



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
Joyce Starosciak, District 4
Pauline Russo Cutter, District 5
Jim Prola, District 6*

Monday, July 16, 2012

7:00 PM

City Council Chambers

1. CALL TO ORDER

1.A. PLEDGE OF ALLEGIANCE

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

2. PRESENTATIONS/ RECOGNITIONS

- 2.A.** [12-361](#) Recognition of the Employee of the Quarter, Loryn Aman, Library Assistant, Library Services Department
- 2.B.** [12-369](#) Presentation by City Manager Chris Zapata and San Leandro Unified School District Superintendent of Schools Cindy Cathey on the School Based Health Clinic Concept (relates to Action Item 10.B.)
- 2.C.** [12-368](#) Presentation of Active and Fit Healthy Eating Active Living (HEAL) Cities Certificate to the City of San Leandro
- 2.D.** [12-378](#) Presentation of "2012 San Leandro- Get Connected!" Video
- 2.E.** [12-390](#) Recognition of Councilmember Joyce Starosciak for Her Years of Service to the City of San Leandro

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. [12-371](#) Staff Report for the Matter of Imposing Liens for Non-Payment of Delinquent 2012 Business License Tax, Solid Waste Service Charges, Sidewalk Improvements, Community Compliance Code Enforcement Violation Penalties and/or Weed Abatement Charges, False Alarm Responses, Certified Unified Program Agency (CUPA) Fees, and Sewer Service Charges
- [12-376](#) ADOPT: Resolution Overruling Protests (2012 Business License Tax, Solid Waste Service Charges, Sidewalk Repairs, Community Compliance Code Enforcement Violation Penalties and/or Weed Abatement Charges, False Alarm Responses, Certified Unified Program Agencies (CUPA) Fees, and Sewer Service Charges) (recommends overruling protest or objections on assessments proposed to be levied for non-payment of delinquent 2012 taxes and services)
- [12-377](#) ADOPT: Resolution Imposing Liens for Non-Payment of Delinquent 2012 Business License Tax, Solid Waste Service Charges, Sidewalk Repairs, Community Compliance Code Enforcement Violation Penalties and/or Weed Abatement Charges, False Alarm Responses, Certified Unified Program Agency (CUPA) Fees, and Sewer Service Charges (recommends imposing liens for non-payment of delinquent accounts to be placed on the 2012-13 Alameda County Property Tax roll)

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. [12-370](#) APPROVE: Minutes of the Meeting of July 2, 2012

8.B. [12-392](#) ACCEPT: Finance Committee Meeting Highlights of July 6, 2012

COMMITTEE RECOMMENDATION: Approval of the 2012-13 Investment Policy (listed as Consent Calendar Item 8.F.)

COMMITTEE RECOMMENDATION: Schedule approval of selected candidates for the Citizen Oversight Committee as related to Measure Z

8.C. [12-365](#) ACCEPT: Rules and Communications Committee Meeting of June 26, 2012

COMMITTEE RECOMMENDATION: Schedule Council consideration and approval to hold all Council Committee meetings in the City Council Chambers, and to approve the creation of briefer, less narrative summary highlights (listed as Consent Calendar Item 8.D.)

COMMITTEE RECOMMENDATION: Schedule for Council consideration amendments to the youth daytime and nighttime curfew ordinances (listed as Consent Calendar Item 8.E.)

8.D. [12-391](#) MOTION: Motion Approving the Holding of all Council Committee Meetings in the City Council Chambers and the Creation of Briefer, Less Narrative Summary Highlights

8.E. [12-359](#) Staff Report for Consideration of an Ordinance Repealing and Reserving San Leandro Municipal Code Sections 4-1-810 and 4-1-815 of Title 4, Chapter 4-1, and Amending Article 3 of Title 4, Chapter 4-1 Related to Day Time and Night Time Youth Curfews

[12-360](#) PASS TO PRINT: An Ordinance Repealing and Reserving Sections 4-1-810 and 4-1-815 Of Title 4, Chapter 4-1 of the San Leandro Municipal Code and Amending Article 3 of Title 4, Chapter 4-1 of the San Leandro Municipal Code Relating to Youth Curfews (reestablishes new definitions and defenses to violations and adds new violation provisions)

8.F. [12-386](#) Staff Report for Resolution Approving the City of San Leandro's Investment Policy for Fiscal Year 2012-13

- [12-387](#) ADOPT: Resolution Approving the City of San Leandro's Investment Policy for Fiscal Year 2012-13 (approves the City's Investment Policy as required by California Government Code Section 53600 et seq., and Section VIII of the San Leandro Investment Policy)
- 8.G.** [12-224](#) Staff Report for a Resolution Approving a Standard Agreement and Rate Schedule for the Installation and Use of Telecommunication Facilities on City Property
- [12-225](#) ADOPT: Resolution Approving a Standard Agreement and Rate Schedule for the Installation and Use of Telecommunications Facilities on City Property (establishes a standard agreement and rates the City will charge telecoms for the use of City property)
- 8.H.** [12-325](#) Staff Report for a Resolution Authorizing Approval of the Plans and Specifications and Calling for Bids for the Marina Group Picnic Areas Project, Project Number 150-62-107
- [12-332](#) ADOPT: Resolution Authorizing Approval of Plans and Specifications and Calling for Bids for Marina Park Group Picnic Areas, Project No. 150-62-107 (authorizes the City Manager to approve the plans and specifications and call for bids)
- 8.I.** [12-333](#) Staff Report for a Resolution Approving Plans and Specifications and Calling for Bids for the Marina Park Irrigation Improvements Project, Project Number 11-150-62-111
- [12-334](#) ADOPT: Resolution Approving Plans and Specifications and Calling for Bids for Marina Park Irrigation Improvements, Project No. 11-150-62-111 (recommends approval of the plans and specifications and call for bids)
- 8.J.** [12-339](#) Staff Report for a Resolution of Award of Construction Contract to HP Communications, Inc. for the Fiber Loop Project (Project No. 11-120-28-192)
- [12-340](#) ADOPT: Resolution of Award of Construction Contract to HP Communications, Inc. for Fiber Loop Project, Project No. 11-120-28-192 (recommends award to the low bidder in the amount of \$96,419.00, with \$40,000 from the General Fund and \$56,419 from the Development Fees for Street Improvements [DFSI] Fund))
- 8.K.** [12-347](#) Staff Report for the Resolution Accepting the Work for Street Light Undergrounding - East 14th (150th to South City Limit), Project No. 07-210-38-172

- [12-348](#) ADOPT: Resolution Accepting the Work for Street Light Undergrounding - East 14th (150th to South City Limit), Project No. 07-210-38-172 (provides for the acceptance of contract work by Tennyson Electric, Inc., filing of the Notice of Completion, releasing of the performance and payment bonds, and releasing of the maintenance bond upon completion of the one-year maintenance period)
- 8.L.** [12-349](#) Staff Report for a Resolution Accepting the Work for Annual Overlay/Rehabilitation 2010-11, Project No. 10-149-38-327
- [12-350](#) ADOPT: Resolution Accepting the Work for Annual Overlay/Rehabilitation 2010-11, Project No. 10-149-38-327 (provides for the acceptance of contract work by Gallagher & Burk, Inc., filing of the Notice of Completion, releasing of the performance and payment bonds, and releasing of the maintenance bond upon completion of the one-year maintenance period)
- 8.M.** [12-353](#) Staff Report for a Resolution 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 2011-12
- [12-354](#) ADOPT: Resolution 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 2011-12 (provides an update on the activities of the San Leandro Hillside Geologic Hazard Abatement District (GHAD) for Fiscal Year 2011-12)
- 8.N.** [12-364](#) Staff Report for Resolution Accepting the Engineer's Report for Fiscal Year 2012-13 for the Heron Bay Maintenance Assessment District, Assessment District No. 96-3 and Approving the Annual Assessments and Levying the Assessments for Fiscal Year 2012-13
- [12-366](#) ADOPT: Resolution Accepting the Engineer's Report for Fiscal Year 2012-13 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)
- [12-367](#) ADOPT: Resolution Ordering the Levy and Collection of Assessments within the Heron Bay Maintenance Assessment District; Assessment District No. 96-3 for Fiscal Year 2012-13 (provides funding for the on-going maintenance of certain public facilities constructed as part of the Heron Bay development)

- 8.O.** [12-379](#) Staff Report for a Resolution Authorizing the City Manager to Enter into a Memorandum of Understanding (MOU) with the Alameda County Transportation Commission (ACTC) to expand the ACTC Safe Routes to School (SR2S) Program in San Leandro for the 2012-13 School Year and Appropriating \$109,714 of Measure B Bicycle and Pedestrian Funds for the Work

[12-380](#) ADOPT: Resolution Authorizing the City Manager to Enter into a Memorandum of Understanding (MOU) with the Alameda County Transportation Commission (ACTC) to Expand the ACTC Safe Routes to School (SR2S) Program in San Leandro for the 2012-13 School Year and Appropriating \$109,714 of Measure B Bicycle and Pedestrian Funds for the Work (expands the ACTC-SR2S program to include all thirteen K-8th public schools using Measure B Bicycle and Pedestrian Funds)

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.** [12-322](#) Staff Report for a City of San Leandro HOME Investment Partnerships Program (HOME) Funds Loan to Alameda Housing Associates, L.P. to Assist in the Construction of an Affordable Rental Housing Project (Cornerstone at San Leandro Crossings) Located at 1400 San Leandro Boulevard

[12-323](#) ADOPT: Resolution Authorizing the City Manager to Execute a HOME Investment Partnerships Program (HOME) Loan Agreement with Alameda Housing Associates, L.P., for the Financing of the Construction of an Affordable Rental Housing Project Located at 1400 San Leandro Boulevard (authorizes the execution of a \$650,000 HOME loan agreement for the Cornerstone at San Leandro Crossings)

- 10.B.** [12-311](#) Staff Report for Review and Approval of Letter of Intent from City of San Leandro to San Leandro Unified School District Related to a Loan from the City to the District to Finance the District's Purchase of Property in the City of San Leandro

- [12-312](#) MOTION: Motion Approving Letter of Intent (LOI) from City of San Leandro to San Leandro Unified School District for City Loan to Finance District Purchase of Property in the City of San Leandro; and Directing the City Manager to Commence Negotiations of the LOI's Terms and Intentions with the San Leandro Unified School District (proposes a loan to SLUSD of \$1.5 million from General Fund Reserves)
- 10.C.** [12-372](#) Staff Report for the Resolution Designating the City of San Leandro's Locally Preferred Alternative for the AC Transit East Bay Bus Rapid Transit (BRT) Project
- [12-373](#) ADOPT: Resolution Designating the City of San Leandro's Locally Preferred Alternative for the AC Transit East Bay Bus Rapid Transit (BRT) Project (designates the City's preferred option for BRT)
- 10.D.** [12-381](#) Staff Report for Update on AB 1484: Redevelopment Dissolution/Unwind Trailer Bill and Resolutions to Acknowledge the Legal Existing of the Successor Agency and Adopt Successor Agency Procedures
- [12-382](#) ADOPT: Resolution of the City Council of the City of San Leandro Acknowledging the Separate Legal Existence of the Successor Agency to the Redevelopment Agency of the City of San Leandro (confirms the status of the Successor Agency as a separate legal entity consistent with the provisions of Assembly Bill 1484)
- [12-383](#) ADOPT: Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Designating Officers and Adopting Administrative and Operating Procedures (establishes officers and operating procedures and affirms the validity of all actions previously taken by the Successor Agency)
- 10.E.** [12-375](#) Staff Report for Resolution of the Governing Board of the Successor Agency to the Redevelopment Agency of the City of San Leandro Approving a Recognized Obligation Payment Schedule for January through June 2013 for Enforceable Obligations of the Former Redevelopment Agency Pursuant to Health and Safety Code Section 34177
- [12-374](#) ADOPT: Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Draft Recognized Obligation Payment Schedule (ROPS) for the Period January 1 - June 30, 2013, Pursuant to Health and Safety Code Section 34177(L) (approves the payment schedule detailing the obligations of the Successor Agency and the City as it relates to the Low and Moderate Housing Fund)

- 10.F.** [12-341](#) Staff Report to Introduce for First Reading an Ordinance Adding Municipal Code Chapter 4-33 Relating to a Prohibition Against the Establishment and Operation of Medical Marijuana Cooperatives, Collectives, Dispensaries and Cultivation Facilities in the City of San Leandro
- [12-343](#) PASS TO PRINT: An Ordinance Adding Municipal Code Chapter 4-33 Relating to the Prohibition Against the Establishment and Operation of Medical Marijuana Dispensaries in the City (establishes a ban on medical marijuana cooperatives, collectives, dispensaries and cultivation facilities, to sunset on June 30, 2013)
- 10.G.** [12-385](#) Staff Report for Council Discussion and Direction Regarding Process for Appointment to Fill District 4 Council Vacancy
- [12-388](#) MOTION: Motion Declaring the City Council's Intention to Fill the Upcoming District 4 Council Vacancy by Appointment, and Direct Staff to Provide Public Notice of the Vacancy and the Application Process
- [12-389](#) MOTION: Motion to Approve the Process and Timeline, and any Additional Criteria if Desired, for Filling the District 4 Council Vacancy

10.H. Report on Closed Session Actions Taken

11. **CITY COUNCIL CALENDAR**

City Councilmembers announce calendar of upcoming events and coordinate attendance.

12. **CITY COUNCIL REPORTS AND ANNOUNCEMENTS**

City Councilmembers 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.

13. **ADJOURN**