

## CITY COUNCIL MEETING AGENDA

MONDAY, OCTOBER 16, 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

## **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, October 16, 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—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  
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*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, October 16, 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**

- 2.A.** [17-499](#) Proclamation Declaring October 2017 as National Domestic Violence Awareness Month

**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.** [17-601](#) Presentation of "Community Services and Economic Development" Award from the League of California Cities for the San Leandro Homeless Compact

**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. [17-600](#) Minutes of October 2, 2017 Meeting
- 8.B. [17-591](#) Highlights from the September 25, 2017 Rules Committee Meeting
- 8.C. [17-400](#) Staff Report for a Resolution to Award a Construction Contract to Westland Contractors, Inc. for \$1,160,686 for the Sanitary Sewer Line Replacement/Repair 2017 Project, Project No. 2015.0120; 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 25% of the Original Contract Amount, and City Council Approval of Appropriation of \$140,000 from Measure B Fund Balance
- [17-401](#) RESOLUTION to Award a Construction Contract to Westland Contractors, Inc., in the Amount of \$1,160,686 for the Sanitary Sewer Line Replacement/Repair 2017 Project, Project No. 2015.0120; Authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 5% of the Original Contract; Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount; and Appropriation of \$140,000 of Measure B Fund Balance for the Project (Provides for the Award of a Construction Contract to Westland Contractors for the Construction of City Owned, Maintained and Operated Sanitary Sewer and Storm Drain Collection Systems with Water Pollution Control Plant Enterprise and Measure B Funds)

- 8.D.**     [17-476](#)     Staff Report for a Resolution Accepting the Work for the Fiber Conduit Network Extension Project, Project No. 2013.0320
- [17-477](#)     RESOLUTION Accepting the Work for the Fiber Conduit Network Extension Project, Project No. 2013.0320 (provides for accepting the work performed by Cal Electro, Inc., filing the Notice of Completion, releasing the performance and payment bonds, and releasing the maintenance bond upon completion of the one-year maintenance period)
- 8.E.**     [17-562](#)     Staff Report to Authorize the City Manager to Execute a Standard Public Improvement Agreement with San Leandro Senior Associates, LP, for Public Improvements on Carpentier Street
- [17-563](#)     RESOLUTION Authorizing the City Manager to Execute a Standard Public Improvement Agreement with San Leandro Senior Associates, LP, for Public Improvements on Carpentier Street
- 8.F.**     [17-588](#)     Staff Report for a Resolution Authorizing the City Manager, Engineering and Transportation Director, or City Engineer to Apply for Grants with the California Governor’s Office of Emergency Services for Federal and/or State Financial Assistance for All Open and Future Disasters Up to Three Years Following the Date of Approval
- [17-589](#)     RESOLUTION Authorizing the City Manager, Engineering and Transportation Director, or City Engineer to Apply for Grants with the California Governor’s Office of Emergency Services for Federal and/or State Financial Assistance for All Open and Future Disaster Funding Up to Three Years Following the Date of Approval
- 8.G.**     [17-571](#)     Staff Report for a Resolution to Appropriate Supplemental Law Enforcement Services (“Frontline”) Funds in the Amount of \$211,000 for Police Equipment and Projects in 2017-2018
- [17-572](#)     RESOLUTION to Authorize Appropriation of Supplemental Law Enforcement Services Fund (SLESF) Balance to the SLESF Operating Expenditures budget for 2017-2018.
- 8.H.**     [17-573](#)     Staff Report for a Resolution to Appropriate Asset Forfeiture Funds in the Amount of \$185,000 for Police Equipment and Projects in 2017-2018
- [17-574](#)     RESOLUTION Authorizing the Appropriation of Asset Forfeiture Fund Balance to the Federal and State Asset Forfeiture Fund Operating Expenditures budget for 2017-2018.
- 8.I.**     [17-567](#)     Staff Report for a Resolution Approving the Annual Subscription Payment with SoftChoice Corporation for the Microsoft Enterprise Agreement
- [17-568](#)     RESOLUTION to Approve Annual Payment and to Authorize the City Manager to execute all necessary documents with SoftChoice Corporation for Microsoft Enterprise Agreement (for \$134,829.34)
- 8.J.**     [17-569](#)     Staff Report for a Resolution to Approve the Annual Maintenance

Agreement with Tyler Technologies, Inc. for a Computer-Aided Dispatch System

[17-570](#)

RESOLUTION of the City of San Leandro City Council to Approve the Annual Maintenance and Support Renewal with Tyler Technologies, Inc. for a Computer Aided Dispatch System (in the amount of \$231,169.08)

8.K.

[17-581](#)

Staff Report for a Resolution Approving a Side Letter to Amend the Memorandum of Understanding between the City of San Leandro and the San Leandro City Employees' Association (SLCEA), Local 21 IFPTE

[17-582](#)

RESOLUTION Approving a Side Letter Agreement to Amend the Memorandum of Understanding between the City of San Leandro and the San Leandro City Employees' Association (SLCEA), Local 21 IFPTE

8.L.

[17-596](#)

Staff Report for Resolution Affirming the City of San Leandro's Commitment to the "City as a Platform Manifesto," to Support the Development and Implementation of Smart City Technologies and Innovation

[17-595](#)

RESOLUTION Affirming the City of San Leandro's Commitment to the "City as a Platform Manifesto," to Support the Development and Implementation of Smart City Technologies and Innovation

## 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.

[17-603](#)

Staff Report for an 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

[17-559](#)

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

*-Adopt Ordinance No. 2017-017*

10.B.

[17-609](#)

City Council Review of the Davis Street Wellness Center Dispensary Permit

10.C

[17-560](#)

Staff Report for a Resolution to Approve a Loan and Authorizing the City Manager to Execute a Loan Agreement of \$400,000 from the City of San Leandro to Dan and Gina Dillman, Owners of the BAL Theatre, to Assist in Refinancing the BAL Theatre and a Forgivable Loan Agreement of



\$100,000 from the City of San Leandro to Curtain Call Performing Arts to Support Ongoing Renovations

[17-561](#)

RESOLUTION Approving a General Fund Loan and Authorizing the City Manager to Execute a Loan Agreement of \$400,000 from the City of San Leandro to Dan and Gina Dillman, Owners of the BAL Theatre, to Assist in Refinancing the BAL Theatre, and a Forgivable Loan Agreement of \$100,000 from the City of San Leandro to San Leandro Curtain Call Performing Arts to Support Ongoing Renovations

10.D.

[17-592](#)

Staff Report for a Resolution to Authorize the City Manager to Write Off the Loan Created for Purchase of 2139 Laura Avenue and Appropriate Revenue from the Sale of 2139 Laura Avenue for the Creation of a Neighborhood Investment Program for the Davis West Neighborhood

[17-593](#)

RESOLUTION to Authorize the City Manager to Write Off the Loan Created for Purchase of 2139 Laura Avenue and Appropriate Revenue from the Sale of 2139 Laura Avenue for the Creation of a Neighborhood Investment Program for the Davis West Neighborhood

## 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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