

CITY COUNCIL MEETING AGENDA

MONDAY, JULY 21, 2014



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

- 6:00 PM** City Council and Successor Agency to Redevelopment Agency Special Meeting and Closed Session (agenda attached)
- 7:00 PM** City Council and San Leandro Hillside Geologic Hazard Abatement District 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, July 21, 2014

6:00 PM

City Manager's Large Conference Room

Joint Special Meeting and Closed Session of the City Council and the Board of the Successor Agency to the 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. City Council

Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(a) – 1 case

Heron Bay Homeowners Association v. City of San Leandro, Respondent;
Halus Power Systems; Louis A. Rigaud; and Does 1-100, Inclusive, Real
Parties in Interest, Alameda County Superior Court, Case No. RG 14731880

- 3.B. Joint City Council and Board of the Successor Agency to the Redevelopment Agency
Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(a)

City of San Leandro; and Successor Agency to the City of San Leandro Redevelopment Agency v. Michael Cohen, in his official capacity as Director of Finance for the State of California, Patrick O’Connell, in his official capacity as Auditor-Controller for the County of Alameda et al., Superior Court for the County of Sacramento, Case No. 34-2013-80001708

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, July 21, 2014

7:00 PM

City Council Chambers

Joint Meeting of City Council and San Leandro Hillside Geologic Hazard Abatement District

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. [14-317](#) Recognition of the Employee of the Quarter, Catherine Pickard, Police Officer, San Leandro Police Department

2.B. [14-320](#) Proclamation Declaring August 2014 as Indo-American Heritage Month

2.C. [14-329](#) Proclamation Declaring August 7, 2014 as St. Leanders Day

3. PRESENTATIONS

3.A. [14-318](#) Update on San Leandro LINKS Shuttle Program

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. [14-285](#) Staff Report for Proposed Vacations of Portions of the Public Right-of-Way and Retaining Public Utility Easements on Martinez Street Between West Estudillo Avenue and Thornton Street; and West Estudillo Avenue Between Alvarado Street and Martinez Street

[14-286](#) ORDINANCE Vacating Portions of Public Rights-of-Way and Retaining Public Utility Easements (Martinez Street Between West Estudillo Avenue and Thornton Boulevard, and West Estudillo Avenue Between Alvarado Street and Martinez Street) (vacates portions of public streets and retains public utility easements in the vacated areas)

- PASS TO PRINT

4.B. [14-164](#) Staff Report for Resolutions regarding matter of imposing liens for non-payment of delinquent 2014 Business License tax, Solid Waste service charges, Sidewalk Improvements, Certified Unified Program Agency fees, and Community Compliance Code Enforcement charges.

[14-312](#) RESOLUTION Overruling Protests (2014 Business License Tax, Solid Waste Service Charges, Sidewalk Repairs, Certified Unified Program Agency Fees, and Community Compliance Code Enforcement Charges)

[14-311](#) RESOLUTION Imposing Liens for Non-Payment of Delinquent 2014 Business License Tax, Solid Waste Service Charges, Sidewalk Repairs, Certified Unified Program Agency (CUPA) Fees, and Community Compliance Code Enforcement Charges

4.C. [14-302](#) Staff Report for PLN2014-00006; Modification of Planned Development, PD-77-11, to Permit the Installation of a Pedestrian Gate, an Automatic Vehicular Access Gate and Related Fencing to Secure the Floresta Gardens Homeowners Association Residential Condominium Community on Caliente Drive off of the Washington Avenue Frontage; RM3000 (PD) Residential Multi-Family, Planned Development Overlay District; Alameda County Assessor's Parcel Number 77B-1139-89; R&S Overhead Garage Door Inc. (Applicant), Floresta Gardens Homeowners Association, K. Williams (HOA President)

[14-303](#) RESOLUTION to Approve Modifications to Planned Development Project, PD-77-11, Floresta Gardens Residential (Condominium) Neighborhood on Caliente Drive Intersecting Washington Avenue (PLN2014-00006)

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. [14-326](#) Update on Medical Cannabis Consultant Selection

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. [14-323](#) Minutes of the Meeting of July 7, 2014

- 8.B. [14-275](#) 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. 2014-011

- 8.C. [14-293](#) ORDINANCE of the City Council of the City of San Leandro Rescinding in Its Entirety San Leandro Municipal Code Chapter 2-19 upon the Approval by a Majority Vote of the Eligible Voters Within the City of San Leandro of the Ballot Measure (Measure ____) on the November 4, 2014 Ballot Establishing a Temporary Transactions and Use Tax Within the City of San Leandro

- ADOPT ORDINANCE NO. 2014-013

- 8.D.** [14-294](#) MOTION Confirming City Council Recess During the Month of August Due to Anticipated Lack of Quorum for the Regular City Council Meetings of August 4 and 18, 2014
- 8.E.** [14-248](#) Staff Report for a Resolution Rejecting All Bids for the Sanitary Sewer Line Replacement/Repair 2012-13 Project, Project No. 2013.0120
- [14-249](#) RESOLUTION Rejecting All Bids for the Sanitary Sewer Line Replacement/ Repair 2012-13, Project No. 2013.0120 (rejects bids for the subject project)
- 8.F.** [14-256](#) Staff Report for a Resolution Approving Parcel Map 10227 for 1550 East 14th Street, San Leandro, Assessor's Parcel Number 077-0540-009; Owner, Subdivider and Applicant - Innisfree Ventures, II, LLC
- [14-257](#) RESOLUTION Approving Parcel Map 10227 for 1550 East 14th Street, San Leandro, Assessor's Parcel Number 077-0540-009; Owner, Subdivider and Applicant - Innisfree Ventures, II, LLC (approves the parcel map that subdivides the property into 3 parcels with Covenants, Conditions and Restrictions (CC&Rs) for maintenance)
- 8.G.** [14-261](#) Staff Report for Resolution Rejecting All Bids for the Marina Community Center (MCC) Storefront Window Replacement, Project Number 2005.0060
- [14-262](#) RESOLUTION Rejecting All Bids for Marina Community Center (MCC) Storefront Window Replacement, Project No. 2005.0060 (rejects all bids for this project)
- 8.H.** [14-296](#) Staff Report for a Resolution Authorizing the Filing of Two Metropolitan Transportation Commission (MTC) - Regional Active Transportation Program (ATP) Grant Applications Committing to Local Matching Funds and Assurance to Complete the Projects for Two Safe Routes to School (SRTS) Projects near James Monroe Elementary School, and Garfield Elementary School and Lincoln High School
- [14-297](#) RESOLUTION Authorizing the Filing of Two Metropolitan Transportation Commission (MTC) - Regional Active Transportation Program (ATP) Grant Applications Committing to Local Matching Funds and Assurance to Complete the Projects for Two Safe Routes to School (SRTS) Projects near James Monroe Elementary School, and Garfield Elementary School and Lincoln High School (authorizes requests for two ATP grant applications with potential matching funds of up to \$171,000 from Measure B Bicycle and Pedestrian Funds)
- 8.I.** [14-291](#) Staff Report for the Resolution Approving the 2013-14 Year-End Budget Amendments
- [14-292](#) RESOLUTION Approving the Year-End 2013-14 Budget Amendment (approves adjustments for changes that require additional appropriations or re-appropriations between budget line items)

- 8.J.** [14-268](#) Staff Report for a Resolution of the San Leandro Hillside Geologic Hazard Abatement District Approving the Annual Report of the San Leandro Hillside Geologic Hazard Abatement District (GHAD) for Fiscal Year 2013-14
- [14-269](#) RESOLUTION of the San Leandro Hillside Geologic Hazard Abatement District Approving the Annual Report of the San Leandro Hillside Geologic Hazard Abatement District (GHAD) for Fiscal Year 2013-14 (provides for approval of the annual report of the activities of the GHAD)
- 8.K.** [14-279](#) Staff Report for Resolution Authorizing the City Manager to Execute a Public Improvement Agreement with Chill Build, LLC for Public Improvements on San Leandro Boulevard and Polar Way
- [14-280](#) RESOLUTION Authorizing the City Manager to Execute a Public Improvement Agreement with Chill Build, LLC for Public Improvements on Polar Way and San Leandro Boulevard (permits Chill Build, LLC to make public improvements to the public right-of-way)
- 8.L.** [14-313](#) Staff Report for Resolution Authorizing a Legal Services Agreement with Bertrand, Fox and Elliot for General Liability Claims Litigation
- [14-314](#) RESOLUTION Authorizing the City Manager to Enter into a Legal Services Agreement with Bertrand, Fox and Elliot for Legal Defense Services Relating to General Liability Tort Claims Litigation (approves agreement for an amount not to exceed \$100,000 from the Self Insurance Fund)
- 8.M.** [14-309](#) Staff Report for a Resolution Amending the San Leandro Confidential Employees Compensation Plan and Salary Schedule to Add the Classification of Police Recruit Trainee
- [14-310](#) RESOLUTION Amending the San Leandro Confidential Employees Compensation Plan and Salary Schedule to Include the Classification of Police Recruit Trainee (changes to position from part-time to a full-time to provide needed support to the Police Department)
- 8.N.** [14-327](#) Staff Report for Approval and Authorization for the City Manager to Execute an Amendment to the Lease of City Property with the Boys & Girls Club of San Leandro to Extend the Term for 30 Years
- [14-328](#) MOTION Approving and Authorizing the City Manager to Execute an Amendment to the Lease Agreement with the Boys & Girls Club of San Leandro to Extend the Term of the Lease for 30 Years
- 8.O.** [14-333](#) 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 Messaging and Informational Services Associated with the City's Revenue Measure on the 2014 Ballot

- [14-331](#) RESOLUTION Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with The Lew Edwards Group for Strategic Consulting Services (approves a \$62,400 change order, to be paid for out of 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. [14-315](#) Staff Report for a Resolution to Approve and Appropriate \$156,705.21 from the Information Technology Fund for a Consulting Services Agreement with Odin Systems to Install the Civic Center Security Camera System Project and to Begin the Process of Expanding the Program to Install Two Community Cameras in Two to Be Determined Locations Selected in Accordance with the City Council's Policy

- [14-316](#) RESOLUTION Approving an Agreement with Odin Systems to Replace the Civic Center Security Camera System and Beginning Work to Add Two Community Cameras in the Future, in Accordance with the City Council's Policy; and Authorizing the Appropriation of \$156,705.21 from the Information Technology Fund Balance (approves a consulting services agreement with a not to exceed amount of \$156,705.21 and authorizes appropriation in the amount of \$156,705.21)

- 10.B. [14-162](#) RESOLUTION Designating Voting Delegate and Alternate(s) for the League of California Cities 2014 Annual Conference (provides for discussion and designation of a voting delegate and alternate voting delegate[s])

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.