

CITY COUNCIL MEETING AGENDA

MONDAY, SEPTEMBER 19 2016



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 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

Monday, September 19, 2016

6:30 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 Legal Counsel—Anticipated Litigation

Initiation of litigation pursuant to Section 54956.9 (4) d)

Two Potential Cases

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

Monday, September 19, 2016

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. [16-425](#) Proclamation Declaring October 1, 2016 as Bay Day

3. PRESENTATIONS

3.A. [16-472](#) Presentation by the Oakland International Airport Update on Fleet Week 2016.

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. [16-444](#) Staff Report for Resolution Approving the City of San Leandro Consolidated Annual Performance and Evaluation Report (CAPER) for the FY 2015-2016 Annual Action Plan

[16-445](#) RESOLUTION Approving the City of San Leandro FY 2015-2016

Consolidated Annual Performance and Evaluation Report (CAPER)
(approves the CAPER for submission to the U.S. Department of
Housing and Urban Development)

- 4.B. [16-455](#) Staff Report on Certification of the San Leandro 2035 General Plan
Environmental Impact Report and Adoption of the 2035 General Plan
- 4.B.1 [16-456](#) RESOLUTION Certifying an Environmental Impact Report and Adopting
Mitigation Findings, Alternatives Findings, a Statement of Overriding
Considerations, and a Mitigation Monitoring and Reporting Program for
the San Leandro 2035 General Plan (as required under the California
Environmental Quality Act)
- 4.B.2 [16-457](#) RESOLUTION Adopting the San Leandro 2035 General Plan
- 4.A.2.a-Segment 1 High Density Residential (West of E. 14th St, between W.
Broadmoor Blvd & Stoakes Ave*
- 4.A.2.b -Segment 2 Parks and Recreation (Floresta Park)*
- 4.A.2.c -Segment 3 Remaining Changes to 2035 Land Use Diagram (excluding
Segments 1-2) and all 2035 General Plan text, including General Plan Addendum*
- 4.C. [16-458](#) Staff Report for an Ordinance to Amend the City of San Leandro Zoning
Code, and the City Zoning Map, and to Amend the Downtown
Transit-Oriented Development Special Policy Areas (“S” overlays) to
Conform with the City of San Leandro 2035 General Plan and 2007
Downtown Transit Oriented Development Strategy
- [16-459](#) ORDINANCE Amending Zoning Code Article 3, Definitions; Article 6,
Commercial and Professional Districts; Article 7, Industrial Districts;
Article 16, Development Regulations; Article 18 Signs; Article 25 Site
Plan Review, and the City of San Leandro Zoning Map to Bring the San
Leandro Zoning Code and Zoning Map into Conformance with the 2035
General Plan, and General Text Updates
- PASS TO PRINT*
- [16-460](#) ORDINANCE Amending Ordinance 2007-021 (to Create Special
Review Criteria for Certain Properties within the Downtown
Transit-Oriented Development Study Area Generally within ½ Mile
Radius of the Intersection of East 14th Street and Davis Streets) to
Remove Special Project Areas SP-1, Downtown South Gateway and
SP- 8 BART/Westlake Properties; and to Modify the Special Review
Criteria for SP-2, Washington Plaza Shopping Center and San Leandro
Plaza; SP-3, Town Hall Square and Vicinity; and SP-5, North Alvarado
Sites.
- PASS TO PRINT*

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. [16-467](#) Minutes of the September 6, 2016 Meeting
- 8.B. [16-468](#) MOTION: Motion Nominating Emily Breslin as District 1 Member to Arts Commission
- 8.C. [16-475](#) RESOLUTION Appointing Diana Prola as District 6 Member to the Library Historical Commission for Term ending December 21, 2018
- 8.D. [16-353](#) Staff Report for a Resolution Approving a Consulting Services Agreement with Carollo Engineers, Inc. for Close-out Consulting Services and Services not completed under the Engineering Consulting Services Agreement on the Water Pollution Control Plant Rehabilitation Project, Project No. 08-593-52-239
- [16-355](#) RESOLUTION Approving a Consultant Services Agreement with Carollo Engineers, Inc. for Close-Out Consulting Services and Services not completed under the Engineering Consulting Services Agreement on the Water Pollution Control Plant Rehabilitation Project, Project 08-593-52-239, in the Amount of \$375,589 to be Funded by Water Pollution Control Plant Enterprise Funds (provides for assistance to staff with the resolution of claims filed by the construction contractor related to potential and alleged delay costs, unresolved contract change orders and credit to City for work items removed from construction contract, and completion of consultant contract tasks carried over from prior contract)
- 8.E. [16-415](#) Staff Report for a Resolution Appropriating Capital Funds for Existing Project Purposes in Accordance with the City Charter
- [16-416](#) RESOLUTION Extending the Appropriating Appropriation of Capital

Funds for Existing Projects Purposes in Accordance with the City Charter (extends previous appropriations for five years and prevents said appropriations from returning to fund balance at the present time)

- 8.F. [16-469](#) Staff Report for Resolutions Approving an Agreement Regarding Expenditure of Excess Bond Proceeds and Authorizing the Acceptance of the Transfer of Excess Bond Proceeds Between the Successor Agency to the Redevelopment Agency of the City of San Leandro to the City of San Leandro

[16-470](#) RESOLUTION Of The Governing Board Of The Successor Agency To The Redevelopment Agency Of The City Of San Leandro Approving An Agreement Regarding Expenditure Of Excess Bond Proceeds And Authorizing The Transfer Of Excess Bond Proceeds To The City Of San Leandro

[16-471](#) RESOLUTION Of The City Council Of The City Of San Leandro Approving An Agreement Regarding Expenditure Of Excess Bond Proceeds And Authorizing The Acceptance Of The Transfer Of Excess Bond Proceeds From The Successor Agency To The Redevelopment Agency Of The City Of San Leandro To The City Of San Leandro

- 8.G. [16-420](#) ORDINANCE that Accelerates Implementation of the Statewide Minimum Wage Requirements in San Leandro

ADOPT ORDINANCE NO. 2016-010

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. [16-473](#) Staff Report for Amendments to the Medical Cannabis Dispensary Ordinance to Facilitate the Issuance of a Third Dispensary Permit

[16-474](#) ORDINANCE Amending Title 4, Chapter 4-33 of the San Leandro Municipal Code Pertaining to Medical Cannabis Dispensary Permits

-PASS TO PRINT

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.