

## CITY COUNCIL MEETING AGENDA

MONDAY, DECEMBER 5, 2016



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

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- 5:30 PM** City Council Special Meeting and Closed Session (agenda attached)  
**7:00 PM** City Council Regular Meeting (agenda attached)

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### ***AGENDAS***

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Agendas are available to the public at least 72 hours before the meeting and are posted on the bulletin board outside the East 14<sup>th</sup> 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 14<sup>th</sup> Street, San Leandro, and on the City's website at [www.sanleandro.org](http://www.sanleandro.org).

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### ***CITY COUNCIL GOALS FOR YEAR 2016***

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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**

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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 14<sup>th</sup> 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**

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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*

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Monday, December 5, 2016

5:30 PM

City Manager's Large Conference Room

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### 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

#### 3.A. 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.*



# City of San Leandro

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## Meeting Agenda

### City Council

*Welcome to your City of San Leandro City Council meeting.*

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*Corina N. Lopez, District 5*

*Jim Prola, District 6*

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Monday, December 5, 2016

7:00 PM

City Council Chambers

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**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. [16-669](#) Presentation of 2016 Service Awards**

Orval "OB" Badger, Personnel Relations Board: 20 years (cumulative)  
James A. Browne, Personnel Relations Board: 5 years  
Stephen Cassidy, Arts Commission: 5 years (cumulative)  
Darlene Cozzette-Daevu, Senior Commission: 5 years  
Thomas Fitzsimons, Board of Zoning Adjustments: 5 years (cumulative)  
Phyllis Gee, Library-Historical Commission: 5 years (cumulative)  
Ursula Reed, City Council: 10 years (cumulative)  
Edward Shapiro, Recreation & Parks Commission : 20 years  
Rosemary Trujillo, Human Services Commission: 10 years

**2.B. [16-668](#) Presentation of 2016 City Council District Leadership Awards and Mayors Award of Excellence**

District 1 - Moira Fry  
District 2 - Dan Dillman  
District 3 - Tanya Solis  
District 4 - Arlene Lum

District 5 - Derick Lee  
District 6 - Kathy Sanchez  
Mayor's Community Service Award - Surlene Grant  
Mayor's Award of Excellence in Business - 21st Amendment

### 3. PRESENTATIONS

- 3.A. [16-666](#) Update on Trailer Haven  
3.B. [16-659](#) Community Workforce Agreement (CWA) 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. [16-652](#) An Ordinance Repealing Chapter 3 of Title 3, Uniform Fire Code, and Adopting the 2016 California Fire Code (Based Upon the 2015 International Fire Code), Including Appendix D and Replacing Article 8 of Chapter 7-5 of Title VII of the San Leandro Municipal Code, Regulating and Governing the Safeguarding of Life and Property From Fire and Explosion Hazards Arising From the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and From Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of San Leandro; Providing for the Issuance of Permits and Collection of Fees Therefor; Repealing Ordinance No. 2013-018 of the City of San Leandro and All Other Ordinances or Parts of Laws in Conflict Therewith.

*- 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.**     [16-667](#)     Minutes of the November 21, 2016 Meeting
- 8.B.**     [16-665](#)     MOTION ratifying the appointment of Board of Zoning Adjustments member Tom Fitzsimmons to the Site Development Sub-Commission for a two-year term through December 1, 2018
- 8.C.**     [16-616](#)     Staff Report for Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with George Salinas Tree Preservation for Boulevard Yarwood Sycamore Tree Trimming
- [16-615](#)     RESOLUTION Authorizing the City Manager to Execute a Non-Professional Services Agreement with George Salinas Tree Preservation for Boulevard Yarwood Sycamore Tree Trimming
- 8.D.**     [16-625](#)     Staff Report for a Resolution Authorizing the City Manager to Enter the City into a Project Funding Agreement with the Alameda County Transportation Commission for Discretionary funding provided by Measure BB Transportation Sales Tax Revenue
- [16-627](#)     RESOLUTION Authorizing the City Manager to Enter the City into a Project Funding Agreement with the Alameda County Transportation Commission for Discretionary funding provided by Measure BB Transportation Sales Tax Revenue (Provides for an Agreement with the Alameda County Transportation Commission for the Grant of \$3,000,000 for Street Rehabilitation Work)
- 8.E.**     [16-647](#)     Staff Report for a Resolution Approving the San Leandro Police Officers' Association (SLPOA) Memorandum of Understanding
- [16-648](#)     RESOLUTION Approving the Memorandum of Understanding Between the City of San Leandro and the San Leandro Police Officers' Association (SLPOA) for the period January 1, 2016 through December 31, 2019.
- [16-653](#)     RESOLUTION Declaring the Results of the General Municipal Election Held on Tuesday, November 8, 2016 (accepts the statement of election results for City Council Districts 2, 4 and 6, and Measures NN, OO and PP)
- 8.G.**     [16-655](#)     Staff Report for a Resolution Accepting the Annual Report of the West San Leandro Shuttle Business Improvement District (BID) for Fiscal Year 2016-17 and Directing the City Manager to Impose the BID Assessment Rates As Increased by the Consumer Price Index (CPI)

- [16-654](#) Resolution Accepting the Annual Report of the West San Leandro Shuttle Business Improvement District (BID) Fiscal Year 2016-17 and Directing the City Manager to Impose the BID Assessment Rates Increased by the Consumer Price Index (CPI)
- 8.H.** [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”  
- *ADOPT ORDINANCE NO. 2014-014*
- 8.I.** [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”  
- *ADOPT ORDINANCE NO. 2016-015*
- 8.J.** [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”  
- *ADOPT ORDINANCE NO. 2016-016*
- 8.K.** [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”  
- *ADOPT ORDINANCE NO. 2016-017*
- 8.L.** [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”  
- *ADOPT ORDINANCE NO. 2016-018*

- 8.M.**     [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”  
- ADOPT ORDINANCE NO. 2016-019
- 8.N.**     [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”  
- ADOPT ORDINANCE NO. 2016-020
- 8.O.**     [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”  
- ADOPT ORDINANCE NO. 2016-021
- 8.P.**     [16-592](#)     ORDINANCE Authorizing the Implementation of a Community Choice Aggregation Program Pursuant to California Public Utilities Code Section 366.2  
- ADOPT ORDINANCE NO. 2016-022

## **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.**     [16-639](#)     Staff Report for 2017 Draft State Legislative Platform and Summary of 2016 State Legislative Activities
- [16-643](#)     MOTION Adopting the 2017 State Legislative Platform and Summary of 2016 State Legislative Activities

## **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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