



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 Stephen H. Cassidy
Michael Gregory, District 1
Ursula Reed, District 2
Diana Souza, District 3
Benny Lee, District 4
Pauline Russo Cutter, District 5
Jim Prola, District 6*

Monday, April 1, 2013

7:00 PM

City Council Chambers

1. CALL TO ORDER

1.A. PLEDGE OF ALLEGIANCE

1.B. ROLL CALL

Members Cutter, Gregory, Lee, Prola, Reed, Souza; Mayor Cassidy

1.C. ANNOUNCEMENTS

2. PRESENTATIONS/ RECOGNITIONS

2.A. [13-103](#) MOTION: Motion Approving Resolution Commending Sandi Forese for Her Years of Service on the Senior Commission

2.B. [13-104](#) MOTION: Motion Approving Resolution Commending Thomas Makin for His Years of Service on the Board of Zoning Adjustments and the Recreation and Parks Commission

2.C. [13-095](#) Proclamation Declaring April 14 - 20, 2013 as National Telecommunicators Week

2.D. [13-137](#) Proclamation Declaring April 2013 as Fair Housing Month

2.E. [13-128](#) Update on Downtown San Leandro Community Benefit District Initiative Including Review of the District Management Plan and Recommendation that the City Council Approve a Motion Authorizing the City Manager to Sign a Petition to Establish the Downtown San Leandro Community Benefit District (the intent of the City signing the petition is to support the CBD and facilitate the process of moving to the balloting phase of the district establishment)

[13-158](#) MOTION: Motion Authorizing the City Manager to Sign a Petition for City-Owned Properties in Support of the Downtown San Leandro Community Benefit District

3. PUBLIC HEARINGS – CITY COUNCIL

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.

3.A. [13-099](#) Staff Report for the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Draft FY 2013-2014 Annual Action Plan

[13-100](#) MOTION: Motion Directing Staff to Hold a Public Hearing, Publish the Proposed FY 2013-2014 Annual Action Plan for a 30-Day Comment Period (April 5 - May 6, 2013), and Set a Public Hearing for May 6, 2013 to Consider Final Approval of the FY 2013-2014 Annual Action Plan

3.B. [13-138](#) Staff Report for Matter of PLN2013-00009, an Appeal by the Heron Bay Homeowners Association c/o A. Alan Berger of the Board of Zoning Adjustments' Approval on February 7, 2013 of PLN2012-00006, a Variance to Construct an 80-Foot Tall Single Wind Turbine Where the Blades Will Extend an Additional 20 Feet from the Structure for a Maximum Height of 100 Feet and the Adoption of the Related Mitigated Negative Declaration and Mitigation Monitoring Program per the California Environmental Quality Act (CEQA). Structures up to Sixty (60) Feet in Height Are Permitted in the IG Zoning District and a Variance to Height Is Required for Exceeding 60 Feet. The Proposed Turbine Would Be an Accessory Use to the Primary Manufacturing/Research and Development Use of the Site; 2539 Grant Avenue; Alameda County Assessor's Parcel Numbers 80G-910-15; L. Rigaud, Halus Power Systems (Applicant and Property Owner)

[13-141](#) ADOPT: Resolution Affirming the Board of Zoning Adjustments Decisions to Adopt a Mitigated Negative Declaration and Mitigation Monitoring Program and to Approve a Height Variance for the Halus Wind Turbine Application and Denying the Heron Bay Homeowners Association Appeal, Case Number PLN2013-00009

4. PUBLIC HEARINGS – OTHER

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.** [13-132](#) APPROVE: Minutes of the Meeting of March 18, 2013
- 8.B.** [13-066](#) ADOPT: Ordinance No. 2013-002, an Ordinance Amending Title 1, Chapters 1-5 and 1-6 of the San Leandro Municipal Code Relating to Contracts for Public Works Projects and Contracts for Purchases (enhances the City's ability to handle routine purchasing and public works projects in a timely and cost-effective manner by increasing the threshold for bidding and purchases)
- 8.C.** [13-126](#) Staff Report for Resolution Approving and Authorizing the City Manager to Execute Two Agreements with the San Leandro Chamber of Commerce: 1) a Property Exchange and Indemnity Agreement with One and Only Right of First Offer for the City's Office Space Located at 120 Estudillo Avenue in the New Downtown Garage in Exchange for the Chamber's Parcel at 262 Davis Street and 2) a Reciprocal Easement Agreement and Declaration of Covenants, Conditions, and Restrictions for the Office Space
- [13-127](#) ADOPT: Resolution Approving and Authorizing the City Manager to Execute Two Agreements with the San Leandro Chamber of Commerce: 1) A Property Exchange and Indemnity Agreement with One Right of First Offer for the City's Office Space Located at 120 Estudillo Avenue in the New Downtown Parking Garage in Exchange for the Chamber's Parcel at 262 Davis Street and 2) a Reciprocal Easement Agreement and Declaration of Covenants, Conditions, and Restrictions for the Office Space Located at 120 Estudillo Avenue in the New Downtown Parking Garage (allows for the transfer of ownership of 262 Davis to the City and 120 Estudillo, the office space within the downtown garage, to the Chamber and the conditions under which the garage space will be shared)

- 8.D. [13-129](#) Staff Report for Resolution Accepting the Work for the Airport Noise Insulation Program, Phase 2; Project No. SL-0403
- [13-130](#) ADOPT: Resolution Accepting the Work for the Airport Noise Insulation Program, Phase 2 Project No. SL-0403 (provides for acceptance of work from G.E. Chen Construction, Inc., filing of Notice of Completion, and release of bonds)

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. [13-150](#) City Council Discussion and Determination of City's Vote on Two Proposed Amendments to the League of California Cities Bylaws (provides direction for casting votes on the League's bylaws amendments by mailed ballot)
- [13-151](#) MOTION: Motion Approving OR Disapproving the Amendment of Article VI, Section 2 of the League's Bylaws Relating to Submission of Resolutions to the League's General Assembly as Set Forth in the Proposed Resolution
- [13-152](#) MOTION: Motion Approving OR Disapproving the Addition of Article VII, Section 16 to the League's Bylaws Relating to the League Board Vote Threshold for Taking Positions on Statewide Ballot Measures as Set Forth in the Proposed Resolution
- 10.B. Report on Closed Session Actions Taken

11. CITY COUNCIL CALENDAR, REPORTS, AND ANNOUNCEMENTS

City Councilmembers announce calendar of upcoming events and coordinate attendance; report on meetings and other local events attended since the last meeting; report on attendance at conferences and seminars; and make brief comments on issues of concern.

12. 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.

13. ADJOURN