

## CITY COUNCIL MEETING AGENDA

MONDAY, JUNE 5, 2017



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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** Special Joint Meeting of the City Council, Successor Agency to San Leandro Redevelopment Agency and the San Leandro Public Financing Authority (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 2017**

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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*

*Ed Hernandez, District 2*

*Lee Thomas, District 3*

*Benny Lee, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, June 5, 2017

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 Ballew, Cox, Hernandez, Lee, Lopez, 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 items of public interest NOT listed on the Agenda.*

#### 3. CLOSED SESSION

#### CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9:  
1 case

#### 4. ADJOURN

#### 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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*Pete Ballew, District 6*

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Monday, June 5, 2017

7:00 PM

City Council Chambers

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### Special Joint Meeting of the City Council, Successor Agency to San Leandro Redevelopment Agency and the San Leandro Public Financing Authority

**1. CALL TO ORDER**

**1.A. PLEDGE OF ALLEGIANCE TO THE FLAG**

**1.B. ROLL CALL**

*Members Ballew, Cox, Hernandez, Lee, Lopez, Thomas; Mayor Cutter*

**1.C. ANNOUNCEMENTS**

**2. RECOGNITIONS**

**3. 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.*

**4. PRESENTATIONS**

**4.A.** [17-332](#) Presentation by EBMUD

**4.B.** [17-331](#) Presentation of the 2017 San Leandro Mural Project Video

**5. 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.A. [17-235](#) Staff Report for the Public Hearing and Adoption of the Proposed 2017-18 and 2018-19 Biennial Budget for the City of San Leandro, the Successor Agency to the Redevelopment Agency of the City of San Leandro, and the San Leandro Public Financing Authority
- [17-236](#) RESOLUTION Adopting the Biennial Budget of the City of San Leandro for the Fiscal Years July 1, 2017 to June 30, 2018 and July 1, 2018 to June 30, 2019
- [17-237](#) RESOLUTION Adopting the Biennial Budget of the Successor Agency to the Redevelopment Agency of the City of San Leandro for the Fiscal Years July 1, 2017 to June 30, 2018 and July 1, 2018 to June 30, 2019 and Making a Determination Pursuant to California Health and Safety Code Section 33334.3
- [17-238](#) RESOLUTION Adopting the Biennial Budget of the Public Financing Authority of City of San Leandro for the Fiscal Years July 1, 2017 to June 30, 2018 and July 1, 2018 to June 30, 2019
- 5.B. [17-306](#) Staff Report for a Public Hearing on a Proposed Amendment to the FY 2010-2011 U.S. Department of Housing and Urban Development (HUD) Annual Action Plan to Re-allocate \$100,000 in CDBG Funds Originally Intended for a Proposed Childcare Center by BRIDGE Housing: \$10,000 for renovations to the Luella Fuller Home and \$90,000 for Continued Implementation of the City's ADA Transition Plan

## 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. [17-322](#) Minutes of the May 15, 2017 Meeting
- 8.B. [17-233](#) Highlights of the Facilities and Transportation Committee Meeting of

April 5, 2017

- 8.C. [17-279](#) Highlights of the Facilities and Transportation Committee Meeting of May 3, 2017
- 8.D. [17-310](#) Highlights of the Finance Committee Meeting of April 4, 2017
- 8.E. [17-313](#) Highlights of the Finance Committee Meeting of May 2, 2017
- 8.F. [17-221](#) Staff Report for a Resolution to Award a Construction Contract to Silman Construction for the Curb Ramp Upgrades 2016-17 Project, Project No. 2017.0070; Authorization for the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders Up to 15% of the Original Contract Amount.
- [17-222](#) RESOLUTION to Award a Construction Contract to Silman Construction for the Curb Ramp Upgrades 2016-17 Project, Project No. 2017.0070 (Recommends Award to the Lowest Responsible Bidder in the Amount of \$433,517.88 From Measure B Funds, Vehicle Registration Fees Funds, Transportation Development Act Funds (TDA), and Community Investment Funds for the Installation of Concrete Curb Ramps in Advance of Street Maintenance Work at Various Locations Throughout the City, and Authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 5% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders up to 15% of the Original Contract Amount)
- 8.G. [17-276](#) Staff Report for a Resolution Amending the Non-Represented Part-Time Salary Schedule to comply with the City's Minimum Wage Ordinance
- [17-277](#) RESOLUTION Amending the Non-Represented Part-Time Salary Schedule to Comply with the City's Minimum Wage Ordinance
- 8.H. [17-261](#) Staff Report for a Resolution to Award a Construction Contract to American Pavement Systems, Inc. for the Annual Street Sealing 2016-17 Project, Project No. 2017.0070; 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 30% of the original contract amount;
- [17-262](#) RESOLUTION to Award a Construction Contract to American Pavement Systems, Inc. for the Annual Street Sealing 2016-17 Project, Project No. 2017.0070; authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 10% of the original contract amount and Cumulative Change Orders up to 30% of the original contract amount;
- 8.I. [17-282](#) Staff Report for a Resolution Authorizing Submission of a Request to

the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2017-18 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements

[17-283](#)

RESOLUTION Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2017-18 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements in the Amount of \$82,700

8.J.

[17-297](#)

Staff Report Establishing the City's Appropriation Limit for Fiscal Year 2017-18

[17-298](#)

RESOLUTION Establishing the City's Appropriation Limit for Fiscal Year 2017-18

8.K.

[17-302](#)

Staff Report for Amendment to Agreement with MV Transportation for Paratransit Services

[17-305](#)

RESOLUTION Authorizing the City Manager to Execute an Amendment to a Contractual Services Agreement with MV Transportation, Inc. to Extend the Term Through June 30, 2018 and to Increase the Amount of Total Compensation by \$233,360 to a Total Amount Not to Exceed \$408,380 to Provide Paratransit Services for an Amount Not to Exceed \$408,308

8.L.

[17-312](#)

Staff Report to approve a resolution directing the City Attorney to use the Red Light Abatement Law to pursue enforcement against houses of prostitution within the City of San Leandro

[17-311](#)

RESOLUTION directing the City Attorney to use the Red Light Abatement Law to pursue enforcement against houses of prostitution within the City of San Leandro

8.M.

[17-323](#)

Staff Report for Resolutions Updating the Designation of Persons Authorized to Make Financial Transactions and Investments of Funds

[17-327](#)

RESOLUTION of the City Council of the City of San Leandro, Acting in its Capacity as Successor Agency to the Redevelopment Agency of the City of San Leandro, Rescinding Resolution No. 2015-003 SA and Authorizing Investment of Monies by the Successor Agency to the Redevelopment Agency of the City of San Leandro in the Local Agency Investment Fund and Designating Certain Depositories and Further Authorizing Specified Officers to Remit Money in the City Treasury to the State Treasury for Deposit in the Local Agency Investment Fund (LAIF)

[17-325](#)

RESOLUTION Rescinding Resolution No. 2015-137 and Designating Signatures on City Checks and Persons Authorized to Make Fund Transfers by Telephone and Wire (Updates Names Of City Officials Authorized To Deposit, Withdraw And Transfer Funds With Specific Banking Institutions For The City Treasury To Reflect The New



Assistant Finance Director)

[17-324](#) RESOLUTION Rescinding Resolution No. 2015-138 and Authorizing Investment of Monies in the Local Agency Investment Fund and Designating Certain Depositories and Further Authorizing Specified City Officials to Remit Money in the City Treasury to the State Treasury for Deposit in the Local Agency Investment Fund

**8.N.** [17-281](#) Staff Report for an Ordinance to Amend Title 1, Chapter 12 of the San Leandro Municipal Code Relating to “Citation - Violations” and Title 3, Chapter 2 of the San Leandro Municipal Code Relating to Weed Abatement

[17-296](#) ORDINANCE Amending Title 1, Chapter 12 of the San Leandro Municipal Code Relating to “Citation - Violations” and Title 3, Chapter 2 of the San Leandro Municipal Code Relating to Weed Abatement (Modifications are recommended to the City’s Code Enforcement and Weed Abatement Ordinances in order to improve and streamline the enforcement process)

*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.** [17-307](#) Staff Report for an Ordinance of the City Council of the City of San Leandro adding Chapter 4.36 “Tobacco Retailers” to the San Leandro Municipal Code to require the licensure of Tobacco Retailers and to regulate the sale of cigars, cigarillos and electronic cigarettes

[17-308](#) ORDINANCE Of The City Of San Leandro Adding Chapter 4.36 “Tobacco Retailers” To The San Leandro Municipal Code To Require The Licensure Of Tobacco Retailers And To Regulate The Sale Of Cigars, Cigarillos And Electronic Cigarettes

*PASS TO PRINT*

**10.B.** [17-266](#) Ordinance Authorizing an Amendment to the Contract between the Board of Administration of the California Public Employees’ Retirement System and the City of San Leandro to Include Provisions Pursuant to Government Code Section 20516 “Cost Sharing” for Classic Local Police Members in Accordance with the San Leandro Police Officers Association (SLPOA) Memorandum of Understanding

*Adopt Ordinance 2017-012*

**10.C.** [17-314](#) MOTION Appointing City Councilmembers to Serve on Alameda County



Fire Advisory Commission until Replaced

**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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