



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

Monday, July 20, 2015

7:00 PM

City Council Chambers

**Joint Meeting of City Council and
San Leandro Hillside Geologic Hazard Abatement District
Successor Agency to Redevelopment Agency
Economic Development Agency**

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.** [15-399](#) Recognition of the Employee of the Quarter, Angelica (Kika) Myers, Administrative Assistant III, Recreation and Human Services Department.
- 2.B.** [15-405](#) Proclamation Declaring July 23, 2015 Mike Sobek Day
- 2.C.** [15-439](#) MOTION Approving Resolution Commending Karyl Lee-Figueroa for Her Years of Service on the Rent Review Board
- 2.D.** [15-301](#) MOTION Approving Resolution Commending Lizzie Brown for Her Years of Service on the Rent Review Board
- 2.E.** [15-440](#) MOTION Approving Resolution Commending Robert Schwartz for His Years of Service on the Rent Review Board
- 2.F.** [15-411](#) Presentation by the City Council to the Asian Community Cultural Association of San Leandro (ACCA) of a Check for \$2,000 for the ACCA

Moon Festival on Sunday, September 20, 2015

3. PRESENTATIONS

- 3.A. [15-395](#) Presentation by Kit Faubion of Meyers Nave on the Role of the California Environmental Quality Act in the Zoning Application Process

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. [15-441](#) San Leandro Shoreline Development Project Environmental Impact Report (EIR) (SCH#2013072011). Public Hearing To Consider Certification By The City Council Of The San Leandro Shoreline Project EIR As Further Defined Below. The EIR Addresses A Mixed Use Development On A 75-Acre Project Site (52-Acre Site Land Area And 23-Acre Water Area Which Encompasses The San Leandro Marina And Surrounding Properties) That Is Located On Monarch Bay Drive, Between Marina Boulevard And Fairway Drive. The Project Site Consists Of 10 Separate Alameda County Assessor's Parcel Numbers, 79A-475-9-4; 79A-590-1-5; 79A-590-1-7; 79A-590-2; 79A-590-3; 79A-590-4; 79A-590-5; 79A-590-6; 80G-900-1-8; And 80G-900-4-1. Cal-Coast Development, LLC Is The Project Applicant And The City Of San Leandro Is The Property Owner.

[15-443](#) RESOLUTION Certifying the Environmental Impact Report, Adopting Mitigation Findings, Findings Concerning Alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program Under CEQA for the San Leandro Shoreline Development Project (PLN2013-00040)

- 4.B. [15-414](#) General Plan Map Amendment and Rezoning for Future Development of the San Leandro Shoreline Development Project that Includes a 150,000 Square-Foot Office Campus, a 200-Room Hotel, a 15,000 Square-Foot Conference Center, 354 Housing Units, Three Restaurants Totaling Approximately 21,000 Square Feet and a New Parking Structure. This is a Public/private Partnership with the City on 52 Acres of City-Owned Shoreline. Applicant: Cal-Coast Development, LLC; Property Owner: City of San Leandro. Alameda County Assessor's Parcel Numbers Include: 80G-900-1-8, 80G-900-4-1, 79A-475-9-4, 79A-590-1-5, 79A-590-1-7, 79A-590-2, 79A-590-3, 79A-590-4, 79A-590-5, and 79A-590-6. Existing Zoning: CR Commercial Recreation District.

[15-446](#) RESOLUTION Amending the General Plan Land Use Designation for Approximately 12 Acres of the San Leandro Shoreline Development Project (PLN2012-00040)

[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)

- PASS TO PRINT

4.C. [15-418](#) Staff Report for Resolutions Regarding Matter of Imposing Liens for Non-payment of Delinquent 2015 Business License tax, Solid Waste Service Charges, Sidewalk Improvements, Certified Unified Program Agency Fees, and Community Compliance Code Enforcement Charges.

[15-420](#) RESOLUTION Overruling Protests (2015 Business License Tax, Solid Waste Service Charges, Sidewalk Repairs, Certified Unified Program Agency Fees, and Community Compliance Code Enforcement Charges)

[15-419](#) RESOLUTION Imposing Liens for Non-Payment of Delinquent 2015 Business License Tax, Solid Waste Service Charges, Sidewalk Repairs, Certified Unified Program Agency (CUPA) Fees, and Community Compliance Code Enforcement Charges

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. [15-353](#) Minutes of the Meeting of July 6, 2015

- 8.B.** [15-376](#) Minutes of the Special Meeting and Closed Session of July 6, 2015
- 8.C.** [15-415](#) Highlights of the Facilities and Transportation Committee Meeting of June 2, 2015
- 8.D.** [15-337](#) Staff Report for a Resolution Appropriating \$453,000 from the Water Pollution Control Plant Enterprise Fund Unrestricted Fund Balance to the Water Pollution Control Plant Rehabilitation Project, Project No. 08-593-52-239
- [15-338](#) RESOLUTION Appropriating \$453,000 from the Water Pollution Control Plant Enterprise Fund Unrestricted Fund Balance to the Water Pollution Control Plant Rehabilitation Project, Project No. 08-593-52-239
- 8.E.** [15-409](#) Staff Report for a Resolution to Increase the Change Order Cap from 25% to 40%, Which Would Result in an Additional Increase of \$28,658.00 for a Total Increase to the Original Agreement of \$52,319.00 for a Total not to Exceed Amount of \$183,118.00 in the Agreement and Authorizing the City Manager to Execute Amendment No. 1 with Carollo Engineers, Inc. for the Water Pollution Control Plant Dirt Relocation Project, Project No. 2015.0300.
- [15-410](#) RESOLUTION to Increase Change Order Cap from 25% to 40%, Which Would Result in an Additional Increase of \$28,658.00 for a Total Increase to the Original Agreement of \$52,319.00 for a Total not to Exceed Amount of \$183,118.00 in the Agreement and Authorizing the City Manager to Execute Amendment No. 1 with Carollo Engineers, Inc., for the Water Pollution Control Plant (WPCP) Dirt Relocation Project, Project No. 2015.0300.
- 8.F.** [15-340](#) MOTION Confirming City Council Recess During the Month of August Due to Anticipated Lack of Quorum for the Regular City Council Meetings of August 3 and 17, 2015
- 8.G.** [15-366](#) Staff Report for a Resolution Accepting the Engineer's Report for Fiscal Year 2015-16 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 and Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2015-16
- [15-367](#) RESOLUTION Accepting the Engineer's Report for Fiscal Year 2015-16 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 (Provides Funding for the On-Going Maintenance Of Certain Public Facilities Constructed As Part Of the Heron Bay Development)
- [15-368](#) RESOLUTION Ordering The Levy And Collection Of Assessments Within The Heron Bay Maintenance Assessment District; Assessment District No. 96-3 For Fiscal Year 2015-16 (Provides Funding For The On-Going Maintenance Of Certain Public Facilities Constructed As Part Of The Heron Bay Development)

- 8.H.** [15-389](#) Staff Report for a Resolution to Approve a Consulting Services Agreement with Harris Design for Construction Support on the Siempre Verde Park Rehabilitation Project, Project No. 2015.0270
- [15-390](#) RESOLUTION to Approve a Consulting Services Agreement with Harris Design for Construction Support on the Siempre Verde Park Rehabilitation Project, Project No. 2015.0270 (Provides Construction Support Services During The Construction Of The Subject Project. Work To Be Funded By \$60,335.00 Of Park Development Fee Funds)
- 8.I.** [15-388](#) Staff Report for a Resolution for Approval to Make Landscape Structures, Inc. the Sole Source Supplier for City Parks Playground Equipment
- [15-391](#) RESOLUTION to Approve Finding Landscape Structures, Inc., a Sole Source Supplier for City Parks Playground Equipment
- 8.J.** [15-392](#) Staff Report for Resolution To Find that TriActive America Shall Be the Sole Source Supplier for City Park Exercise Equipment
- [15-393](#) RESOLUTION to Approve Finding TriActive America, a Sole Source Supplier for City Parks Exercise Equipment
- 8.K.** [15-433](#) Staff Report for Resolutions Updating the Designation of Persons Authorized to Make Financial Transactions and Investments of Funds
- [15-434](#) RESOLUTION Rescinding Resolution No. 2012-039 and Designating Signatures on City Checks and Persons Authorized to Make Fund Transfers by Telephone and Wire (Updates Names Of City Officials Authorized To Deposit, Withdraw And Transfer Funds With Specific Banking Institutions For The City Treasury To Reflect The New Assistant Finance Director)
- [15-435](#) RESOLUTION Rescinding Resolution No. 2012-040 and Authorizing Investment of Monies in the Local Agency Investment Fund and Designating Certain Depositories and Further Authorizing Specified City Officials to Remit Money in the City Treasury to the State Treasury for Deposit in the Local Agency Investment Fund
- [15-436](#) RESOLUTION of the City Council of the City of San Leandro, Acting in its Capacity as Successor Agency to the Redevelopment Agency of the City of San Leandro, Rescinding Resolution No. 2012-006 and Authorizing Investment of Monies by the Successor Agency to the Redevelopment Agency of the City of San Leandro in the Local Agency Investment Fund and Designating Certain Depositories and Further Authorizing Specified Officers to Remit Money in the City Treasury to the State Treasury for Deposit in the Local Agency Investment Fund (LAIF)
- [15-438](#) RESOLUTION Rescinding Resolution No. 2012-02 EDA and Authorizing Investment of Monies by the Economic Development Agency of the City of San Leandro in the Local Agency Investment Fund and Designating

Certain Depositories and Further Authorizing Specified Officers to Remit Money in the City Treasury to the State Treasury for Deposit in the Local Agency Investment Fund

- 8.L.** [15-432](#) Staff Report for a Resolution to Appropriate \$67,954 in Additional Funds to Offset Increased Printing and Staffing Costs for the 2014 General Municipal Election from the General Fund Economic Uncertainty Reserve Fund Balance

[15-437](#) Resolution to Appropriate \$67,954 in Additional Funds to Cover Increased Printing and Staffing Costs for the 2014 General Municipal Election from the General Fund Economic Uncertainty Reserve Fund Balance

- 8.M.** [15-177](#) Staff Report for an Ordinance Amending Chapter 4-34, Mobile Food Vending, of the San Leandro Municipal Code to Permit Mobile Food Vending Units Propelled, Operated, or Moved by Bicycle.

[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).

- PASS TO PRINT

- 8.N.** [15-372](#) Staff Report For The Review And Approval Of A Resolution Authorizing The City Manager To Accept Grant Funds From The California Department Of Alcoholic Beverage Control (ABC), In The Amount Of \$50,000, To Provide Education And Targeted Enforcement Of Alcohol-Related Establishments In San Leandro.

[15-373](#) RESOLUTION Authorizing the City Manager to Accept Grant Funds in the Amount of \$50,000 from the California Department of Alcoholic Beverage Control (ABC).

- 8.O.** [15-413](#) Staff report for a Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement with Denalect Alarm Company for the installation of access control system equipment at City Hall in the amount of \$82,112

[15-412](#) RESOLUTION Authorizing the City Manager to Execute a Non-Professional Services Agreement with Denalect Alarm Company for the installation of an access control system at City Hall in the Amount of \$82,112

- 8.P.** [15-421](#) Staff Report for a Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Memorandum of Understanding Between the City of San Leandro and the Alameda County Transportation Commission for the Westgate/Davis Street and Southbound I-880 HOV Lane Improvements and Appropriating \$400,000 of Marina/I-880 Interchange Fee and Relinquishing \$600,000 of Direct Local Distribution Funds for a Total of \$1 Million for Reimbursement of Design and Construction Cost for Hardscape and Traffic Improvements at the

Marina/I-880 and Davis/I-880 Interchanges

[15-422](#) Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Memorandum of Understanding Between the City of San Leandro and the Alameda County Transportation Commission for the Westgate/Davis Street and Southbound I-880 HOV Lane Improvements and Appropriating \$400,000 of Marina/I-880 Interchange Fee and Relinquishing \$600,000 of Direct Local Distribution Funds for a Total of \$1 Million for Reimbursement of Design and Construction Cost for Hardscape and Traffic Improvements at the Marina/I-880 and Davis/I-880 Interchanges (Provides for the City's Investment Of \$1,000,000 Into Traffic And Hardscape Improvements At The Marina/I-880 And Davis/I-880 Interchanges.)

8.Q. [15-369](#) Staff Report for a Resolution of the San Leandro Hillside Geologic Hazard Abatement District to Approve the Annual Report of the San Leandro Hillside Geologic Hazard Abatement District (GHAD) for Fiscal Year 2014-15

[15-370](#) RESOLUTION of the Board of Directors of the San Leandro Hillside Geologic Hazard Abatement District Approving the Annual Report of the San Leandro Hillside Geologic Hazard Abatement District (GHAD) for Fiscal Year 2014-15 (Provides For Approval Of The Annual Report Of The Activities Of The GHAD)

8.R. [15-450](#) Staff Report For A Resolution Authorizing The City Manager Or His Designee To Perform Certain Functions Pertaining To The Business License Revocation Appeal Of Green Leaf Spa Pursuant To City Of San Leandro Municipal Code Section 2-2-450

[15-449](#) RESOLUTION Authorizing The City Manager Or His Designee To Perform Certain Functions Pertaining To The Business License Revocation Appeal Of Green Leaf Spa Pursuant To City Of San Leandro Municipal Code Section 2-2-450

8.S [15-447](#) Staff Report For A Resolution To Approve A Lease Agreement Between The City Of San Leandro And The San Leandro Improvement Association For The Caretaker Unit, Two Specific Parking Spaces, and Non-Exclusive, Non-Possessory Use of The Casa Peralta Buildings and Grounds For \$1,500.00 Per Month For A Two Year Term, and Authorizing the City Manager to Complete Negotiations of the Lease, Subject to Approval as to Form by the City Attorney

[15-452](#) RESOLUTION that Approves A Lease Of The Casa Peralta Caretaker Unit, Two Parking Spaces, And Non-Exclusive, Non-Possessory Use of The Casa Peralta Grounds With The San Leandro Improvement Association, and Authorizing the City Manager to Complete Negotiations of the Lease, Subject to Approval as to form by the City Attorney (Approves A Lease Of The Casa Peralta Caretaker Unit, Two Parking Spaces, and Use of The Casa Peralta Buildings and Grounds As The San Leandro Improvement Association's Base Of Operations For

\$1,500.00 Month, and a Two Year Term)

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. [15-451](#) Discussion and Possible Action to Reinstate the City of San Leandro Rules Committee

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.