

CITY COUNCIL MEETING AGENDA

MONDAY, JULY 7, 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 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 - 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, July 7, 2014

6:30 PM

City Manager's Large Conference Room

Special Meeting and Closed Session

***The agenda was revised after publication to add Item 3.B.**

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: 777 Alvarado, San Leandro, CA

Agency Negotiators: Chris Zapata, City Manager; Cynthia Battenberg, Community Development Director; Richard Pio Roda, City Attorney

Negotiating Parties: The Oliver Partnership

Under Negotiation: Price, Terms of Payment

3.B. Conference with Legal Counsel--Anticipated Litigation

Significant Exposure to Litigation Pursuant to California Government Code Section 54956.9(d)(2): 1 case

**Item 3.B. was added to the revised agenda.*

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 7, 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. [14-244](#) Recognition of Cherry Festival Sponsors at \$8,000 Donation Level and Above and Their 3-Year Commitment: Kaiser Permanente, San Leandro Optimist Club, Terra Tech, and Creekside Plaza

2.B. [14-287](#) Proclamation Declaring July 2014 as Parks Make Life Better Month

2.C. [14-230](#) Recognition of Councilmember Jim Prola for His Service as Vice Mayor in 2013-14

3. PRESENTATIONS

3.A. [14-260](#) Presentation on Work Based Learning and Summer Internship Program by San Lorenzo Unified School District

3.B. [14-283](#) Update by Chamber of Commerce on Services Agreement with City

3.C. [14-282](#) Update on Recreation Programs and Events

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. [14-284](#) Minutes of the Meeting of June 16, 2014

8.B. [14-274](#) Staff Report for Proposed Amendments to the City of San Leandro Zoning Code Related to Increasing Flexibility in Industrial and Commercial Uses; Adding Community Gardens; Revising Regulations for Telecommunications, Hazardous Materials, Recycling, Signs, and Parking; Clarifying and Revising Planning Entitlement Processing; and Conducting General Text Updates in 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 Regulations; Article 18 Signs; Article 21 Zoning Permits Required, Environmental Review, Fees and Deposits; Article 22 Use Permits, Variances, and Parking Exceptions; Article 27 Amendments; and Article 28 Appeals

[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)

- PASS TO PRINT

8.C. [14-229](#) Staff Report for Resolution Approving a Non-Professional Services Agreement between the City of San Leandro and Flagship Facility Services, Inc. for Citywide Janitorial Services

[14-228](#) RESOLUTION Authorizing the City Manager to Execute a Non-Professional Services Agreement with Flagship Facility Services, Inc. for Citywide Janitorial Services (authorizes an agreement in an amount not to exceed \$543,272 from the Building Maintenance Fund)

8.D. [14-263](#) Staff Report for a Resolution Authorizing the City Manager to Prepare and Transmit a Transportation Art and Community Identification Proposal Application to the California Department of Transportation

[14-251](#) RESOLUTION Authorizing the City Manager to Prepare and Transmit a Transportation Art and Community Identification Proposal Application to the California Department of Transportation to Permit the Installation of Art Murals on Traffic Control and Utility Boxes on Public Sidewalks (places mural wraps on utility boxes owned and operated by Caltrans)

8.E. [14-276](#) Staff Report for Resolution Extending the Business License Tax Holiday Through December 31, 2014

[14-277](#) RESOLUTION Extending the Business License Tax Holiday Through December 31, 2014 (extends the waiver of business license tax to all businesses that are new to San Leandro and physically located in the City excluding those classified as residential and commercial rental property owners, amusement devices, or waste disposal sites)

- 8.F.** [14-265](#) Staff Report for a Resolution to Enter into Consultant Services Agreements between the City of San Leandro and 4LEAF, Inc., Plan Review Consultants Inc., and TRB+Associates for Third Party Plan Check Services
- [14-267](#) RESOLUTION Approving Consultant Services Agreements for Third Party Plan Check Services Between the City of San Leandro and 4 Leaf Inc. for \$75,000; Plan Review Consultants Inc. for \$50,000; and TRB+Associates for \$75,000 (authorizes 2-year agreements for third party plan check services for the Building Division to continue providing plan check services in a timely manner)
- 8.G.** [14-217](#) Staff Report for a Resolution Rejecting All Bids for the Hesperian Boulevard/Springlake Drive Railroad Crossing Improvements Project, Project No. 12-150-38-325
- [14-220](#) RESOLUTION Rejecting All Bids for the Hesperian Boulevard/Springlake Drive Railroad Crossing Improvements Project, Project No. 12-150-38-325 (rejects all bids as recommended by the Engineering and Transportation Director)
- 8.H.** [14-272](#) Staff Report for a Resolution Awarding a Construction Contract to Flatiron Electric Group, Inc. for the Fiber Conduit for Broadband Network Project, Project No. 2013.0320
- [14-273](#) RESOLUTION Awarding a Construction Contract to Flatiron Electric Group, Inc. for the Fiber Conduit for Broadband Network Project, Project No. 2013.0320 (awards the contract to the lowest responsible bidder in the amount of \$1,325,350.00 to be paid from United States Economic Development Agency grant funding)
- 8.I.** [14-253](#) Staff Report for a Resolution Accepting the Engineer's Report for Fiscal Year 2014-15 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 and Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2014-15
- [14-254](#) RESOLUTION Accepting the Engineer's Report for Fiscal Year 2014-15 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 (provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development)
- [14-255](#) RESOLUTION Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2014-15 (provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development)

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.** [14-271](#) Staff Report for City Council Discussion and Direction to Staff Regarding Formation of an Arts and Culture Commission

- 10.B.** [14-270](#) Staff Report for City Council Consideration of Placing a Ballot Measure Requesting Voter Authorization to Extend Measure Z

[14-281](#) RESOLUTION Establishing November 4, 2014 as the Date for an Election on a Proposed Ballot Measure Seeking Voter Approval Relating to the Enactment of a One-Half of One-Percent (0.5%) Transactions and Use (Sales) Tax for Thirty Years, Establishing the Policies and Procedures for Such an Election and Requesting that the County of Alameda Conduct Such an Election (adds to the November 2014 ballot the subject measure at a cost of approximately \$16,500)

[14-278](#) ORDINANCE of the People of the City of San Leandro Enacting a Transactions and Use Tax to Be Administered by the State Board of Equalization (requires a two-thirds vote of the City Council to place a measure enacting a 0.5% transactions and use tax for 30 years)

- PASS TO PRINT

[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

- PASS TO PRINT

- 10.C.** [14-288](#) Staff Report for City Council Consideration to Place a Charter Amendment on the November 4, 2014 Ballot to Provide That the Vice Mayor Designation be Made at the First Regular Meeting Each January

[14-289](#)

RESOLUTION Calling a Special Municipal Election for Submission of a Question to the Qualified Voters Relating to a Charter Amendment to Provide That the Vice Mayor Designation be Made at the First Regular Meeting in January of each year; Consolidating the Special Municipal Election with the General Municipal Election to be Held Tuesday, November 4, 2014; Approving the Form of the Ballot Question; Setting Forth Procedures for Ballot Argument and Directing the City Clerk to Submit the Measure to the City Attorney for Impartial Analysis (adds to the November 2014 ballot a Charter amendment to change the month in which the Vice Mayor selection is made; cost to add the measure is approximately \$7,000)

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.

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.