

CITY COUNCIL MEETING AGENDA

MONDAY, November 21, 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 2016

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, November 21, 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 Legal Counsel-Two Cases

Cynthia Silva v. City of San Leandro, Case No. C 14-05673 JSW, United States District Court Northern District of California

Coalition for the San Leandro Shoreline v. City of San Leandro, Case No. RG15-782404, Superior Court, Alameda County

Approval of the settlement and subsequent read-out with an update.

3.B. Conference with Legal Counsel - Anticipated Litigation

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of 54956.9 of the California Government Code: 1 case

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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Civic Center
835 East 14th Street
San Leandro, California

Meeting Agenda

City Council

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Your City Councilmembers are:

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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, November 21, 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. [16-626](#) RESOLUTION Appointing Diana Sacrey as Tenant Member to the Rent Review Board for Term Ending December 31, 2018

2.B. [16-633](#) Recognition of Volunteers Who Serve the Homeless in San Leandro

3. PRESENTATIONS

3.A. [16-632](#) San Leandro Improvement Association Presentation on Upcoming Projects and Request for City Loan

3.B. [16-623](#) Staff Report for Citywide Communications Update

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. [16-621](#) Staff Report for a Resolution and Ordinances Adopting State-Mandated California Building Standards Codes and Related Amendments

[16-624](#) RESOLUTION Finding and Determining the Need for Amendments to Provisions in the State-Mandated California Building Standards Code to be Adopted by Reference in the San Leandro Municipal Code (makes the findings that modifications to the California Building Standards Code are reasonably necessary because of local climatic, geologic, or topographical conditions, in accordance with California Health and Safety Code Section 17958.7)

[16-629](#) ORDINANCE Repealing Article 1 of Chapter 5 of Title VII of the San Leandro Municipal Code, and Adopting CCR Title 24 California Building Standards Code, 2016 California Building Code, as Published by the International Code Council, as Chapter 5 of Title VII of the San Leandro Municipal Code, and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as “the City of San Leandro Building Code”

-PASS TO PRINT

[16-619](#) ORDINANCE Repealing Article 3 and Replacing Article 3 to Chapter 5 of Title VII of the San Leandro Municipal Code, Amending the State-Mandated California Building Standards Code, and Adopting by Reference the 2015 International Property Maintenance Code, as Amended, and Shall Be Known as the “City of San Leandro Property Maintenance Code”

-PASS TO PRINT

[16-608](#) ORDINANCE Repealing Article 4 of Chapter 5 of Title VII of the San Leandro Municipal Code, “California Mechanical Code,” and Replacing with Article 4 of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Mechanical Code, as Published by the International Association of Plumbing and Mechanical Officials, is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro “Mechanical Code”

-PASS TO PRINT

[16-573](#) ORDINANCE Repealing Article 5 of Chapter 5 Of Title VII of the San Leandro Municipal Code, “National Electric Code” and Replacing with Article 5, of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Electrical Code, as Published by BNI Publications, Inc. is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro “Electrical Code”

-PASS TO PRINT

[16-611](#) ORDINANCE Repealing Article 6 of Chapter 5 Of Title VII of the San Leandro Municipal Code, Electrical-General Provisions, and Replacing with Article 6, Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Green Building Standards Code, as Published by the International Code Council, is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known

as the City of San Leandro "Green Building Code"

-PASS TO PRINT

[16-606](#)

ORDINANCE Repealing Article 7 of Chapter 5 of Title VII of the San Leandro Municipal Code, "Electrical-Procedure", and Replacing with Article 7, of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Energy Code, as Published by the International Code Council, is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro "Energy Code"

-PASS TO PRINT

[16-609](#)

ORDINANCE Repealing Article 9 of Chapter 5 of Title VII of the San Leandro Municipal Code "Plumbing Code" and Replacing with Article 9 of Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Plumbing Code, as Published by the International Association of Plumbing and Mechanical Officials is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro "Plumbing Code"

-PASS TO PRINT

[16-618](#)

ORDINANCE Repealing Article 10A of Chapter 5 of Title VII of the San Leandro Municipal Code, Uniform Swimming Pool, Spa and Hot Tub Code, and Replacing with Article 10A, Chapter 5 of Title VII of the San Leandro Municipal Code, the 2016 California Residential Code, as Published by the International Code Council, is Adopted by Reference and Made a Part Hereof as if Fully Set Forth Herein at Length, and Shall Be Known as the City of San Leandro "Residential Building Code"

-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.** [16-630](#) Minutes of the November 7, 2016 Meeting
- 8.B.** [16-607](#) RESOLUTION Appointing Queena Zhong as Youth Member to Library-Historical Commission for term ending August 31, 2017
- 8.C.** [16-528](#) Staff Report for a Resolution Approving the Sole Source Purchase of Ten (10) Additional Body Worn Digital Video Cameras for \$30,094.96 under the Existing TASER International Contract and City Council Approval of an Appropriation of \$30,094.96 from the Police Special Grant Fund - Frontline Enforcement Program Fund Balance
- [16-532](#) RESOLUTION of the City Council for the City of San Leandro to Make a Sole Source Procurement Finding under California Public Contract Code Section 3400(c)(2) to Approve the Sole Source Purchase of Ten (10) Additional Body Worn Digital Video Cameras for \$30,094.96 Under the Existing TASER International Contract and Approve an Appropriation of \$30,094.96 from the Supplemental Law Enforcement Services Fund (SLESF) Grant (aka "Frontline") Fund Balance
- 8.D.** [16-559](#) Staff Report for a Resolution Accepting the Work for the Sanitary Sewer Line Replacement/Repair 2012-13 Project, Project No. 2013.0120
- [16-560](#) RESOLUTION Accepting the Work for the Sanitary Sewer Line Replacement/Repair 2012-13 Project, Project No. 2013.0120 (provides for the acceptance of contract work by Con-Quest Contractors, Inc., filing of the Notice of Completion, release of the performance and payment bonds, and release of the maintenance bond upon completion of the one-year maintenance period)
- 8.E.** [16-586](#) Staff Report for a Resolution Authorizing the City Manager to Submit Applications for CalRecycle Rubberized Pavement Grant Program
- [16-587](#) RESOLUTION Authorizing the City Manager to Submit Applications for the CalRecycle Rubberized Pavement Grant Program (Authorizes the City Manager to submit applications to the CalRecycle Rubberized Pavement Grant Program to receive reimbursements to make rubberized pavement materials cost competitive with traditional pavement materials)
- 8.F.** [16-599](#) Staff Report for a Resolution Approving Amendment No. 2 for a not to exceed amount of \$85,000 to the Consulting Services Agreement with Simpson Investigative Services Group for Police Department Pre-Employment Background Investigations
- [16-600](#) RESOLUTION Approving Amendment No. 2 for a not to exceed amount

of \$85,000 to the Consulting Services Agreement with Simpson Investigative Services Group for Police Department Pre-Employment Background Investigations

- 8.G. [16-614](#) Staff Report for a Resolution Reaffirming the City's Delegation of Authority to the City Manager to Make Determinations for Industrial Disability Retirement Applications for Local Safety Members with the California Public Employment Retirement System (CalPERS)

[16-617](#) RESOLUTION Reaffirming the City of San Leandro's Delegation of Authority to the City Manager to Make Determinations for Industrial Disability Retirement Applications for Local Safety Members with the California Public Employment Retirement System (CalPERS)

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. [16-590](#) Staff Report for City Council Authorization of Community Choice Aggregation for the City of San Leandro

[16-591](#) RESOLUTION Approving an Agreement to Participate in a Joint Powers Agency For a Community Choice Aggregation Program in Alameda County

[16-592](#) ORDINANCE Authorizing the Implementation of a Community Choice Aggregation Program Pursuant to California Public Utilities Code Section 366.2

-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/>.

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