

CITY COUNCIL MEETING AGENDA

TUESDAY, FEBRUARY 16, 2016



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 YEAR 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 sustainability
- 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 16, 2016

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 Labor Negotiators Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: Chris Zapata, City Manager; William Avery, Avery & Associates

Employee Organizations: San Leandro City Employees' Association / International Federation of Professional and Technical Engineers, Local 21 (SLCEA / IFPTE); San Leandro Management Organization (SLMO); Confidential Employee Group; San Leandro Police Officers' Organization (SLPOA); and San Leandro Police Management Association

- 3.B. Public Employee Performance Evaluation Pursuant to California Government Code Section 54957

Title: City Manager

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
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San Leandro, California

Meeting Agenda

City Council

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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 16, 2016

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. [16-023](#) Proclamation Declaring February 2016 Teen Dating Violence Awareness and Prevention Month

2.B. [16-090](#) RESOLUTION Appointing Isabel Polvorosa as District 3 Member to Library-Historical Commission for Term Ending December 31, 2018

3. PRESENTATIONS

3.A. [16-040](#) Staff Report for Presentation of Designs of New Street Banners to Be Installed on East 14th Street and Davis Street

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.** [16-039](#) Minutes of the Special Meeting and Closed Session of February 1, 2016
- 8.B.** [16-048](#) Minutes of the Meeting of February 1, 2016
- 8.C.** [16-091](#) Staff Report for Second Reading and Adoption of Ordinance No. 2016-002 Amending Title 4, Chapter 32 of the San Leandro Municipal Code Relating to the Rent Review Ordinance
- [16-017](#) ORDINANCE Amending Title 4, Chapter 32 of the San Leandro Municipal Code Relating to the Rent Review Ordinance
 - ADOPT ORDINANCE NO. 2016-002
- 8.D.** [16-059](#) MOTION Nominating Patricia Minnis as At Large Representative to Human Services Commission
- 8.E.** [16-065](#) Staff Report for a Resolution Approving the San Leandro City Employees' Association (SLCEA), Local 21 IFPTE Memorandum of Understanding

- [16-066](#) RESOLUTION Approving the Memorandum of Understanding Between the City of San Leandro and the San Leandro City Employees' Association (SLCEA), Local 21 IFPTE for the period January 1, 2016 through December 31, 2020
- 8.F. [16-068](#) Staff Report for a Resolution Approving the San Leandro Management Organization (SLMO) Memorandum of Understanding
- [16-069](#) RESOLUTION Approving the Memorandum of Understanding Between the City of San Leandro and the San Leandro Management Organization (SLMO) for the Period July 1, 2015 Through June 30, 2020
- 8.G. [16-018](#) Staff Report for a Resolution to Award a Construction Contract to Beneman, Inc. for the Thrasher Park Play Equipment and Fence Project, Project No. 2006.0070 and Authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 10% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders Up to 25% of the Original Contract Amount, and to Transfer Funds Between this Project and the Siempre Verde Park Reconstruction and to Return Funds to the General Fund Balance
- [16-019](#) RESOLUTION to Award a Construction Contract to Breneman, Inc. (Lowest Bidder) for the Thrasher Park Play Equipment and Fence Project, Project No. 2006.0070, in the Amount of \$192,218.50 from Park Development Fee and Special Grant Funds for the Installation of a New Play Structure and Fence Modifications; to Authorize the City Manager to Negotiate and Approve Individual Change Orders up to 10% of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount; to Transfer \$75,000.00 of Grant Funds to the Siempre Verde Park Renovation Project; and to Refund \$75,000.00 of General Funds from the Siempre Verde Park Renovation Project to the General Fund Balance
- 8.H. [16-041](#) Staff Report for Appropriation of Water Pollution Control Plant Enterprise Fund Balance Reserve in the Amount of \$420,000 for the Purpose of Procuring and Installing a Residential Recycled Water Fill Station in 2015-16 at the Water Pollution Control Plant
- [16-044](#) RESOLUTION for Appropriation of Water Pollution Control Plant Enterprise Fund Balance Reserve in the Amount of \$420,000 for the Purpose of Procuring and Installing a Residential Recycled Water Fill Station in 2015-16 at the Water Pollution Control Plant
- 8.I. [16-050](#) Staff Report for Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with Rubicon Enterprises, Inc. for Citywide Turf Maintenance for \$178,364

- [16-049](#) RESOLUTION Authorizing the City Manager to Execute a Non-Professional Services Agreement with Rubicon Enterprises, Inc. for Citywide Turf Maintenance for \$178,364
- 8.J.** [16-055](#) Staff Report for Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with Pacheco Brothers Gardening, Inc. for Citywide Landscape Maintenance for \$201,848
- [16-054](#) RESOLUTION Authorizing the City Manager to Execute Non-Professional Services Agreement with Pacheco Brothers Gardening, Inc. for Citywide Landscape Maintenance for \$201,848
- 8.K.** [16-057](#) Staff Report for Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with Pacheco Brothers Gardening, Inc. for Citywide Median Maintenance and Weed Abatement in Public Right-of-Ways for \$224,376
- [16-056](#) RESOLUTION Authorizing the City Manager to Execute Non-Professional Services Agreement with Pacheco Brothers Gardening, Inc. for Citywide Median Maintenance and Weed Abatement in Public Right-of-Ways for \$224,376
- 8.L.** [16-062](#) Staff Report for Resolution Approving the Investment Report for the Quarter Ended December 31, 2015
- [16-063](#) RESOLUTION Accepting Investment Report for the Quarter Ended December 31, 2015, Related to the Activities and Performances of the City's Investment Portfolio
- 8.M.** [16-071](#) Staff Report for Resolution Approving the Comprehensive Annual Financial Report (CAFR) for the Year Ending June 30, 2015
- [16-073](#) RESOLUTION Approving and Confirming the Comprehensive Annual Financial Report (CAFR) for the Year Ending June 30, 2015, Related to Financial Transactions of the City and Disclosure of Significant Information Regarding the City's Operations, Assets, and Liabilities
- 8.N.** [16-076](#) Staff Report for a Resolution Approving a Budget Amendment to the City's Fiscal Year (FY) 2015-16 General Fund, Special Revenue Funds, Enterprise Funds, Internal Service Funds, Capital Projects Funds, and Agency Funds Budget
- [16-077](#) RESOLUTION Approving Amendments to the City of San Leandro Budget for Fiscal Year (FY) 2015-16
- 8.O.** [16-009](#) Staff Report for Legal Services Agreement Amendment No. 1 with Bertrand, Fox, Elliot, Osman & Wenzel for Legal Representation Associated with Tort Liability Claims and Litigation and Request for Appropriation of \$500,000.00 from the Self-Insurance Fund Balance

[16-010](#) RESOLUTION Authorizing the City Manager to Enter into a Legal Services Agreement Amendment No. 1 with Bertrand, Fox, Elliot, Osman & Wenzel for Legal Representation Associated with Tort Liability Claims and Litigation, and to Appropriate Self-Insurance Fund Balance of \$500,000.00 to General Liability Legal Services

8.P. [16-079](#) 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 at the Same Rate, in an Amount Not to Exceed \$60,000 Annually

[16-080](#) 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 at the Same Rate, in an Amount Not to Exceed \$60,000 Annually

8.Q. [16-085](#) Staff Report for Amendments to the Medical Cannabis Dispensary Ordinance

[16-086](#) ORDINANCE Amending Chapter 4-33 to Title 4 of the San Leandro Municipal Code Pertaining to Medical Cannabis Dispensary Permits (provides for establishment of two medical marijuana dispensaries in the City and regulates their operations)

- PASS TO PRINT

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. [16-047](#) Staff Report for Resolution Authorizing the City Manager to Execute a Purchase and Sale Agreement with Sansome Pacific Properties, Inc. for Sale of the City-Owned Parking Lot at 1188 East 14th Street (APN 077-0447-007-01)

[16-046](#) RESOLUTION Authorizing the City Manager to Execute a Purchase and Sale Agreement with Sansome Pacific Properties, Inc. for Sale of the City-Owned Parking Lot at 1188 East 14th Street (APN 077-0447-007-01) at a Price of \$1.29 Million

10.B. [16-084](#) Staff Report for Second Medical Cannabis Dispensary Permit Selection Process

[16-087](#) MOTION Approving the Process that Shall Be Implemented to Award a Second Medical Cannabis Dispensary Permit

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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