



# 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  
Ursula Reed, District 2  
Lee Thomas, District 3  
Benny Lee, District 4  
Corina N. Lopez, District 5  
Jim Prola, District 6*

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Tuesday, September 8, 2015

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 Cox, Lee, Lopez, Prola, Reed, Thomas; Mayor Cutter*

**1.C. ANNOUNCEMENTS**

**2. RECOGNITIONS**

- 2.A.** [15-499](#) Proclamation Declaring September 2015 as National Preparedness Month

**3. PRESENTATIONS**

- 3.A.** [15-523](#) Presentation by AC Transit on Its Service Expansion Plan, Including Recommendations in San Leandro

**4. 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.*

- 4.A.** [15-470](#) Staff Report for Resolution Approving the City of San Leandro Consolidated Annual Performance and Evaluation Report (CAPER) for the FY 2014-2015 Annual Action Plan

[15-477](#) RESOLUTION Approving the City of San Leandro FY 2014-2015 Consolidated Annual Performance and Evaluation Report (CAPER) (approves the CAPER for submission to the U.S. Department of Housing and Urban Development)

4.B. [15-478](#) Staff Report for Resolution Approving the Issuance of Revenue Bonds by the California Municipal Finance Authority to Finance the Acquisition, Rehabilitation, and Improvement of Las Palmas, a Multifamily Rental Housing Development Owned by Eden Housing

[15-484](#) RESOLUTION Approving the Issuance of the California Municipal Finance Authority Revenue Bonds, Series 2015, in an Aggregate Principal not to Exceed \$25,000,000 for the Purpose of Financing the Acquisition, Rehabilitation, and Improvement and Equipping of Las Palmas, a 91-Unit Affordable Multifamily Rental Housing Development to be Owned by a Limited Partnership to Be Established by Eden Housing or Its Affiliate and Certain Other Matters Relating Thereto

## 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. [15-481](#) Minutes of the Special Meeting and Closed Session of July 20, 2015

8.B. [15-480](#) Minutes of the Meeting of July 20, 2015

- 8.C. [15-482](#) Minutes of the Special Meeting and Closed Session of July 27, 2015
- 8.D. [15-483](#) Minutes of the Special Meeting of July 27, 2015
- 8.E. [15-489](#) Finance Committee Meeting Highlights of June 16, 2015
- 8.F. [15-180](#) ORDINANCE Amending Title 4, Chapter 4-34 of the San Leandro Municipal Code Relating to Bicycle Mobile Food Vending Units (amends San Leandro Municipal Code to allow mobile food vending units operated by a bicycle)  
- ADOPT ORDINANCE NO. 2015-009
- 8.G. [15-445](#) ORDINANCE of the City of San Leandro Rezoning the Shoreline Development Project Site from CR-Commercial Recreation to RM-2000-Residential Multi-Family and CC-Community Commercial, Both with a PD-Planned Development Zoning District Overlay (PLN2012-00040)  
- ADOPT ORDINANCE NO. 2015-008
- 8.H. [15-514](#) Staff Report for Resolution Approving Amendment to Lease with San Leandro Sailing Club, Inc., dba Spinnaker Yacht Club of San Leandro, for Property at 75 Pescador Point Drive in the San Leandro Shoreline Area
- [15-513](#) RESOLUTION Approving Amendment to Lease with San Leandro Sailing Club, Inc., dba Spinnaker Yacht Club of San Leandro (extends the lease agreement until 2021, provides for lease termination by the City, and eliminates the requirement of Lessee to pay a percentage of rental fee for gross annual membership income)
- 8.I. [15-406](#) MOTION Appointing Mayor Cutter and Councilmembers Cox and Thomas to the Reinstated Rules Committee and Establishing the Regular Meetings to Be Held on the Third Wednesday of Each Month at 9:00 a.m.
- 8.J. [15-498](#) MOTION Nominating Jane Abelee as At Large Member to Personnel Relations Board
- 8.K. [15-491](#) Staff Report for a Resolution Amending the San Leandro City Employees' Association (SLCEA) Salary Schedule to Add the Classification of Purchasing Technician
- [15-492](#) RESOLUTION Amending the San Leandro City Employees' Association (SLCEA) Salary Schedule to Add the Classification of Purchasing Technician

- 8.L.**     [15-493](#)     Staff Report for a Resolution Amending the San Leandro Management Organization (SLMO) Salary Schedule to Add the Classification of Assistant Recreation and Human Services Director, and to Eliminate the Recreation and Human Services Manager Position from the 2015-16 Adopted Budget
- [15-496](#)     RESOLUTION Amending the San Leandro Management Organization (SLMO) Salary Schedule to Add the Classification of Assistant Recreation and Human Services Director
- 8.M.**     [15-468](#)     Staff Report for a Resolution to Award a Construction Contract to Robert A. Bothman Construction for the Siempre Verde Park Rehabilitation Project, Project No. 2015.0270 and authorization for the City Manager or his designee to negotiate and approve change orders to complete the project
- [15-469](#)     RESOLUTION to Award a Construction Contract to Robert A. Bothman Construction for the Siempre Verde Park Rehabilitation Project, Project No. 2015.0270, and to Authorize the City Manager or His Designee to Negotiate and Approve Change Orders to Complete the Project (provides for the rehabilitation of Siempre Verde Park per the approved 2010 conceptual plan via a construction contract of \$2,233,862.50 to be funded through a Housing and Community Development Grant, Park In-Lieu Fees, and General Funds; and the authority to issue individual and cumulative contract change orders up to specified limits)
- 8.N.**     [15-471](#)     Staff Report for a Resolution Accepting the Work for the Annual Overlay / Rehabilitation Project 2013-14, Project No. 2014.0050
- [15-472](#)     RESOLUTION Accepting the Work for the Annual Overlay / Rehabilitation 2013-2014 Project, Project No. 2014.0050 (provides for the acceptance of the contract work performed by Gallagher and Burk, filing of the Notice of Completion, release of the performance and payment bonds, and release of the maintenance bond upon completion of the one-year maintenance period)
- 8.O.**     [15-485](#)     Staff Report for a Resolution Authorizing the City Manager to Negotiate and Approve Individual Change Orders Up to 10% of the Original Contract Amount; and Authorizing the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount on Existing Construction Contracts with All Phase Excavation and Construction, American Asphalt, Chrisp Company, Columbia Electric, Conquest, DeSilva Gates, Flatiron Electric Group, Gallagher and Burk, McGuire and Hester, Ray's Electric, and S.J. Amoroso Construction Co., Inc.

- [15-479](#) RESOLUTION Authorizing the City Manager to Negotiate and Approve Individual Change Orders Up to 10% of the Original Contract Amount; and Authorizing the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount on Existing Construction Contracts with All Phase Excavation and Construction, American Asphalt, Chrisp Company, Columbia Electric, Conquest, DeSilva Gates, Flatiron Electric Group, Gallagher and Burk, McGuire and Hester, Ray's Electric, and S.J. Amoroso Construction Co., Inc.
- 8.P.** [15-502](#) Staff Report for Resolution Approving the Investment Report for the Quarter Ended June 30, 2015
- [15-503](#) RESOLUTION Accepting Investment Report for the Quarter Ended June 30, 2015 (reviews the activities of the City's investment portfolio)
- 8.Q.** [15-504](#) Staff Report for a Resolution Authorizing a Legal Services Agreement Amendment No. 1 with Bertrand, Fox, and Elliot for Legal Representation Associated with General Liability Claims and Claims Litigation to Increase the Contract Amount up to \$285,000 from the Self-Insurance Fund
- [15-505](#) RESOLUTION Authorizing the City Manager to Enter into a Legal Services Agreement Amendment No. 1 with Bertrand, Fox, and Elliot for Legal Representation Associated with General Liability Claims and Claims Litigation
- 8.R.** [15-506](#) Staff Report for Resolutions to Collect Communication Utility Users' Tax (UUT) and Emergency Communication System Access Tax (9-1-1) on Prepaid Wireless Service and to Authorize Examination of Prepaid Mobile Telephone Services Surcharge and Local Charge Records
- [15-507](#) RESOLUTION Authorizing the Examination of Prepaid Mobile Telephony Services Surcharge and Local Charge Records
- [15-517](#) RESOLUTION Authorizing the City Manager to Execute an Agreement with the State Board of Equalization for Implementation of the Local Prepaid Mobile Telephony Services Collection Act
- [15-518](#) RESOLUTION Authorizing the City Manager to Enter into a Consulting Services Agreement Amendment No. 4 with MuniServices, LLC to Authorize Examination of the State Board of Equalization (BOE) Records Relating to Prepaid Wireless Utility Users' Tax (UUT) and Emergency Communication Access (9-1-1) Tax Collections
- [15-519](#) ORDINANCE Amending Section 2-18-210 of the San Leandro Municipal Code Relating to the Temporary Reduction of the Emergency Communication System Access Tax (911 Tax) for Single Access Lines on Prepaid Wireless Services

- PASS TO PRINT

- 8.S. [15-515](#) Staff Report for a Resolution Approving a Budget Amendment to the City's Fiscal Year (FY) 2014-15 and 2015-16 General Fund, Special Revenue Funds, Enterprise Funds, Internal Service Funds, Capital Projects Funds, and Agency Funds Budget
- [15-516](#) RESOLUTION Approving Amendments to the City of San Leandro Budget for Fiscal Year (FY) 2014-15 and 2015-16
- 8.T. [15-524](#) RESOLUTION Urging the State of California to Provide New Sustainable Funding for State and Local Transportation Infrastructure

## 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. [15-463](#) Staff Report for the City Manager's Recommendation to the City Council Regarding the Selection of a Medical Cannabis Dispensary Operator, Issuance of the Medical Cannabis Dispensary Permit and Establishment of the \$60,000 Annual Permit Fee
- [15-464](#) RESOLUTION Awarding the Medical Cannabis Dispensary Annual Permit to Harborside San Leandro
- [15-467](#) RESOLUTION Establishing the Annual Dispensary Permit Fee for the Medical Cannabis Dispensary Program (establishes the fee that off-sets the City's staffing, operational and other ancillary costs associated with providing regulatory oversight of the medical cannabis dispensary)
- 10.B. [15-500](#) Staff Report Requesting Direction from City Council on a Proposal to Install Rainbow Crosswalks at the Intersection of West Juana Avenue and Clarke Street as Part of the West Juana Pedestrian Improvement Project No. 2014-0500 (This change would not increase the cost of the 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/>.*

*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.*