

CITY COUNCIL MEETING AGENDA

TUESDAY, FEBRUARY 17, 2015



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

- 5:30 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 public is invited to make comments concerning an agenda item, and items not listed on the agenda during the "Public Comments" section. Public comments are limited to 3 minutes per speaker, subject to adjustment by the Mayor. Speaker cards are generally not required; the Mayor will inquire if anyone wishes to speak. 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 Pauline Russo Cutter

Deborah Cox, District 1

Ursula Reed, District 2

Lee Thomas, District 3

Benny Lee, District 4

Corina N. Lopez, District 5

Jim Prola, District 6

Tuesday, February 17, 2015

5:30 PM

City Manager's Large Conference Room

Special Meeting and Closed Session

1. CALL TO ORDER

1.A. ROLL CALL

Members Cox, Lee, Lopez, Prola, Reed, Thomas; Mayor Cutter

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: An approximately 14-foot wide strip of land north of and coincident to the common lines of the City of San Leandro parcel of land commonly known as Eden Road and the City of Oakland property to the northwest, as shown on the "Eden Road Plan Line" adopted by the San Leandro City Council on February 5, 2007, by Ordinance No. 2007-002

Agency Negotiators: Chris Zapata, City Manager; Lianne Marshall, Assistant City Manager; and Clem Shute and Andrew W. Schwartz, Shute, Mihaly & Weinberger LLP, outside counsel

Negotiating Parties: Port of Oakland

Under Negotiation: Price and terms of payment

3.B. Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1) – 2 Cases

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

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

4. ADJOURN

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

MEETING ACCESSIBILITY

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.



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 Pauline Russo Cutter
Deborah Cox, District 1
Ursula Reed, District 2
Lee Thomas, District 3
Benny Lee, District 4
Corina N. Lopez, District 5
Jim Prola, District 6*

Tuesday, February 17, 2015

7:00 PM

City Council Chambers

Joint Meeting of City Council and Successor Agency to Redevelopment Agency

1. CALL TO ORDER

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

1.B. ROLL CALL

Members Cox, Lee, Lopez, Prola, Reed, Thomas; Mayor Cutter

1.C. ANNOUNCEMENTS

2. RECOGNITIONS

- 2.A.** [15-076](#) RESOLUTION Appointing Marguerite Mazzitti as District 1 Member to Board of Zoning Adjustments for Term Ending December 31, 2018
- 2.B.** [15-077](#) RESOLUTION Appointing Alice Sarafian as District 1 Member to Human Services Commission for Term Ending December 31, 2018
- 2.C.** [15-078](#) RESOLUTION Appointing Phyllis Gee as District 1 Member to Library-Historical Commission for Term Ending December 31, 2018
- 2.D.** [15-079](#) RESOLUTION Appointing Rick Solis as District 3 Member to Board of Zoning Adjustments for Term Ending December 31, 2018
- 2.E.** [15-080](#) RESOLUTION Appointing Eileen Borton as District 3 Member to Human Services Commission for Term Ending December 31, 2018
- 2.F.** [15-081](#) RESOLUTION Appointing Kyle Borton as District 3 Member to Recreation and Parks Commission for Term Ending December 31, 2018

- 2.G. [15-084](#) RESOLUTION Reappointing Jan Woycheshin as District 3 Member to Senior Commission for Term Ending December 31, 2018
- 2.H. [15-083](#) RESOLUTION Reappointing Denise Abero as District 3 Member to Planning Commission for Term Ending December 31, 2018
- 2.I. [15-082](#) RESOLUTION Appointing Stephen Cassidy as At Large Member to Arts Commission for Term Ending December 31, 2018

3. PRESENTATIONS

- 3.A. [15-061](#) Presentation on Siempre Verde Park Master Plan and Reconstruction

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. [15-085](#) Minutes of the Special Meeting and Closed Session of January 26, 2015

- 8.B.** [15-043](#) Minutes of the Meeting of February 2, 2015
- 8.C.** [15-026](#) ORDINANCE Approving a Rezoning and a Planned Development to Construct s Subdivision Consisting of Four Detached, Two-Story, Single-Family Residences; an Unaddressed Parcel on Warren Avenue, Between 396 and 476 Warren Avenue; Alameda County Assessor's Parcel Number 77-572-10 (PLN 2014-00044)

 - *ADOPT ORDINANCE NO. 2015-001*
- 8.D.** [15-031](#) Staff Report on the Independent Auditor's City of San Leandro Memorandum on Internal Control and Required Communications for the Year Ended June 30, 2014.
- [15-032](#) MOTION Accepting the City's Memorandum on Internal Control and Required Communications for the Year Ended June 30, 2014.
- 8.E.** [15-033](#) Staff Report for the Mid-Year Financial Report as of December 31, 2014 and a Budget Amendment Reflecting Mid-Year Adjustments to the City's Fiscal Year 2014-15 General Fund, Special Revenue Funds, Enterprise Funds and Internal Service Funds Budget
- [15-034](#) RESOLUTION Approving a Budget Amendment Reflecting Mid-Year Adjustments to the City of San Leandro Budget for Fiscal Year 2014-15 Relating to Budget Appropriations or Re-Appropriations Between Budget Lines Items
- 8.F.** [15-058](#) Staff Report for Resolution Approving the Investment Report for the Quarter Ended December 31, 2014
- [15-059](#) RESOLUTION Accepting Investment Report for the Quarter Ended December 31, 2014, Relating to the Activities of the City's Investment Portfolio
- 8.G.** [15-052](#) Staff Report for a Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period July 1 - December 31, 2015, Pursuant to Health and Safety Code Section 34177(l)
- [15-051](#) RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period July 1 - December 31, 2015, Detailing the Obligations of the Former Redevelopment Agency Pursuant to Health and Safety Code Section 34177(l)
- 8.H.** [15-038](#) Staff Report for a Resolution Authorizing the City Manager to Submit an Application for State of California Department of Housing and Community Development's Housing-Related Parks Program Grant Funds

- [15-039](#) RESOLUTION Authorizing the City Manager to Submit an Application for Housing-Related Parks Program Grant Funds for up to \$500,000 in Grant Funding to Rehabilitate Siempre Verde Park Based on the Construction of the Marea Alta (formerly The Cornerstone) Family Apartments
- 8.I.** [15-068](#) Staff Report for a Resolution Authorizing the City Manager to Execute a Memorandum of Understanding Between the City and the Association of Bay Area Governments (ABAG) for the East Bay Corridors Initiative
- [15-069](#) RESOLUTION Authorizing the City Manager to Execute a Memorandum of Understanding Between the City and the Association of Bay Area Governments (ABAG) for the East Bay Corridors Initiative, to Coordinate a Regional Approach Towards Enhancing East Bay Priority Development Areas Under Plan Bay Area
- 8.J.** [15-047](#) Staff Report for an Ordinance Adding Title 6, Chapter 6-8 to the San Leandro Municipal Code Relating to Transportation Permits
- [15-048](#) ORDINANCE Adding Title 6, Chapter 6-8 to the San Leandro Municipal Code to Require Transportation Permits to Operate or Move Vehicles or Loads Exceeding Statutory Limitations
- PASS TO PRINT
- 8.K.** [15-049](#) Staff Report for an Ordinance Adding Title 6, Chapter 6-9 to the San Leandro Municipal Code Relating to Overweight Vehicle Permits
- [15-050](#) ORDINANCE Adding Title 6, Chapter 6-9 to the San Leandro Municipal Code to Regulate Overweight Vehicles Traveling in and Through the City
- PASS TO PRINT
- 8.L.** [15-053](#) Staff Report for a Resolution Offering a \$25,000 Reward for the Identification Leading to the Criminal Charging of the Individual(s) Involved in the Homicide of a San Leandro Resident on December 14, 2014 at 444 Kenilworth Ave and Approving an Appropriation of General Fund Economic Uncertainty Reserves to Fund the \$25,000 Reward
- [15-054](#) RESOLUTION Offering a \$25,000 Reward for the Identification Leading to the Criminal Charging of the Individual(s) Involved in the Homicide of a San Leandro Resident on December 14, 2014 at 444 Kenilworth Ave and Approving an Appropriation of General Fund Economic Uncertainty Reserves to Fund the \$25,000 Reward
- 8.M.** [15-056](#) Staff Report for Resolution Amending the San Leandro Management Organization (SLMO) Salary Schedule to add the classification of Police Business Manager
- [15-057](#) RESOLUTION Amending the San Leandro Management Organization (SLMO) Salary Schedule to Add the Classification of Police Business Manager

- 8.N.** [15-062](#) Staff Report for Resolution Repealing and Reenacting Chapter 4.2 of the San Leandro Administrative Code Relating to the City's Conflict of Interest Code
- [15-063](#) RESOLUTION Repealing and Reenacting Chapter 4.2 of the San Leandro Administrative Code to Update the Conflict of Interest Code as Required by State Law
- 8.O.** [15-066](#) Staff Report for a Resolution Amending Appendix E of the City Councilmembers Handbook to Update Guidelines for Citizen Appointments to Airport Research Groups, Advisory Committees, and Forums
- [15-067](#) RESOLUTION Amending Appendix E of the City Councilmembers Handbook to Update Guidelines for Citizen Appointments to Airport Research Groups, Advisory Committees, and Forums
- 8.P.** [15-070](#) Staff Report for a Resolution Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with Townsend Public Affairs for State Legislative Advocacy Services, to Extend the Term of the Agreement by an Additional One Year Period, in an Amount Not to Exceed \$60,000 Annually
- [15-075](#) RESOLUTION Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with Townsend Public Affairs for State Legislative Advocacy Services, to Extend the Term of the Agreement by an Additional One Year Period, in an Amount Not to Exceed \$60,000 Annually
- 8.Q.** [15-004](#) Staff Report for a Resolution Accepting the Work for the Hesperian/Springlake Railroad Crossing Improvements, Project No. 12-150-38-325
- [15-005](#) RESOLUTION Accepting the Work for Hesperian/Springlake Railroad Crossing Improvements, Project No. 12-150-38-325 (provides for acceptance of work for pedestrian safety equipment including accessible sidewalks, ramps and push button devices funded by the Measure B Bicycle and Pedestrian Fund and the Section 130 Federal Grant)

- 8.R.** [15-090](#) MOTION Nominating Representatives to Boards or Commissions, as follows:
- Tony Breslin as District 1 Representative to Planning Commission
 - Victor Aguilar as At Large Representative to Human Services Commission
 - Amy Cassidy as At Large Representative to Human Services Commission
 - Paul Saftner as At Large Representative to Human Services Commission
 - Jennifer Heystek as At Large Representative to Library-Historical Commission
 - Kenneth Pon as At Large Representative to Planning Commission
 - Chike Udemezue as At Large Representative to Recreation and Parks Commission

- 8.S.** [15-091](#) MOTION Renominating Representatives to Boards or Commissions, as follows:
- Janet Palma as At Large Representative to Board of Zoning Adjustments
 - Orval "OB" Badger as At Large Representative to Personnel Relations Board
 - Peter Ballew as At Large Representative to Personnel Relations Board
 - James Browne as At Large Representative to Personnel Relations Board
 - Johanne Dictor as At Large Representative to Personnel Relations Board
 - Louis Heystek as At Large Representative to Personnel Relations Board
 - Hermy Almonte as At Large Representative to Senior Commission
 - Darlene Daevu as At Large Representative to Senior Commission
 - Cimberly Tamura as At Large Representative to Senior Commission

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.** [15-029](#) Staff Report for Resolution Approving the Comprehensive Annual Financial Report (CAFR) for the Year Ending June 30, 2014

[15-030](#) RESOLUTION Approving and Confirming the Comprehensive Annual Financial Report (CAFR) for the Year Ending June 30, 2014, Related to Financial Transactions of the City and Disclosure of Significant Information Regarding the City's Operations, Assets, and Liabilities

10.B. [15-089](#) Staff Report for a Resolution Approving a New Agreement with Mr. Chris Zapata for Employment of City Manager

[15-088](#) RESOLUTION Approving a New Agreement for Employment with City Manager Chris Zapata for Five Years to January 30, 2020

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/> and on cable (Comcast Channel 15 or AT&T U-Verse Channel 99). The video recording of the meeting will remain accessible to the public on the City of San Leandro's website. The recording is also replayed on cable throughout the week according to the schedule shown at <http://www.sanleandro.org/depts/council/>.

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.