



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, May 7, 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.** [12-234](#) MOTION: Motion Approving Posthumous Resolution Commending Dale Reed for His Years of Service
- 2.B.** [12-177](#) Presentation of Award-Winning Speech by San Leandro High School Student Osa Aihie and Commendation Recognizing His Accomplishments on the Rotary Club Speech Competitions
- 2.C.** [12-183](#) Proclamation Declaring May 11 to May 20, 2012 as "East Bay Housing Organization's Affordable Housing Week" in San Leandro
- 2.D.** [12-190](#) Proclamation Declaring May 13 to May 19, 2012 as "National Police Week" in San Leandro
- 2.E.** [12-233](#) Proclamation Declaring May 10, 2012 as "Bike To Work Day" in 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.** [12-195](#) Staff Report for Ordinances Amending the San Leandro Municipal Code Relating to Proposed Adjustments to Business License Fees, Emergency Communication System Access (9-1-1) Tax, and the Emergency Medical Services Taxes for 2012-13

[12-226](#) PASS TO PRINT: An Ordinance Amending Section 2-2-500 of the San Leandro Municipal Code Relating to Business License Fees and Their Annual Adjustment to the Consumer Price Index (CPI) (increases business license tax by CPI of 2.6%)

[12-227](#) PASS TO PRINT: An Ordinance Amending Section 2-18-210 of the San Leandro Municipal Code Relating to Emergency Communication System Access Tax and Its Annual Adjustment to the Consumer Price Index (CPI) (increases 9-1-1 tax by CPI of 2.6%)

[12-228](#) PASS TO PRINT: An Ordinance Amending Title 2, Chapter 13, Section 2-13-140 of the San Leandro Municipal Code to Provide for an Adjustment to the Emergency Medical Services Tax (EMS Tax) Based on the Annual Consumer Price Index (CPI) Increase (increases EMS tax rate by CPI of 2.6%)

- 3.B.** [12-197](#) Staff Report for Resolution Approving Adjustments to City Fees and Service Charges for 2012-13

[12-229](#) ADOPT: Resolution Amending Title 6, Chapter 4 of the San Leandro Administrative Code Relating to Fees and Charges for Services Provided by City Departments (adjusts user fees and service charges, effective July 1, 2012)

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. [12-205](#) APPROVE: Minutes of the Meeting of April 16, 2012

8.B. [12-217](#) ACCEPT: Finance Committee Meeting Highlights of April 6, 2012

COMMITTEE RECOMMENDATION: Consider the decrease of the City's General Liability Self-Insured Retention level to \$500,000 (listed as Consent Calendar Item 8.I.)

8.C. [12-126](#) ADOPT: Ordinance No. 2012-005, an Ordinance Amending Sections 4-1904, 4-1908 and 4-1910 of Article 19 of the City of San Leandro Zoning Code Related to Landscaping Requirements (brings the City of San Leandro Zoning Code Article 19 into conformance with an Alameda County Waste Management Authority mandate that all applicable landscape projects be required to satisfy the Bay Friendly Basic Landscape protocols)

8.D. [12-169](#) ADOPT: Ordinance No. 2012-006, an Ordinance Amending Title 1, Chapter 6 of the San Leandro Municipal Code Relating to Purchasing (updates the purchasing authority of the City Manager in an emergency and of the City Council without competitive bidding)

8.E. [12-211](#) Staff Report for Resolutions of the City of San Leandro Acting in Its Capacity as the Successor Agency to the Redevelopment Agency and the City of San Leandro Authorizing Execution of an Amended and Restated Promissory Note

[12-218](#) ADOPT: Resolution of the City Council of the City of San Leandro Agreeing to a Modification to a Loan Payable by the Redevelopment Agency of the City of San Leandro and Authorizing Execution of an Amended and Restated Promissory Note (reaffirms validity of a \$2 million debt owed by the former Redevelopment Agency to the City)

[12-232](#) ADOPT: Resolution of the City Council of the City of San Leandro Acting in Its Capacity as the Successor Agency to the Redevelopment Agency of the City of San Leandro Confirming the Obligation to Repay a Loan from the City of San Leandro, Agreeing to a Modification of Loan Terms, and Authorizing Execution of an Amended and Restated Promissory Note (reaffirms validity of a \$2 million debt owed by the former Redevelopment Agency to the City)

8.F. [12-212](#) Staff Report for Resolution of the City Council of the City of San Leandro Authorizing the Execution of an Amended and Restated Cooperation Agreement with the Successor Agency to the Redevelopment Agency of the City of San Leandro Regarding the Construction and Funding of Eden Road Improvements and Hays Street Improvements

[12-219](#) ADOPT: Resolution of the City Council of the City of San Leandro Authorizing the Execution of an Amended and Restated Cooperation Agreement with the Successor Agency to the Redevelopment Agency of the City of San Leandro Regarding the Construction and Funding of Eden Road Improvements and Hays Street Improvements (reaffirms validity of funding pledges for \$3.5 million by the former Redevelopment Agency for capital projects)

[12-230](#) ADOPT: Resolution of the City Council of the City of San Leandro Acting in Its Capacity as the Successor Agency to the Redevelopment Agency of the City of San Leandro Authorizing the Execution of an Amended and Restated Cooperation Agreement with the Successor Agency to the Redevelopment Agency of the City of San Leandro Regarding the Construction and Funding of Eden Road Improvements and Hays Street Improvements (reaffirms validity of funding pledges for \$3.5 million by the former Redevelopment Agency for capital projects)

8.G. [12-193](#) Staff Report for Resolution of the City Council of the City of San Leandro Acting in Its Capacity as the Successor Agency to the Redevelopment Agency of the City of San Leandro Approving the Recognized Obligation Payment Schedule for July through December 2012 for Enforceable Obligations of the Former Redevelopment Agency Pursuant to Health and Safety Code Section 34177

[12-192](#) ADOPT: Resolution of the City Council of the City of San Leandro Acting in Its Capacity as the Successor Agency to the Redevelopment Agency of the City of San Leandro Approving the Recognized Obligation Payment Schedule for July through December 2012 for Enforceable Obligations of the Former Redevelopment Agency Pursuant to Health and Safety Code Section 34177 (approves the payment schedule detailing the obligations of the City as it relates to the Low and Moderate Housing Fund and the Successor Agency)

8.H. [12-194](#) Staff Report for Resolution Approving the Termination of Disposition and Development Agreement between the City, Acting as Successor Agency to the Redevelopment Agency of the City of San Leandro, Batarse Family Trust U.T.A and McLellan Marina, LLC

[12-201](#) ADOPT: Resolution of the City Council of the City of San Leandro, Acting in Its Capacity as the Successor Agency to the Redevelopment Agency of the City of San Leandro, Authorizing the City Manager to Execute a Termination of Disposition and Development Agreement with Batarse Family Trust U.T.A. and McLellan Marina, LLC for 575 Marina Boulevard (terminates the Successor Agency's \$330,000 potential sales tax rebate obligation and the requirement that the sale or lease of the property be approved by the Successor Agency)

8.I. [12-206](#) Staff Report for Resolution Decreasing City's General Liability Self-Insured Retention Level through the California Joint Powers Risk Management Authority

[12-207](#) ADOPT: Resolution Approving the City of San Leandro's General Liability Self-Insured Retention Level from \$1,000,000 to \$500,000 through the California Joint Powers Risk Management Authority (approves decrease in self-insured retention level effective July 1, 2012, based on the City's loss history)

8.J. [12-198](#) Staff Report for Resolutions Updating the Designation of Persons Authorized to Make Financial Transactions and Investments of Funds

[12-200](#) ADOPT: Resolution Rescinding Resolution No. 2012-010 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 Finance Director)

[12-202](#) ADOPT: Resolution Rescinding Resolution No. 2012-009 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 (approves the change to signature and investment authorization to reflect the new Finance Director)

[12-203](#) ADOPT: 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. 2012-011 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) (approves investment and signature change to reflect the new Finance Director to the LAIF accounts for the Successor Agency)

[12-204](#) ADOPT: Resolution of the Economic Development Agency of the City of San Leandro (EDA) Rescinding Resolution No. 2012-001 EDA and Authorizing Investment of Monies 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 (approves the Investment and Signature changes to reflect the new Finance Director)

8.K. [12-105](#) Staff Report for Resolution Accepting the Work for the Toyon Park Restroom Sitework, Project 10-210-62-008

[12-165](#) ADOPT: Resolution Accepting the Work for the Toyon Park Restroom Sitework, Project No. 10-210-62-008 (provides for the acceptance of the contract work completed by McNabb Construction, filing of the Notice of Completion, and releasing the maintenance bond)

8.L. [12-163](#) Staff Report for a Resolution Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2012-13 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funds

[12-164](#) ADOPT: Resolution Authorizing Submission of a Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2012-13 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding (provides for the application submission of \$66,202 to MTC for TDA Article 3 funds for the Pedestrian/Bicycle project)

8.M. [12-181](#) Staff Report for a Resolution Appropriating \$80,000 in Development Fees for Street Improvement (DFSI) Funds and Approving Plans and Specifications and Calling for Bids for the Redundant Fiber Optic Ring Project

[12-182](#) ADOPT: Resolution Appropriating \$80,000 in Development Fees for Street Improvement (DFSI) Funds and Approving Plans and Specifications and Calling for Bids for the Redundant Fiber Optic Ring Project (establishes a complete redundant fiber optic ring throughout the city at a cost of \$120,000; \$80,000 from DFSI and \$40,000 from the Public Works Maintenance Projects Account)

8.N. [12-196](#) Staff Report for Resolution Authorizing and Directing the City Manager to sign and file, for and on Behalf of the City of San Leandro, a California Environmental Protection Agency (Cal/EPA) Grant Application to Implement Electronic Reporting using the California Environmental Reporting System (CERS), and Authorizing and Directing the City Manager to enter into and sign, for and on Behalf of the City of San Leandro, an Agreement with Cal/EPA Agreeing to Implement Electronic Reporting with CERS

[12-210](#) ADOPT: Resolution Authorizing and Directing the City Manager to Sign and File, for and on Behalf of the City of San Leandro, a California Environmental Protection Agency (Cal/EPA) Grant Application to Implement Electronic Reporting Using the California Environmental Reporting System (CERS); and Authorizing and Directing the City Manager to Enter into and Sign, for and on Behalf of the City of San Leandro, an Agreement with Cal/EPA Agreeing to Implement Electronic Reporting with CERS (provides for \$45,810 in grant)

8.O. [12-238](#) MOTION: Motion Nominating Katherine Frates as District 2 Member to Senior Commission

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. [12-235](#) MOTION: Motion Designating Vice Mayor to Serve for a Period of One Year and Until a Successor Is Elected and Qualified Pursuant to City Charter Section 310

10.B. 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.

12.A. [12-236](#) Update from Ad Hoc Committee to Review San Leandro Hospital's Future and Community Health Care

13. ADJOURN