



## Legislation Text

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### Rules and Communications Committee Meeting Highlights of November 1, 2011

#### **CITY OF SAN LEANDRO**

#### **CITY COUNCIL RULES AND COMMUNICATIONS COMMITTEE**

**November 1, 2011  
4:30 - 6:00 p.m.**

**San Leandro City Hall  
835 East 14th Street  
San Leandro, California  
(Sister Cities Gallery)**

#### **HIGHLIGHTS**

Committee Members  
present:

Mayor Stephen Cassidy, Councilmembers Jim Prola and Ursula Reed (arrived at 4:38 p.m.)

City Staff present: Rayan Fowler, Information Services Manager; Marian Handa, City Clerk; Tom Liao, Planning and Housing Manager; Lianne Marshall, Interim City Manager; Kathy Ornelas, Community Relations Representative; Richard Pio Roda, Assistant City Attorney; Luke Sims, Community Development Director; Sandra Spagnoli, Chief of Police

Public present: Chris Crow

Mayor Cassidy called the meeting to order at 4:35 p.m.

#### **1. Continued Discussion Regarding Paperless Council and Committee Agenda Packets**

Ms. Fowler reviewed the paperless agenda proposal, which was revised to include additional information and options requested by the Committee at its last meeting. The proposal provided information on cities that have implemented paperless agenda packets; voluntary participation by Councilmembers and staff; various hardware options; and proposed expansion of Wi-Fi availability at the Civic Center. If the Council wished to proceed with implementing a paperless agenda packet, staff recommends purchasing iPads with 3G functionality. Councilmembers could pay for the 3G service with their technology allowance; 3G service for City staff would need to be justified if paid by the City. (Councilmember Reed arrived during the presentation.) At Mayor Cassidy's request, Ms. Fowler reported on the funding source for the project, and also mentioned the availability of a possible \$3,000 mini-grant from Stopwaste.org.

Councilmember Prola thanked staff for making the implementation voluntary, and expressed willingness to pick up his paper agenda packet from City Hall.

Councilmember Reed remarked that she likes the optional approach to implementation, and it is nice to have both the Wi-Fi and 3G options, although 3G service is costly.

Mayor Cassidy asked about using laptops rather than iPads for the members who have them. He suggested looking into password protection for the Wi-Fi at City Hall, and having clear standards and establishing necessity for

employees' City-paid iPads and 3G service. Mayor Cassidy noted that iPads are regarded by many as being a luxury item, and stated that he does not feel it is necessary for Councilmembers to have City-paid 3G service in addition to City-provided phones with 3G at this point.

The Committee discussed the initial implementation of the paperless agenda proposal.

Public Comments:

Chris Crow questioned why iPads were being recommended over less expensive tablet devices, and asked if any research has been done on the compatibility of iPads with various file types.

Committee Recommendation:

The Committee recommends that the City Council schedule consideration of a proposal to implement a paperless agenda packet, using iPads with 3G functionality, with the 3G service being paid for by the individual Councilmember if desired, and not reimbursed through their technology allowance for 2012, and establishing a Civic Center wireless network.

## **2. Discussion Regarding Extending Retention Period for Council Meeting Audio Recordings**

Ms. Handa reported that the current retention period for the audio recordings of City Council meetings is five years; however, the Clerk's Office has Council meeting audio cassettes for ten years, from 2001-2010. Audio recordings of board and commission meetings are also retained for five years.

Councilmember Prola expressed support for increasing the retention of Council meeting recordings from 5 years to 10 years.

Mayor Cassidy commented that the recordings are part of City history, and should be retained; however, he would not seek to convert them at this time.

Committee Recommendation:

The Committee recommends that the City Council schedule consideration of extending the retention period for City Council audio recordings (both audio cassette and digital) to keep them permanently, and consider establishing a retention period for Board and Commission digital audio recordings to keep them permanently.

## **3. Update on Recording and Posting Audio of Board and Commission Meetings**

Ms. Fowler reported that the audio recording of the last Rules and Communications Committee meeting was posted on the City website, and test recordings will be made of the November 3<sup>rd</sup> Board of Zoning Adjustments meeting, and the November 17<sup>th</sup> Planning Commission meeting. She noted that the online Council meeting audio recordings have not been accessed much.

## **4. Discussion Regarding Special Event Permits and Processes**

Chief Spagnoli reported on the recent "tattoo party" held at a rented warehouse on 2661 Alvarado Street, at which a triple homicide occurred. Staff reviewed the City's existing codes and authority for enforcement, looked into possible improvements to the code and ways to hold the business accountable. Chief Spagnoli reported that these types of events are underground activities, often advertised on the Internet or through social media through a promoter, and provide false information on permit applications, and are therefore difficult to regulate. She commented on a couple of other recent events that the Police Department was able to identify and successfully shut down.

Mr. Sims provided a handout, and reported on the four sections of the Municipal Code that can be used to regulate entertainment activities: 1) SLMC Chapter 2-2, related to Business Licenses; 2) Chapter 4-1, the Noise Ordinance; 3) Chapter 4-4, related to Dance Halls; and Chapter 4-20, related to Public Meetings, Assemblies and Parades. He suggested that the City may want to consider increasing its ability to regulate events, such as adopting a "social host" ordinance, which would require a permitting process for events at which alcohol is served by a host; or shortening the business license revocation process when a business violates the Municipal Code.

Mr. Pio Roda reported that Oakland and Fremont both have good ordinances in place for regulating events held on

private property but that are open to the public. He commented that an ordinance in the Municipal Code that regulates events of 50 or more participants is needed to assist the Police Department's enforcement efforts.

Chief Spagnoli commented on the need for clear guidelines and rules for enforcement, which do not currently exist. She commented that combining features of the Oakland and Fremont ordinances would be a good start; however it is probably impossible to create an ordinance that is a "catch-all," since these types of events are underground, and are designed to go undetected.

Councilmember Reed asked if any fine was imposed or other punitive action taken against the warehouse owners. Mr. Sims stated that for the business in question, staff will be recommending the revocation of its Conditional Use Permit, based on a violation of one of the provisions. Chief Spagnoli indicated that there needs to be a more severe punitive element, to discourage businesses from allowing underground events, as well as a way to hold event promoters accountable.

Mayor Cassidy asked if event organizers are required to provide proof of insurance. Councilmember Prola commented that he would like to see a severe penalty for those who break the rules. Chief Spagnoli commented that there needs to be a balance, so legitimate business owners and groups are not discouraged from holding legal events. Mr. Sims commented on the importance of educating local businesses and property owners of their responsibility for activities held on their properties.

Councilmember Reed inquired about the relationship between these ordinances, and the zoning ordinances that staff is updating. Mr. Sims responded that while the issues are somewhat related, the ordinances in question are amendments to the Zoning Code, rather than the Municipal Code. Staff discovered that entertainment uses are allowed with a Conditional Use Permit in industrial zones, and the amendments will eliminate this inconsistency in the Zoning Code.

The Committee continued the discussion of this item to a future meeting, and requested that staff return to the Committee with a draft ordinance for regulating events that are open to the public.

Public Comments:

Chris Crow expressed appreciation to the City for raising this issue, and commented that he believes the insurance industry in the private sector has a solution for this problem. He added that the tattoo party was being advertised on the Internet while the Board of Zoning Adjustments was considering the business's permit.

**5. Discussion Regarding November/December Rules and Communications Committee Meeting Date**

Committee members discussed dates for their next meeting, suggesting Tuesday, December 6<sup>th</sup> as their first choice, and December 13<sup>th</sup> as their second choice. Staff will follow up on the availability of the dates.

**6. Public Comments**

None.

**7. Committee Member Comments**

Mayor Cassidy requested that the list of Rules and Communications Committee future items be distributed to the Committee members. He would like to schedule discussion on a locally-owned business preference.

**8. Adjourn**

The meeting was adjourned at 6:05 p.m.