

## CITY COUNCIL MEETING AGENDA

TUESDAY, SEPTEMBER 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** 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 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

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### **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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Tuesday, September 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 Closed Session items only at this time.*

**3. CLOSED SESSION**

**3.A. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**  
(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of case: California Regional Water Quality Control Board, San Francisco Bay Region, Order No. R2-2009-0074  
Consolidated 10-TC-01, 10-TC-02, 10-TC-03 and 10-TC-05

**3.B. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 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

Civic Center  
835 East 14th Street  
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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*

*Pete Ballew, District 6*

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Tuesday, September 5, 2017

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 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.** [17-500](#) Presentation on Community Development's Code Enforcement Division, Part of the New Community Care Initiative

**4.B.** [17-492](#) Presentation on the Draft 2017 Public Art Master Plan

**4.C.** [17-484](#) Presentation of 2017 Annual Street Overlay and Rehabilitation - San Leandro Boulevard Road Diet and Best Avenue Intersection Improvements

**4.D.** [17-444](#) Update on the Fire at ALCO Iron and Metals

**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.*

**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. [17-482](#) Minutes of the July 17, 2017 Regular Meeting
- 8.B. [17-457](#) Minutes for the January 3, 2017 Regular Meeting
- 8.C. [17-453](#) Highlights of the Facilities and Transportation Committee Meeting of July 5, 2017
- 8.D. [17-456](#) Highlights of the Finance Committee Meeting of July 18, 2017
- 8.E. [17-481](#) Highlights of the Rules Committee Meeting of July 24, 2017
- 8.F. [17-465](#) MOTION Nominating Brian Copeland as District 1 Member to the Arts Commission for a Term Ending December 31, 2018
- 8.G. [17-464](#) MOTION Nominating Pedro Naranjo as District 2 Member to the Human Services Commission for Term Ending December 31, 2020
- 8.H. [17-442](#) MOTION Nominating Erika Garcia as District 3 Member to the Arts Commission for a Term Ending December 31, 2018
- 8.I. [17-462](#) Staff Report for a Resolution to Approve a Consulting Services Agreement with Accurate Land Solutions for On-Call Land Surveying Services in an Amount Not-to-Exceed \$100,000 for Three Years
- [17-463](#) RESOLUTION Approving a Consulting Services Agreement with Accurate

Land Solutions for On-Call Land Surveying Services in an Amount Not-to-Exceed \$100,000 for Three Years

- 8.J.**     [17-460](#)     Staff Report for a Resolution to Approve a Consulting Services Agreement with CSG Consultants, Inc. for On-Call Engineering Plan Check, City Surveyor, Land Surveying and Engineering Inspection Services in an Amount Not-to-Exceed \$300,000 for Three Years

[17-461](#)     RESOLUTION Approving Consulting Services Agreement with CSG Consultants, Inc. for On-Call Engineering Plan Check, City Surveyor, Land Surveying and Engineering Inspection Services in an Amount Not-to-Exceed \$300,000 for Three Years

- 8.K.**     [17-485](#)     Staff Report for a Resolution to Approve a Consulting Services Agreement with BKF Engineers for On-Call Engineering Plan Check, City Surveyor, Land Surveying and Engineering Inspection Services in an Amount Not-to-Exceed \$300,000 for Three Years

[17-486](#)     RESOLUTION Approving a Consulting Services Agreement with BKF Engineers for On-Call Engineering Plan Check, City Surveyor, Land Surveying and Engineering Inspection Services in an Amount Not-to-Exceed \$300,000 for Three Years

- 8.L.**     [17-473](#)     Staff Report for Resolution Authorizing the City Manager to Execute Amendment No. 1 to Non-Professional Services Agreement with Rubicon Enterprises, Inc. for Citywide Turf Maintenance for \$130,167.60 for fiscal year 2017-2018, and to Execute Three Additional One-Year Extensions at the Same Price Subject to Consumer Price Index (CPI) Adjustments in Future Years

[17-470](#)     RESOLUTION Authorizing the City Manager to Execute Amendment No. 1 to Non-Professional Services Agreement with Rubicon Enterprises, Inc. for Citywide Turf Maintenance for \$130,167.60 for Fiscal Year 2017-2018, and to Execute Three Additional One-Year Extensions at the Same Price Subject to Consumer Price Index (CPI) Adjustments in Future Years

- 8.M.**     [17-475](#)     Staff Report for Resolution Authorizing the City Manager to Execute Amendment No. 1 to Non-Professional Services Agreement with Pacheco Brothers Gardening, Inc. for Citywide Landscape Maintenance for \$166,924

[17-474](#)     RESOLUTION Authorizing the City Manager to Execute Amendment No. 1 to Non-Professional Services Agreement with Pacheco Brothers Gardening, Inc. for Citywide Landscape Maintenance for \$166,924 for Fiscal Year 2017-2018, and to Execute Three Additional One-Year Extensions at the Same Price Subject to Consumer Price Index (CPI) Adjustments in Future Years

- 8.N.**     [17-489](#)     Staff Report for Resolution Authorizing the City Manager to Execute Amendment No. 1 to Non-Professional Services Agreement with Pacheco

Brothers Gardening, Inc. for Citywide Median Maintenance for \$189,712 for Fiscal Year 2017-2018, and to Execute Three Additional One-Year Extensions at the Same Price Subject to Consumer Price Index (CPI) Adjustments in Future Years

[17-488](#)

RESOLUTION Authorizing the City Manager to Execute Amendment No. 1 to Non-Professional Services Agreement with Pacheco Brothers Gardening, Inc. for Citywide Median Maintenance for \$189,712 for Fiscal Year 2017-2018, and to Execute Three Additional One-Year Extensions at the Same Price Subject to Consumer Price Index (CPI) Adjustments in Future Years

8.O.

[17-437](#)

Staff Report for a Resolution Re-Appropriating Capital Funds for Existing Projects in Accordance with the City Charter

[17-438](#)

RESOLUTION Re-Appropriating Capital Funds for Existing Projects 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.P.

[17-466](#)

Staff Report for the HOME Consortium Agreement Between the City of San Leandro and the County of Alameda for Federal Fiscal Years 2018-2020

[17-467](#)

RESOLUTION to Authorize the Continued Participation of the City of San Leandro in the Alameda County HOME Consortium for HOME Funds and Authorizing Execution of the Necessary Documents to Maintain the Eligibility of the Consortium for HOME Program Funds in Accordance with the National Affordable Housing Act of 1990

8.Q.

[17-478](#)

Staff Report for City Council Determination of City Position on Resolutions of the League of California Cities to be voted on at the 2017 Annual Conference

[17-487](#)

MOTION Supporting the League of California Cities' Resolution to Enact Legislation to Amend Government Code Section 38611 to Further Clarify the Definition of Local Control as it Pertains to Emergency Services

[17-494](#)

MOTION Supporting the League of California Cities' Resolution Calling Upon the Governor and Legislature to Enter Into Discussion with League and Other Public Safety Stakeholders to Identify and Implement Strategies that will Reduce the Unintended Negative Impacts of Existing Criminal Law

8.R.

[17-479](#)

Staff Report for an Ordinance adding Article 15, "Electric Vehicle Charging Station Permits", to Chapter 7-5 of the San Leandro Municipal Code to provide for an expedited, streamlined permitting process for electric vehicle charging stations

[17-480](#)

An ORDINANCE Of The City Of San Leandro Adding Article 15 "Electric Vehicle Charging Station Permits" To Chapter 7-5 Of The San Leandro Municipal Code To Provide For An Expedited, Streamlined Permitting



Process For Electric Vehicle Charging Stations

*Pass to Print*

**9. ITEMS REMOVED FROM CONSENT CALENDAR**

**10. ACTION ITEMS**

- 10.A.** [17-458](#) Staff Report for an Ordinance Adding a Tenant Relocation Assistance Program to the City of San Leandro Municipal Code to Require the Payment of Tenant Relocation Assistance for Landlord-Caused Terminations of Tenancy and to Require Additional Notice Prior to Termination of Tenancy

[17-459](#) ORDINANCE of the City of San Leandro Adding Chapter 4-37 "Tenant Relocation Assistance" to the San Leandro Municipal Code to Require the Payment of Tenant Relocation Assistance for Landlord-Caused Terminations of Tenancy and to Require Additional Notice Prior to Termination of Tenancy

*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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