



# 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*

*Bryan Azevedo, District 2*

*Victor Aguilar, Jr., District 3*

*Fred Simon, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Tuesday, January 19, 2021

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 7:01 p.m.*

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

#### 1.B. ROLL CALL

Councilmembers Aguilar, Azevedo, Ballew, Cox, Lopez, Simon and Mayor Cutter participated in the meeting via telephone conference call.

**Present** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

#### 1.C. ANNOUNCEMENTS

Under Item 2 Recognitions, Item 2.B. was continued to the City Council meeting of February 1, 2021.

#### 2. RECOGNITIONS

2.A. [21-013](#) Proclamation Honoring Miraglia Catering

This matter was Presented

2.B. [21-004](#) Recognition of the Employee of the Quarter, Thomas Browning, Park Maintenance Worker III, Public Works

This item was continued to the City Council meeting of February 1, 2021.

- 2.C.** [21-017](#) RESOLUTION Reappointing Dina Herrera as District 2 Representative to the Arts Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-006
- 2.D.** [21-018](#) RESOLUTION Reappointing Arlene Lum as District 4 Representative to the Library-Historical Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-007
- 2.E.** [21-019](#) RESOLUTION Reappointing Terry Guillory as District 6 Representative to the Arts Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-008
- 2.F.** [21-020](#) RESOLUTION Reappointing Zachary James Borja as District 6 Representative to the Human Services Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-009
- 2.G.** [21-021](#) RESOLUTION Reappointing Diana Prola as District 6 Representative to the Librarian-Historical Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-010

2.H. [21-022](#) RESOLUTION Reappointing Dylan Boldt as District 6 Representative to the Planning Commission and Board of Zoning Adjustments for Term Ending December 31, 2024

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

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-011

2.I. [21-023](#) RESOLUTION Reappointing Bella Comelo as District 6 Representative to the Senior Commission for Term Ending December 31, 2024

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

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-012

2.J. [21-024](#) RESOLUTION Appointing Tiare Pena as District 2 Representative to the Human Services Commission for Term Ending December 31, 2024

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

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-013

2.K. [21-025](#) RESOLUTION Appointing Jennifer Chang as District 2 Representative to the Library-Historical Commission for Term Ending December 31, 2024

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

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-014

2.L. [21-027](#) RESOLUTION Appointing Jasmine Moore as District 2 Representative to the Recreation and Parks Commission for Term Ending December 31, 2024

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

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-015

- 2.M.** [21-028](#) RESOLUTION Appointing Luis Mendoza as District 2 Representative to the Senior Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-016
- 2.N.** [21-029](#) RESOLUTION Appointing Darlene Daevu as District 4 Representative to the Human Services Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-017
- 2.O.** [21-030](#) RESOLUTION Appointing Anthony Tejada as District 4 Representative to the Planning Commission Board of Zoning Adjustment for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-018
- 2.P.** [21-031](#) RESOLUTION Appointing Karen Kline as District 4 Representative to the Recreation and Parks Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-019
- 2.Q.** [21-032](#) RESOLUTION Appointing Adrienne Miller as District 4 Representative to the Senior Commission for Term Ending December 31, 2024
- A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2021-020

### 3. PUBLIC COMMENTS

*There were approximately 26 public speakers.*

*Comments were made by the following individuals:*

*Phillip Gardiner, Becky Rhodes, Mary Tieh, Douglas Spalding, Jennifer Duncan, Sara Acuna-Fleming, Selina McManus, Cesia Gomez Marcelino, Nathan Z, Blythe Young, Pam W, Areda Boyd, Pilar Cortes-Vega, Whitney Walker, Leo T. West, Joel Baum, D Lewis, Leo T. West, Jenna Hewitt King, Lawrence Abbott, Celina Reynes, Rob, John Hernandez, Beatrice Cardenas-Duncan, Chris Bammer, Garret Kruger, Stephen Michael Tow, Long V. Nguyen*

### 4. PRESENTATIONS

- 4.A. [21-007](#) Update from the East Bay Municipal Utility District on the Bayfair, Peralta and South Pumping Plants Projects and Related Issues or Projects

**Presented.**

- 4.B. [21-005](#) Staff Report for a MOTION to Accept the Fiscal Year 2020-21 1st Quarter Financial Report as of September 30, 2020

*Public Comment was received by Douglas Spalding.*

**Received and Filed.**

The City Council Meeting recessed at 9:05 p.m. and reconvened at 9:16 p.m.

### 5. PUBLIC HEARINGS

*None.*

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

### 7. AMENDMENT OF CONSENT CALENDAR

### 8. CONSENT CALENDAR

#### Approval of the Consent Calendar

**A motion was made by Vice Mayor Aguilar, seconded by Councilmember Lopez, to Approve the Consent Calendar. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

- 8.A. [21-008](#) Minutes of the City Council Meeting of January 04, 2021

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

8.B. [20-542](#) Minutes of the Finance Committee of November. 3, 2020

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

8.C. [20-507](#) Minutes of the Finance Committee Meeting of October 6, 2020

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

8.D. [20-506](#) Minutes of the Finance Committee Meeting of September 9, 2020

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

8.E. [20-371](#) Minutes of the Finance Committee Meeting of July 7, 2020

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

8.F. [20-370](#) Minutes of the Finance Committee Meeting of June 2, 2020

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

8.G. [21-003](#) Minutes of the Disaster Council Meeting of Dec 17, 2020

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

8.H. [21-002](#) Minutes of the Disaster Council Meeting of Dec 3, 2020

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

8.I. [21-001](#) Minutes of the Disaster Council Meeting of November 19, 2020

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

8.J. [20-633](#) MOTION Appointing City Councilmembers to Internal Committees, as Follows:

\*Disaster Council (Mayor and Vice Mayor are required members pursuant to San Leandro Municipal Code Section 3-4-110)

Mayor Cutter

Vice Mayor Aguilar

Councilmember Ballew

\*May be adjusted in the future

Facilities and Transportation Committee

Mayor Cutter

Councilmember Azevedo

Councilmember Cox

Finance Committee  
Mayor Cutter  
Councilmember Ballew  
Councilmember Lopez

Rules Committee  
Mayor Cutter  
Councilmember Aguilar  
Councilmember Simon

*Public Comment was received by Douglas Spalding.*

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2021-006

**8.K. [20-634](#)**

MOTION Appointing City Councilmembers to Serve on the Following Intergovernmental Agencies Until Replaced, as Follows:

Alameda County Fire Department, Alameda County Fire Advisory Commission (appointment of 2 representatives)

Representative: Councilmember Lopez

Representative: Councilmember Simon

Alameda County Housing Authority, Board of Directors (nomination of 1 representative)

Representative: Councilmember Ballew

Alameda County Mosquito Abatement District, Board of Trustees (appointment of 1 Trustee)

Trustee: Councilmember Aguilar

Alameda County Transit Bus Rapid Transit (BRT) (appointment of 2 representatives)

Representative: Mayor Cutter

Representative: Councilmember Cox

Alameda County Transportation Commission, Board of Directors (appointment of 1 representative and 1 alternate)

Representative: Mayor Cutter

Alternate: Councilmember Simon

Alameda County Waste Management Authority, Board of Directors (appointment of 1 representative and 1 alternate)

Representative: Councilmember Cox

Alternate: Councilmember Azevedo

Association of Bay Area Governments (ABAG), General Assembly  
(appointment of 1 representative and 1 alternate)  
Representative: Councilmember Azevedo  
Alternate: Vice Mayor Aguilar

East Bay Community Energy (EBCE) (appointment of 1 representative  
and 1 alternate)  
Representative: Councilmember Lopez  
Alternate: Councilmember Simon

East Bay Dischargers Authority (EBDA), Commission (appointment of 1  
representative and 1 alternate)  
Representative: Mayor Cutter  
Alternate: Councilmember Ballew

League of California Cities, East Bay Division, Board of Directors  
(appointment of 1 representative and 1 alternate)  
Representative: Councilmember Azevedo  
Alternate: Vice Mayor Aguilar

Port of Oakland, Oakland Airport Community Noise Management Forum  
(appointment of 1 representative)  
Representative: Councilmember Simon

San Leandro Improvement Association, Board of Directors (appointment  
of 1 representative and 1 alternate)  
Representative: Councilmember Cox  
Alternate: Councilmember Ballew

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2021-007

**8.L.** [21-006](#) MOTION to Accept the Fiscal Year 2020-21 1st Quarter Financial Report  
as of September 30, 2020

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2021-008

**8.M.** [20-611](#) Staff Report for a City of San Leandro City Council Resolution to  
Approve Amendment No. 1 to a Consulting Services Agreement with  
Lee & Ro, Inc. for Staff Augmentation Services Related to Capital  
Projects Management for an Increase of \$216,620 from Measure B/BB  
Funds for a Total Contract Amount of \$531,464 and to Extend the Term  
of the Contract to December 31, 2021

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



[20-612](#)

RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 1 to a Consulting Services Agreement with Lee & Ro, Inc. for Staff Augmentation Services Related to Capital Projects Management for an Increase of \$216,620 from Measure B/BB Funds for a Total Contract Amount of \$531,464 and to Extend the Term of the Contract to December 31, 2021 (provides for additional staff support services for the management of City capital projects using Measure B/BB funds)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-021

8.N. [20-614](#)

Staff Report for a City of San Leandro City Council Resolution to Increase the Contract Change Order Cap Authorization by \$55,868 from 15% at \$136,843 to 21% at \$192,711 for the Original Construction Contract Amount of \$912,289 with McNely Construction; to Authorize a Contract Change Order in the amount of \$48,629.09 for the Boys and Girls Club Pool Resurfacing Project, Project No. 2018.3400; and to Authorize the Transfer of \$51,767 to the Boys and Girls Club for Improvements to the Shared Locker Rooms

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

[20-615](#)

RESOLUTION of the City of San Leandro City Council to Increase the Contract Change Order Cap Authorization by \$55,868 from 15% at \$136,843 to 21% at \$192,711 for the Original Construction Contract Amount of \$912,289 with McNely Construction; and to Authorize a Contract Change Order in the amount of \$48,629.09 for the Boys and Girls Pool Resurfacing Project, Project No. 2018.3400 (provides for the approval of an individual contract change order and increasing the cumulative contract change order cap for the project)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-022

[20-616](#)

RESOLUTION of the City of San Leandro City Council to Authorize a Transfer of \$51,767 from the Pedestrian Crossings 2017-18 Project, Project No. 2018.5610 to the Boys and Girls Club (provides a transfer to the Boys and Girls Club, Inc. to complete improvements to the shared locker rooms)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-023

8.O. [21-039](#)

RESOLUTION of the City of San Leandro City Council Extending the Confirmation of a Proclamation of Local Emergency and State of Emergency by the City's Director of Emergency Services Pursuant to

California Government Code Section 8630 and Public Contract Code Section 22050(c) because of the COVID-19 Pandemic

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-024

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

## 10. ACTION ITEMS

- 10.A. [20-627](#) Staff Report for a City of San Leandro City Council Resolution Approving Appropriation of Four Hundred Thousand Dollars (\$400,000) of General Fund Reserves to Address Business Needs During the COVID-19 Pandemic

*Public Comment was received by Emily Griego and Douglas Spalding.*

**Received and Filed.**

[20-628](#)

RESOLUTION of the City of San Leandro City Council Approving Appropriation of Four Hundred Thousand Dollars (\$400,000) of General Fund Reserves to Address Business and Community Needs During the COVID-19 Pandemic

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

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-025

## 11. REPORT ON CLOSED SESSION ACTIONS TAKEN

*City Attorney Richard Pio Roda reported there was no reportable action taken however direction was provided to staff.*

## 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

*City Councilmembers announced calendar of upcoming events and coordinated attendance; reported on local events attended since the last meeting; and made brief comments on issues of concern.*

## 14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

*Public Comment was received by Addie Kitchen and Douglas Spalding.*

*-A motion was made by Vice Mayor Aguilar, seconded by Councilmember Azevedo, to schedule on the next available Rules Committee agenda a discussion related for an ordinance related to Hazard (Hero) Pay for Grocery Workers during COVID.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Vice Mayor Aguilar, seconded by Councilmember Lopez, to schedule on the next available Rules Committee agenda a discussion related to the prohibition of menthol cigarettes.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Vice Mayor Aguilar, seconded by Mayor Cutter, to schedule a discussion related to creating an Internship Program (Pilot Cities/SLUSD) with stipend.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Cox, seconded by Councilmember Ballew, to schedule on the next available Rules Committee agenda a discussion related to Naming a Future Navigation Center after Steven Taylor, to be part of discussion regarding the renaming a park for a Steven Taylor Sanctity of life park.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Lopez, seconded by Mayor Cutter, to schedule a discussion related to Augment CD Consulting Services to assist with facilitation and mitigation of neighborhood impacts as a result of infill housing.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, to schedule a discussion on models of Community Clean-up Programs to remove garbage.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

**15. ADJOURN**

*The meeting was adjourned at 11:09 p.m.*

**RESPECTFULLY SUBMITTED:**

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**LETICIA I. MIGUEL**  
**City Clerk of the City of San Leandro**