

CITY COUNCIL MEETING AGENDA

MONDAY, NOVEMBER 3, 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 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, November 3, 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 – Anticipated Litigation

Significant Exposure to Litigation Pursuant to California Government Code
Section 54956.9(b): 1 Case

4. ADJOURN

Adjourn to Regular Meeting at 7:00 p.m. in City Council Chambers.



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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, November 3, 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

3. PRESENTATIONS

- 3.A.** [14-474](#) Update from San Leandro Unified School District Regarding the Creation of the San Leandro Health and Wellness Center Located in the Former Girls, Inc. Facility

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.** [14-473](#) Minutes of the Meeting of October 20, 2014
- 8.B.** [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)
- ADOPT ORDINANCE NO. 2014-018
- 8.C.** [14-467](#) MOTION Approving Resolution Commending Amada Robles for Her Years of Service on the Human Services Commission
- 8.D.** [14-435](#) Staff Report for Resolution Establishing Application Fees for the Medical Cannabis Program
- [14-462](#) RESOLUTION Establishing Application Fees for the Medical Cannabis Dispensary Program (establishes fees to off-set the City's anticipated staffing, operational and consulting costs associated with implementing a three-round application process)
- 8.E.** [14-379](#) Staff Report for a Resolution Awarding a Construction Contract to American Air Conditioning, Plumbing, and Heating for the Public Safety Building HVAC Equipment Replacement, Project No. 2013.0290
- [14-380](#) RESOLUTION Awarding a Construction Contract to American Air Conditioning, Plumbing and Heating for Public Safety HVAC Equipment Replacement, Project No. 2013.0290 (replaces aging HVAC equipment in the second floor mechanical room of the Public Safety Building at a cost of \$407,843.00 using appropriated Building Maintenance Funds in CIP accounts 687-18-136 and 687-18-007)

- 8.F.** [14-433](#) Staff Report for a Resolution Awarding a Construction Contract to AJW Construction for the Annual Sidewalk Repair Program 2014-15, Project No. 2015.0060
- [14-434](#) RESOLUTION Awarding a Construction Contract to AJW Construction for the Annual Sidewalk Repair Program 2014-15, Project No. 2015.0060 (awards the contract to the lowest responsible bidder, AJW Construction, in the amount of \$374,805.00 using Measure B Bicycle and Pedestrian Funds, Measure B Streets and Roads Funds, TDA Grant Funds, and CDBG Funds)
- 8.G.** [14-458](#) Staff Report for an Ordinance Repealing and Reenacting Title 3, Chapter 14 of the San Leandro Municipal Code Relating to Uniform Wastewater Discharge Regulations (updates definitions and pretreatment standards, expands grease interceptor requirements) and for an Ordinance Amending Title 3, Chapter 18 of the San Leandro Municipal Code Relating to Enforcement of Environmental Regulations (includes authority to issue Notices of Violation)
- [14-459](#) ORDINANCE Repealing and Reenacting Title 3 (Health and Safety), Chapter 14 of the San Leandro Municipal Code Relating to Uniform Wastewater Discharge Regulations (updates definitions and pretreatment standards, and expands grease interceptor requirements)
- *PASS TO PRINT*
- [14-457](#) ORDINANCE Amending Title 3 (Health and Safety), Chapter 18 of the San Leandro Municipal Code Relating to Enforcement of Environmental Regulations (establishes authority for environmental inspectors to issue Notices of Violation)
- *PASS TO PRINT*
- 8.H.** [14-468](#) Staff Report for a Legal Services Agreement with Bertrand, Fox, and Elliot for Legal Representation Associated with General Liability Claims and Claims Litigation
- [14-469](#) RESOLUTION Authorizing the City Manager to Enter into a Legal Services Agreement with Bertrand, Fox, and Elliot for Legal Representation Associated with General Liability Claims and Claims Litigation (approves agreement for an amount not to exceed \$100,000 from the Self-Insurance Fund)
- 8.I.** [14-470](#) Staff Report for an Amendment to Legal Services Agreement with Jarvis, Fay, Doporto, and Gibson, LLP in the case of Ilmberger et al. v. City of San Leandro

[14-471](#) RESOLUTION Authorizing the City Manager to Enter into an Amendment to Legal Services Agreement with Jarvis, Fay, Doporto, and Gibson, LLP for Legal Representation Associated with the Ilmberger et al. v. City of San Leandro Litigation (approves amendment for an amount not to exceed \$110,000 from the Self-Insurance Fund)

8.J. [14-455](#) MOTION Nominating Members to Arts Commission, as follows:

- Jenifer Engler as District 1 Member
- Dina Herrera as District 2 Member
- Susan Harlow-Schott as District 3 Member
- Anna Edwards as District 5 Member
- Nancy Gonchar as At-Large Member
- Suzanne Pershing as At-Large Member

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. [14-472](#) Staff Report for 2015 Draft State Legislative Platform and Summary of 2014 State Legislative Activities

[14-477](#) MOTION Adopting the 2015 State Legislative Platform and Summary of 2014 State Legislative Activities

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.