



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes

### City Council

*Welcome to your City of San Leandro City Council meeting.*

*Your City Councilmembers are:*

*Mayor Pauline Russo Cutter*

*Deborah Cox, District 1*

*Ed Hernandez, District 2*

*Victor Aguilar, Jr., District 3*

*Benny Lee, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, June 1, 2020

7:00 PM

Access the meeting remotely by using this URL

<https://zoom.us/j/506831637>

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San Leandro City Council conducted this meeting in accordance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020.

#### 1. CALL TO ORDER

*The meeting was called to order at 7:07 p.m.*

#### 1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

#### 1.B. ROLL CALL

**Councilmembers Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, and Mayor Cutter participated in the meeting via telephone conference call.**

**Present** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

#### 1.C. ANNOUNCEMENTS

*The City Clerk reported there would be an addition under Item 10 Action Items. To include Item 10.C. RESOLUTION of the City of San Leandro City Council Ratifying the Proclamation of a Local Emergency and a State of Emergency by the Director of Emergency Services Due to Civil Unrest*

*-A motion was made by Councilmember Lee, seconded Councilmember Cox, to add Item 10.C. to the June 01, 2020 agenda.*

*Roll call was taken as follows:*

*Aye: 7- Aguilar, Ballew, Cox, Lee, Lopez, Hernandez, Cutter*

*Nay: None*

*Absent: None*

## 2. RECOGNITIONS

- 2.A. [20-206](#) Proclamation Recognizing and Honoring Those San Leandro Residents Who Are Graduating from School or Promoting in their Workplace During the Month of June 2020

**Presented.**

- 2.B. [20-213](#) Proclamation Declaring June as Pride Month and Celebrating the 26th Anniversary of Lavender Seniors of the East Bay

**Presented.**

## 3. PUBLIC COMMENTS

*Public comment was received from Ms. Catherine Eagan and Mr. Leo T. West.*

## 4. PRESENTATIONS

- 4.A. [20-209](#) Staff Discussion on the Community Assessment Treatment and Transport Team (CATT)

*Public comment was received from Ms. Sarah Marxer, Mr. Charlie Deterline, and Mr. Mike Katz-Lacabe.*

**Presented.**

## 5. PUBLIC HEARINGS

- 5.A. [20-218](#) Staff Report for the City of San Leandro Public Hearing on the Proposed Amendments to the U.S. Department of Housing and Urban Development (HUD) (1) FY 2015-2020 Five-Year Consolidated Plan, (2) FY 2019-2020 Annual Action Plan & (3) Citizen Participation Plan

*Mayor Cutter opened the public testimony portion of the public hearing. There was no public comment. The public testimony portion of the public hearing was closed.*

**Received and Filed.**

- [20-219](#) MOTION Directing Staff to Hold a Public Hearing, Publish the Draft Amendments to the (1) FY 2015-2020 Five-Year Consolidated Plan, (2) FY 2019-2020 Annual Action Plan, and (3) Citizen Participation Plan for a 5-Day Comment Period (June 2 - June 7, 2020), and Set a Public Hearing for June 15, 2020 to Consider Final Approval of the Amendments to the FY 2015-2020 Five-Year Consolidated Plan, the FY 2019-2020 Annual Action Plan, and the Citizen Participation Plan

**A motion was made by Councilmember Aguilar, seconded by Councilmember Cox, that this Minute Order be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Min Order 2020-007

**6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS**

*None.*

**7. AMENDMENT OF CONSENT CALENDAR**

Items 8.D., 8.F., and 8.I. were removed from the Consent Calendar to Item 9, Items Removed From Consent Calendar

**8. CONSENT CALENDAR**

**Approval of the Consent Calendar**

**A motion was made by Councilmember Cox, seconded by Councilmember Lee, to Approve the Consent Calendar. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

**8.A. [20-214](#)** Minutes of the City Council Meeting of May 18, 2020

**Approved as Submitted on the Consent Calendar.**

**8.B. [20-185](#)** Staff Report for a City of San Leandro City Council Resolution Authorizing the Submittal of an Application for Local Early Action Planning (LEAP) Grants Program Funds (for Housing Element Preparation and Related Activities)

**Received and Filed on the Consent Calendar.**

[20-186](#) RESOLUTION of the City of San Leandro City Council Authorizing Application for, and Receipt of, Local Government Planning Support Grant Program Funds (for Housing Element Preparation and Related Activities)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2020-047

**8.C. [20-191](#)** Staff Report for a City of San Leandro City Council Resolution to Amend the Non-Represented Part-Time Salary Schedule to Comply with the City's Minimum Wage Ordinance

**Received and Filed on the Consent Calendar.**

[20-192](#) RESOLUTION of the City of San Leandro City Council to Amend the

Non-Represented Part-Time Salary Schedule to Comply with the City's Minimum Wage Ordinance

**Adopted on the Consent Calendar.**

Enactment No: Reso 2020-048

Item 8.D. was removed from the Consent Calendar to Item 9, Items Removed From Consent Calendar

- 8.E. [20-208](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute Amendment No. 1 to the Non-Professional Services Agreement with Arborist Now, Inc. for Boulevard Yarwood Sycamore Tree Trimming (963 Trees Total) in the amount of \$120,375.00

**Received and Filed on the Consent Calendar.**

[20-207](#) RESOLUTION of the City of San Leandro City Council Approving Amendment No. 1 to the Non-Professional Services Agreement with Arborist Now, Inc. for Boulevard Yarwood Sycamore Tree Trimming

**Adopted on the Consent Calendar.**

Enactment No: Reso 2020-049

Item 8.F. was removed from the Consent Calendar to Item 9, Items Removed From Consent Calendar

- 8.G. [20-163](#) ORDINANCE of the City of San Leandro City Council Amending Section 2-13-140 of the San Leandro Municipal Code to Relating to the Annual Consumer Price Index (CPI) Adjustment of the Emergency Medical Services Tax (EMS Tax) (increases EMS tax by CPI of 3.31%)

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2020-004

- 8.H. [20-164](#) ORDINANCE of the City of San Leandro City Council Amending Section 2-18-210 of the San Leandro Municipal Code Relating to the Annual Consumer Price Index (CPI) Adjustment of the Emergency Communication System Access Tax (911 Tax) (increases 911 Tax by CPI of 3.31%)

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2020-005

Item 8.I. was removed from the Consent Calendar to Item 9, Items Removed From Consent Calendar

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.D. [20-210](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Approve a Non-Professional Service Agreement with ANI Private Security and Patrol, Inc. (provides security services for facility reservations at the Marina and Senior Community Centers at a cost of \$65,000 in account number 010-61-025-5890)

**Received and Filed.**

[20-211](#)

RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Approve a Non-Professional Service Agreement with ANI Private Security and Patrol, Inc. for \$65,000

**A motion was made by Councilmember Cox, seconded by Vice Mayor Ballew, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2020-050

- 8.F. [20-229](#) RESOLUTION of the City of San Leandro City Council Affirming that the City of San Leandro Provides Essential Services and Advocating for Fair, Direct Federal Emergency Support to Assist in the Re-opening and Rebuilding of the Local Economy

**A motion was made by Councilmember Lopez, seconded by Councilmember Cox, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2020-051

- 8.I. [20-165](#) ORDINANCE of the City of San Leandro City Council Amending Section 2-2-500 of the San Leandro Municipal Code for the Annual Consumer Price Index (CPI) Adjustment to the Business License Fees (increases business license fees by CPI of 3.31%)

**A motion was made by Councilmember Cox, seconded by Councilmember Ballew, that this Ordinance be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Ordinance 2020-006

## 10. ACTION ITEMS

- 10.A. [20-174](#) Staff Report for a City of San Leandro City Council Resolution Authorizing the City Manager to Enter into a New Management Agreement Between the City of San Leandro and American Golf Corporation and to Authorize the City Manager to Terminate the Existing Lease Agreement between the City of San Leandro and American Golf Corporation

Received and Filed.

[20-175](#)

RESOLUTION of the City of San Leandro City Council Authorizing the City Manager to Enter into a Management Agreement between the City of San Leandro and American Golf Corporation and Authorizing the City Manager to Terminate the Existing Lease Agreement between the City of San Leandro and American Golf Corporation

**A motion was made by Vice Mayor Ballew, seconded by Councilmember Hernandez, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2020-052

The City Council Meeting recessed at 9:52 p.m. and reconvened at 9:59 p.m.

10.B. [20-135](#)

Discussion of City's Response to COVID-19

**Presented.**

10.C. [20-242](#)

RESOLUTION of the City of San Leandro City Council Ratifying the Proclamation of a Local Emergency and a State of Emergency by the Director of Emergency Services Due to Civil Unrest

*Public comment was received from Mr. Mike Katz-Lacabe.*

**A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2020-053

## 11. REPORT ON CLOSED SESSION ACTIONS TAKEN

*City Attorney Richard Pio Roda reported out on Closed Session Items and actions taken.*

## 12. CITY COUNCIL REPORTS

*City Councilmembers reported on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting.*

## 13. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS

## 14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

*-A motion was made by Councilmember Cox, seconded by Councilmember Hernandez, for a discussion to consider ways the City Council can participate in*

*funding cuts from the City Council budget.*

*A substitute motion was made by Councilmember Aguilar, seconded by Councilmember Lopez, for discussion to rescind the Mayor's Salary.*

*Roll call for the substitute motion was taken as follows:*

*Aye: Aguilar, Lee, Lopez*

*Nay: Cox, Hernandez, Ballew, Mayor Cutter*

*Absent: None*

*Abstain: None*

*Roll call for the motion was taken as follows:*

*Aye: Cox, Hernandez, Mayor Cutter*

*Nay: Aguilar, Ballew, Lee*

*Absent: None*

*Abstain: Lopez*

*-A motion was made by Councilmember Lee, seconded by Mayor Cutter, to schedule on the next available Finance Committee agenda a discussion on the formation of a Community Budget Task Force.*

*Roll call was taken as follows:*

*Aye: Aguilar, Cox, Ballew, Hernandez, Lee, Lopez, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Aguilar, seconded by Councilmember Lopez, for discussion to consider a temporary moratorium on third party charges for food service delivery, placing a Commission and Capita (CAP) of fifteen percent (15%) until the duration of the local State of Emergency or until all restaurants are able to open for dine in services.*

*Roll call was taken as follows:*

*Aye: Aguilar, Cox, Ballew, Hernandez, Lee, Lopez, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

## **15. ADJOURN**

*The meeting was adjourned at 11:25 p.m.*

*In memory of those in the City of San Leandro, family and friends, who have passed away from COVID-19.*

*And in memory of George Floyd and Steven Taylor.*

**RESPECTFULLY SUBMITTED:**

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**LETICIA I. MIGUEL**

**City Clerk of the City of San Leandro**