to allow DSFRC to open a health clinic)

10.B [14-240](#) Staff Report for the Approval of the Successor Agency to the Redevelopment Agency of the City of San Leandro 2014 Subordinate Tax Allocation Refunding Bonds

[14-241](#)

RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Approving the Issuance of Refunding Bonds in Order to Refund Certain Outstanding Bonds of the Dissolved Redevelopment Agency of the City of San Leandro, Approving the Execution and Delivery of an Indenture of Trust Relating Thereto, Requesting Oversight Board Approval of the Issuance of the Refunding Bonds, Requesting Certain Determinations by the Oversight Board, and Providing for Other Matters Properly Relating Thereto (refunds \$10,375,000 of Redevelopment Agency of the City of San Leandro Tax Allocation Bonds, Series 2002 and \$4,720,000 of Redevelopment Agency of the City of San Leandro Tax Allocation Bonds, Series 2004, in the aggregate principal not to exceed \$14,000,000)

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.

12.A [14-250](#)

Report from City Council Ad Hoc Committee on Community Priorities and Potential Revenue Measure

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.