

CITY COUNCIL MEETING AGENDA

MONDAY, MARCH 16, 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

Monday, March 16, 2015

5:30 PM

City Manager's Large Conference Room

Joint Special Meeting and Closed Session of City Council and Successor Agency to Redevelopment Agency

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. 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) – 1 Case

Appeal of 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, Appellate Case No. C077674, in the Court of Appeal of the State of California, Third Appellate District

- 3.B. Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1) – 5 Cases

Parker, Richard v. City of San Leandro, Alameda County Superior Court, Case No. HG12642989

Muir, Dora v. City of San Leandro, Alameda County Superior Court, Case No. RG14709107

Silva, Cynthia v. National Railroad Passenger Corporation (AMTRAK), et al., U.S. District Court for the Northern District of California, Case No. C14-05673JSW

Williams, Robert Lawrence v. City of San Leandro, United States Ninth Circuit Court of Appeals, Case No. 14-17389

McDougall, Vanessa; McDougall, Yvette v. City of San Leandro, Alameda County Superior Court, Case No. HG6754565

3.C. Liability Claim Pursuant to California Government Code Section 54956.95 – 6
Claims

Claimant: Baca

Agency Claimed Against: City of San Leandro

Claimant: Edwards

Agency Claimed Against: City of San Leandro

Claimant: Aquino

Agency Claimed Against: City of San Leandro

Claimant: Palomo

Agency Claimed Against: City of San Leandro

Claimant: Hill

Agency Claimed Against: City of San Leandro

Claimant: Filipov

Agency Claimed Against: City of San Leandro

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.



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Meeting Agenda City Council

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Deborah Cox, District 1

Ursula Reed, District 2

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Benny Lee, District 4

Corina N. Lopez, District 5

Jim Prola, District 6

Monday, March 16, 2015

7:00 PM

City Council Chambers

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.** [15-159](#) MOTION Approving Resolution Commending Darryl Shields for His Years of Service on the Recreation and Parks Commission
- 2.B.** [15-153](#) RESOLUTION Appointing Helena Straughter as District 2 Member to Library-Historical Commission for Term Ending December 31, 2016
- 2.C.** [15-158](#) Commendation Recognizing San Leandro High School Academy of Business and Finance Teacher and Students who were Winners of the World Series of Innovation National Entrepreneur Contest, and Presentations by the Winning Teams
- 2.D.** [15-125](#) Recognition of City Clerk Marian Handa for Her Years of Service

3. PRESENTATIONS

- 3.A.** [15-095](#) Presentation of a \$10,000 Check from the San Leandro Optimist Club to the City to Support Youth and Family Activities

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.** [15-130](#) Staff Report for the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Draft FY 2015-2019 Five-Year Consolidated Plan and Draft FY 2015-2016 Annual Action Plan

[15-131](#) MOTION Directing Staff to Hold a Public Hearing, Publish the Draft FY 2015-2019 Five-Year Consolidated Plan and the Draft FY 2015-2016 Annual Action Plan for a 30-Day Comment Period (March 20 - April 20, 2015), and Set a Public Hearing for April 20, 2015 to Consider Final Approval of the FY 2015-2019 Five-Year Consolidated Plan and the FY 2015-2016 Annual Action Plan

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.** [15-086](#) Minutes of the Special Meeting and Planning Session of January 31, 2015

- 8.B.** [15-160](#) Minutes of the Meeting of March 2, 2015

- 8.C.** [15-155](#) RESOLUTION Opposing the Phillips 66 Oil Train Off-Loading Facility Expansion in San Luis Obispo County
- 8.D.** [15-145](#) Staff Report for a Resolution Approving Records Retention Schedules for City Records, and Approving the Destruction of Records in Accordance with the Retention Schedules, Subject to the Review and Consent of the City Attorney
- [15-146](#) RESOLUTION Approving Records Retention Schedules for City Records, and Approving the Destruction of Records in Accordance with the Retention Schedules, Subject to the Review and Consent of the City Attorney
- 8.E.** [15-143](#) Staff Report for an Ordinance Amending San Leandro Municipal Code Section 1-3-1400 to Permit Both of the Landlord Rent Review Board Members to Reside Outside of the City of San Leandro and to Clarify that Tenant Rent Review Board Members and the Non-Tenant/Non-Landlord Rent Review Board Member Must Reside in the City of San Leandro
- [15-144](#) ORDINANCE Amending San Leandro Municipal Code Section 1-3-1400 to Permit Both Landlord Rent Review Board Members to Reside Outside the City of San Leandro and to Clarify that Tenant Rent Review Board Members and the Non-Tenant/ Non-Landlord Rent Review Board Member must Reside in the City of San Leandro
 - *PASS TO PRINT*
- 8.F.** [15-161](#) Staff Report for a Resolution Approving the First Amendment to the License Agreement between the City of San Leandro and San Leandro Dark Fiber LLC
- [15-162](#) RESOLUTION Approving the First Amendment to the License Agreement Between the City of San Leandro and San Leandro Dark Fiber LLC
- 8.G.** [15-151](#) MOTION Nominating Representatives to Boards or Commissions, as follows:
- Litha Zuber as District 1 Representative to Recreation and Parks Commission
 - Michael Santos as District 5 Representative to Board of Zoning Adjustments
 - Monique Stevenson as District 5 Representative to Library-Historical Commission
- 8.H.** [15-152](#) MOTION Renominating Janet Plankenhorn as District 5 Representative to Senior Commission

- 8.I. [15-149](#) Staff Report for a Resolution Appropriating Funding and Approving a Public-Private Partnership for a Broadband Expansion to the Property at Pelton Plaza and Installation of a Free, Public Wireless Network in Downtown San Leandro

[15-150](#) RESOLUTION Approving an Agreement with Pelton Plaza Owners in the Amount of \$37,974 for a Broadband Expansion Agreement; Approving an Agreement with SmartWAVE Technologies in the Amount of \$30,416 for the Wireless Network System; and Appropriating Funding in the Amount of \$68,390 from the General Fund Economic Uncertainty Reserves for a Broadband Expansion to the Property at Pelton Plaza and Installation of a Free, Public Wireless Network in Downtown San Leandro

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. [15-087](#) Staff Report for an Update on the Status of the Selection Process for a Potential Lessee of the Theater at the Helen Lawrence Building
- 10.B. [15-132](#) Report from City Council's Annual Planning Session and Discussion and Adoption of City Council Goals for 2015
- [15-133](#) MOTION Accepting Report on City Council's Annual Planning Session on January 31, 2015
- [15-134](#) MOTION Adopting City Council Goals for 2015

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/>.

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