



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

Monday, September 20, 2021

6:30 PM

Access the meeting remotely by using this URL

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

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 6:30 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

Public Comment was received by Douglas Spalding.

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

2. RECOGNITIONS

- 2.A. [21-530](#) Commendation from Mayor Cutter to the Gordon Family for their Service to the Community

Presented

- 2.B. [21-527](#) RESOLUTION Appointing Brian Crowell as District 5 Representative to the Senior Commission for Term Ending December 31, 2022

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, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-134

3. PUBLIC COMMENTS

There were approximately 4 public speakers.

*Comments were made by the following individuals:
Douglas Spalding, Leo T. West, Maraam Fakira, and Agustin Lopez.*

4. PRESENTATIONS

None.

5. PUBLIC HEARINGS

- 5.A. [21-522](#) Staff Report for the City of San Leandro City Council to Hold a Public Hearing on the FY 2020-2021 Consolidated Annual Performance and Evaluation Report (CAPER); Adopt a Resolution to Approve the FY 2020-2021 CAPER; and Authorize the City Manager To Execute All Related Documents And Submit The CAPER to The U.S. Department of Housing And Urban Development (HUD)

Mayor Cutter opened the public testimony portion of the public hearing.

There were approximately 5 public speakers.

*Comments were made by the following individuals:
Douglas Spalding, Ginny Madsen, Samantha Camargo Ortiz, Maraam Fakira, and Jaylin Brown.*

The public testimony portion of the public hearing was closed.

Received and Filed

- [21-523](#) RESOLUTION of the City of San Leandro City Council to Approve the Fiscal Year 2020-2021 Consolidated Annual Performance and Evaluation Report (CAPER) (approves the CAPER for submission to the U.S. Department of Housing and Urban Development)

A motion was made by Councilmember Cox, 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 2021-135

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.G. and 8.K. 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 Ballew, to Approve the Consent Calendar. The motion carried by the following vote.

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

- 8.A.** [21-525](#) Minutes of the City Council Meeting of September 7, 2020
Approved as Submitted on the Consent Calendar.
- 8.B.** [21-506](#) Minutes of the City Council Meeting of July 19, 2021
Approved as Submitted on the Consent Calendar.
- 8.C.** [21-505](#) Minutes of the Adjourned City Council Meeting of July 12, 2021
Approved as Submitted on the Consent Calendar.
- 8.D.** [21-468](#) Minutes for the Finance Committee Meeting June 1, 2021
Approved as Submitted on the Consent Calendar.
- 8.E.** [21-467](#) Minutes of the Finance Committee Meeting of May 4, 2021
Approved as Submitted on the Consent Calendar.
- 8.F.** [21-454](#) Minutes of the Finance Committee Meeting of April 6, 2021
Approved as Submitted on the Consent Calendar.

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

- 8.H.** [21-480](#) Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the City Manager to Execute Amendment No. 2 to an Installation Agreement with Climatec, LLC for Design and Construction of Energy-Efficiency and Resiliency Projects at the Water Pollution Control Plant to Increase the Amount of Compensation by \$715,445 for a Total Cost of \$8,761,226; and to Approve an

Appropriation of \$715,445 from the Water Pollution Control Plant Fund Balance

Received and Filed on the Consent Calendar.

[21-481](#)

RESOLUTION of City of San Leandro City Council to Approve and Authorize the City Manager to Execute Amendment No. 2 to an Installation Agreement with Climatec, LLC for Design and Construction of Energy-Efficiency and Resiliency Projects at the Water Pollution Control Plant to Increase the Amount of Compensation by \$715,445 for a Total Cost of \$8,761,226; and to Approve an Appropriation of \$715,445 from the Water Pollution Control Plant Fund Balance

Adopted on the Consent Calendar.

Enactment No: Reso 2021-136

8.I. [21-514](#)

Staff Report for a City of San Leandro City Council Resolution Approving the Investment Report for the Quarter Ended June 30, 2021

Received and Filed on the Consent Calendar.

[21-515](#)

RESOLUTION of the City of San Leandro City Council Accepting the City Council Investment Report for the Quarter Ended June 30, 2021

Adopted on the Consent Calendar.

Enactment No: Reso 2021-137

8.J. [21-517](#)

Staff Report for a City of San Leandro City Council Resolution Approving and Authorizing the City Manager to Execute Amendment No. 5 to a Non-Professional Services Agreement with Rubicon Landscape Corporation for Citywide Turf Maintenance for \$165,062.18 for Fiscal Year 2021-2022

Public Comment was received by Douglas Spalding.

Received and Filed on the Consent Calendar.

[21-516](#)

RESOLUTION of the City of San Leandro City Council RESOLUTION Approving and Authorizing the City Manager to Execute Amendment No. 5 to a Non-Professional Services Agreement with Rubicon Landscape Corporation for Citywide Turf Maintenance for \$165,062.18 for Fiscal Year 2021-2022

Adopted on the Consent Calendar.

Enactment No: Reso 2021-138

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

- 8.L. [21-342](#) ORDINANCE of the City of San Leandro City Council Approving the First Amendment to the Development Agreement for the Residential Development Project located at 2436 Washington Avenue - 2450 Washington Avenue Development Project, APN 077D-1410-025-00, PLN20009-00006 and PLN21-0001

Adopted on the Consent Calendar.

Enactment No: Ordinance 2021-010

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.G. [21-421](#) Staff Report for a City of San Leandro City Council Resolution to Approve a Non-Professional Services Agreement with Watson Consoles for Procurement and Installation of 911 Dispatch Consoles in the Amount of \$92,208 for the Police Building and South Office Modifications Project, Project No. 2014.0481

Public Comment was received by Douglas Spalding.

Received and Filed.

[21-422](#)

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Non-Professional Services Agreement with Watson Consoles for Procurement and Installation of 911 Dispatch Consoles in the Amount of \$92,208 for the Police Building and South Office Modifications Project, Project No. 2014.0481

A motion was made by Vice Mayor Aguilar, seconded by Mayor Cutter, that this Resolution be Adopted. The motion carried by the following vote.

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

Enactment No: Reso 2021-139

- 8.K. [21-498](#) ORDINANCE of the City of San Leandro City Council adding Chapter 3.34, MHP Mobile Home Park Overlay District, and amending Chapter 5.28, Mobile Home Park Conversions, of the San Leandro Zoning Code, and amending the San Leandro Zoning Map

Public Comment was received by Sandev Resident.

A motion was made by Councilmember Simon, seconded by Councilmember Lopez, that this Ordinance be Adopted. The motion carried by the following vote.

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

Enactment No: Ordinance 2021-009

10. ACTION ITEMS

10.A. [21-528](#)

Staff Report to Remove from the Table the Second Reading of Ordinance No. 2020-12 Amending the Zoning Code, Zoning Map, and Municipal Code to Implement the 2018 Bay Fair TOD Specific Plan (Introduced on December 7, 2020)

Public Comment was received by Douglas Spalding, Emily Griego, and Ginny Madsen.

A motion was made by Councilmember Azevedo, seconded by Mayor Cutter, that this Staff Report be Approved. The motion carried by the following vote.

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

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

City Attorney Richard Pio Roda reported there was no reportable action taken and 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

*-A motion was made by Councilmember Lopez, seconded by Mayor Cutter to schedule a Proclamation Declaring Hispanic Heritage Month in San Leandro
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 Simon, seconded by Councilmember Lopez, to schedule on the Rules Committee agenda, a discussion on an Anti-idling ordinance. Primarily for trucks and diesel vehicles and later expand to regular vehicles

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 Simon, seconded by Councilmember Azevedo, to schedule on the Rules Committee agenda, a discussion on banning the sale of new gas-powered landscaping equipment

Roll call was taken as follows:

Aye: Aguilar, Azevedo, Lopez, Simon

Nay: Ballew, Cox, Mayor Cutter

Absent: None
Abstain: None

15. ADJOURN

The meeting was adjourned at 8:51 p.m.
In memory of Joseph Kitchen.

RESPECTFULLY SUBMITTED:

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