

CITY COUNCIL MEETING AGENDA

MONDAY, NOVEMBER 20, 2017



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 2017

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

Ed Hernandez, District 2

Lee Thomas, District 3

Benny Lee, District 4

Corina N. Lopez, District 5

Pete Ballew, District 6

Monday, November 20, 2017

5:30 PM

City Manager's Large Conference Room

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: Heron Bay Homeowners Association v. Halus Power Systems, City of San Leandro, Alameda County Superior Court Case No. RG13677840

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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Meeting Agenda

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Your City Councilmembers are:

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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

Monday, November 20, 2017

7:00 PM

City Council Chambers

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. [17-674](#) Recognition of the San Leandro Nitro 9U Softball Team

2.B. [17-641](#) Recognition of the Employee of the Quarter, Bobson Lam, Systems Analyst, Information Technology Division

2.C. [17-608](#) Proclamation Declaring Monday, November 20, 2017 as "Law Enforcement Records and Support Personnel Day" in San Leandro.

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. [17-647](#) San Leandro High School Summer Trades Program Presentation

4.B. [17-671](#) San Leandro Police Department Update

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. [17-612](#)

Staff Report a Resolution Authorizing the City Manager to Execute an Agreement with the California Energy Commission (CEC) to Construct a 1 Mega Watt Solar Array Project with Associated Energy Efficiency Upgrades at the Water Pollution Control Plant; and to Authorize the City Manager to Amend the Installation Agreement and the Measurement and Verification Agreement with Climatec, LLC for Energy and Water Savings Projects with Related Improvements to City Facilities, to include the Solar Installation. The Agreement with the CEC Includes \$1,995,963 in Reimbursable Grant Funds, with a City Match of \$1,922,905 (from the WPCP Enterprise Fund).

[17-613](#)

RESOLUTION Authorizing the City Manager to Execute an Agreement with the California Energy Commission (CEC) to Construct a 1 Mega Watt Solar Array Project with Associated Energy Efficiency Upgrades at the Water Pollution Control Plant; and to Authorize the City Manager to Amend the Installation Agreement and the Measurement and Verification Agreement with Climatec, LLC for Energy and Water Savings Projects with Related Improvements to City Facilities, to include the Solar Installation. The Agreement with the CEC Includes \$1,995,963 in Reimbursable Grant Funds, with a City Match of \$1,922,905 (from the WPCP Enterprise Fund).

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

Scheduling of the Annual City Manager Evaluation

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.** [17-651](#) Minutes for November 6, 2017
- 8.B.** [17-668](#) MOTION Nominating Linda Spreer to the Rent Review Board for a Term Ending December 31, 2018.
- 8.C.** [17-670](#) RESOLUTION Appointing Addison Zhang as Youth Member to the Library Historical Commission for Term ending August 31, 2018
- 8.D.** [17-625](#) Staff Report for a Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with George Salinas Tree Preservation for Boulevard Yarwood Sycamore Tree Trimming for \$58,932.48 for Fiscal Year 2017-2018
- [17-626](#) RESOLUTION Authorizing the City Manager to Execute a Non-Professional Services Agreement with George Salinas Tree Preservation for Boulevard Yarwood Sycamore Tree Trimming for \$58,932.48 for Fiscal Year 2017-2018
- 8.E.** [17-643](#) Staff Report for a Resolution Authorizing the City Manager to Execute Amendment No 1 to the Non-Professional Services Agreement with 21Tech, LLC in the amount of \$7,700 for the Accela Improvements Project Phase 2.
- [17-644](#) RESOLUTION Authorizing the City Manager to Execute Amendment No. 1 to the Non-Professional Services Agreement with 21Tech, LLC in the amount of \$7,700 for the Accela Improvements Project Phase 2
- 8.F.** [17-645](#) Staff Report for a Resolution to Increase the Maximum Contract Change Order Percentage from 25% to 40% (from \$64,623 to \$103,396, an increase of \$38,773) for Purchase Order No. 55997 with WRECO for Design Services Related to the Annual Overlay / Rehabilitation 2016-17 Project, Project No. 2017.0050
- [17-646](#) RESOLUTION to Increase the Maximum Contract Change Order Percentage from 25% to 40% (from \$64,623 to \$103,396, an increase of \$38,773) for Purchase Order No. 55997 with WRECO for Design Services Related to the Annual Overlay / Rehabilitation 2016-17 Project, Project No. 2017.0050
- 8.G.** [17-650](#) Staff Report to Waive First Reading and Introduce an Ordinance of the City of San Leandro City Council adding Chapter 4-38 "Permitted Commercial Cannabis Activity" to the City of San Leandro Municipal Code
- [17-654](#) ORDINANCE of the City of San Leandro Adding Chapter 4-38 "Permitted Commercial Cannabis Activity" to Regulate Commercial Cannabis Activity In Accordance with State Law to Promote the Health, Safety, Morals, and General Welfare of the Residents and Businesses Within the City
PASS TO PRINT
- 8.H.** [17-664](#) Staff Report for Resolution Declaring Twenty-One (21) Vehicles, Two (2) Pieces of Equipment, and Other Miscellaneous Parts as Surplus and

Authorizing the Sale of Said Surplus Assets at a Public Auction.

[17-665](#)

RESOLUTION Declaring Twenty-One (21) Vehicles, Two (2) Pieces of Equipment, and Other Miscellaneous Parts as Surplus and Authorizing the Sale Thereof at Public Auction (approves the public auction for the surplus of said vehicles and equipment)

8.I.

[17-652](#)

Staff Report for an Ordinance Amending Section 2-2-500 of the San Leandro Municipal Code in its entirety Relating to the Business License Tax for 2017-18

[17-653](#)

ADOPT: Ordinance No. 2017- , an Ordinance Amending Section 2-2-500 of the City of San Leandro Municipal Code

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.

[17-663](#)

Staff Report on Potential Divestiture from Wells Fargo Bank due to its Funding of the Dakota Access Pipeline (DAPL) Project

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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