

## CITY COUNCIL MEETING AGENDA

MONDAY, OCTOBER 20, 2014



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

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- 5:30 PM** City Council and Successor Agency to Redevelopment Agency Special Meeting and Closed Session (agenda attached)
- 7:00 PM** City Council Regular Meeting (agenda attached)

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### ***AGENDAS***

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Agendas are available to the public at least 72 hours before the meeting and are posted on the bulletin board outside the East 14<sup>th</sup> 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 14<sup>th</sup> Street, San Leandro, and on the City's website at [www.sanleandro.org](http://www.sanleandro.org).

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### ***CITY COUNCIL GOALS FOR FISCAL YEAR 2014-2015***

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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**

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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 14<sup>th</sup> 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**

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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*

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Monday, October 20, 2014

5:30 PM

City Manager's Large Conference Room

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### Joint Special Meeting and Closed Session of City Council and Successor Agency to 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. Liability Claim Pursuant to California Government Code Section 54956.95**

Claimant: James Lemmon

Agency Claimed Against: City of San Leandro

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

Steven J. Ilmberger, Lonnie Ilmberger, and Lonnie Ilmberger as Guardian Ad Litem for Sydney R. Ilmberger v. City of San Leandro, Alameda County Superior Court, Case No. HG14709357

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. RG14731880

New Cingular v. City of Alameda, et.al., Los Angeles County Superior Court, Case No. BC 462270

3.C. 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(d)(1)

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  
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## 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*

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Monday, October 20, 2014

7:00 PM

City Council Chambers

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**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.** [14-445](#) Recognition of the Employee of the Quarter, Scott Gilliland, IS Specialist, City Manager's Office
- 2.B.** [14-407](#) Proclamation Declaring October 2014 as Crime Prevention Month
- 2.C.** [14-452](#) RESOLUTION Appointing Patricia Minnis as District 5 Member to Human Services Commission (approves appointment for term ending December 31, 2014)

**3. PRESENTATIONS**

- 3.A.** [14-447](#) Presentation by Alameda Health System on Progress and Challenges at San Leandro Hospital
- 3.B.** [14-450](#) Staff Report for Update on the San Leandro Homeless and Housing Task Force
- 3.C.** [14-446](#) Presentation on Proposed Improvements to Casa Peralta and Update on San Leandro History Walk Project

**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.** [14-449](#) Minutes of the Meeting of October 6, 2014

**8.B.** [14-409](#) ORDINANCE Adding and Amending San Leandro Municipal Code Subsections (n), (o) and (p) of Section 4-12-105 to Include Electronic Cigarette Vapors and the Smoking of Electronic Cigarettes and Amending San Leandro Municipal Code Subsection (a) of Section 4-12-400 to Expand the Smoking Products that Individuals and Entities Cannot Knowingly Allow Individuals to Use on Property Under Their Control (expands the prohibition of exposure to secondhand smoke to include smoke or vapor generated by electronic cigarettes)

*- ADOPT ORDINANCE NO. 2014-017*

- 8.C. [14-440](#) MOTION Nominating Members to Arts Commission, as follows:
- Martin Wong as District 4 Member
  - Kathleen Ott-Davis as District 6 Member
- 8.D. [14-436](#) Staff Report for an Ordinance Amending San Leandro Municipal Code Section 1-5-400 to Eliminate Provisions Exempting Certain Public Works Contracts from Payment of Prevailing Wages and to Add a Provision Requiring Compliance with California Labor Code Section 1782
- [14-437](#) ORDINANCE Amending Section 1-5-400 to Eliminate Provisions Exempting Certain Public Works Contracts from Payment of Prevailing Wage Rates and to Add a Provision Requiring Compliance with California Labor Code Section 1782 (provides for eligibility to use state funding or financial assistance for City construction projects)
- *PASS TO PRINT*
- 8.E. [14-381](#) Staff Report for a Resolution Awarding Construction Contract to Southland Construction for the San Leandro Ball Park Locker / Restroom Refurbishment, Project No. 2003.0331
- [14-382](#) RESOLUTION Awarding Construction Contract to Southland Construction for the San Leandro Ball Park Locker / Restroom Refurbishment, Project No. 2003.0331 (provides for accessibility improvements to existing team locker rooms and public restrooms at the San Leandro Ball Park at a cost of \$242,634 funded by WW Grant Funds in CIP account 150-62-110)
- 8.F. [14-438](#) Staff Report for a Resolution Approving a \$9,400 Vessel Turn-In Program (VTIP) Grant Agreement Between the City of San Leandro and the State of California, Department of Parks and Recreation, Division of Boating and Waterways for Removal of Watercraft Turned in to the San Leandro Marina by the Property Owner
- [14-441](#) RESOLUTION Approving a \$9,400 Vessel Turn-In Program Grant Agreement Between the City of San Leandro and the State of California, Department of Parks and Recreation, Division of Boating and Waterways for Removal of Watercraft Turned in to the San Leandro Marina by the Property Owner (approves agreement and appropriates \$9,400 from the Shoreline Fund to be replenished by grant proceeds)

**8.G.** [14-456](#) MOTION redirecting \$62,000 of the \$150,000 allocated in the FY 2014-15 budget to keep the Building Futures with Women and Children San Leandro Shelter open, as recommended by the San Leandro Homeless and Housing Task Force, as follows:

- \$47,000 to Building Futures with Women and Children to operate a pilot warming center program and hire an outreach coordinator to implement the program and connect the homeless with additional services
- \$15,000 to Davis Street Family Resource Center to enhance their Basic Needs Program

**8.H.** [14-461](#) Staff Report for a Resolution of the City Council of the City of San Leandro Declaring the City Council's Intention to Establish the West San Leandro Shuttle Business Improvement District (BID) and Setting a Public Hearing Relating Thereto for December 15, 2014

[14-460](#) RESOLUTION of the City Council of the City of San Leandro Declaring the City Council's Intention to Establish the West San Leandro Shuttle Business Improvement District (BID) and Setting a Public Hearing Relating Thereto for December 15, 2014 (continues the process to re-establish the BID which would levy an annual \$21 per employee assessment on the approximately 600 businesses in the BID to fund approximately 50% of an enhanced LINKS shuttle service)

## 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** [14-425](#) Staff Report for Nomination of a Member of the City Council to Serve on the Board of Directors of the San Leandro Improvement Association (Downtown CBD)

[14-431](#) MOTION Nominating a Member of City Council to Serve on the Board of Directors of the San Leandro Improvement Association (nominates a Councilmember to the governing body of the Downtown San Leandro Community Benefit District)

**10.B** [14-444](#) Staff Report for Resolution Accepting the Community Oriented Policing Services Hiring Program (CHP) Grant to Fund Four (4) School Resource Officers and Authorizing the City Manager to Enter into an Agreement with the San Leandro Unified School District to Fund the Costs not Covered by the Grant



[14-453](#) RESOLUTION Accepting the Community Oriented Policing Services Hiring Program (CHP) Grant to Fund Four (4) School Resource Officers (SROs) and Authorizing the City Manager to Enter into an Agreement with the San Leandro Unified School District (SLUSD) to Fund the Costs not Covered by the Grant (accepts the \$500,000 CHP grant award and provides for an agreement with SLUSD to cover the balance of the cost of the SROs not covered by the grant)

10.C [14-442](#) Staff Report for an Urgency Ordinance Making Findings and Establishing a Temporary Moratorium on the Establishment or Relocation of New and Existing Massage Establishments to Become Effective Immediately

[14-443](#) URGENCY ORDINANCE Making Findings and Establishing a Temporary Moratorium on the Establishment or Relocation of New and Existing Massage Establishments to Become Effective Immediately (establishes a 45-day moratorium on the issuance of business licenses for massage establishments)  
- PASS TO PRINT AND ADOPT

## 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 [14-466](#) Report by Mayor Cassidy on U.S. Mayors Conference on Community Oriented Policing Services (COPS) Program

## 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.*