



# 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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Monday, June 21, 2021

6:30 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 6:50 p.m.*

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

*Public Comment was received by Douglas Spalding and Stephen Michael Tow.*

#### 1.B. ROLL CALL

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

#### 1.C. ANNOUNCEMENTS

#### 2. RECOGNITIONS

2.A. [21-302](#) Proclamation Honoring Ms. Moira Fry

*Public Comment was received by Celina Reynes and Stephen Michael Tow.*

**This matter was Presented**

#### 3. PUBLIC COMMENTS

*There were approximately 7 public speakers.*

*Comments were made by the following individuals:*

*Douglas Spalding, Emily Griego, Celina Reynes, Stephen Michael Tow, Pam Wool, Leo T. West, and Addie Kitchen*

**4. PRESENTATIONS**

- 4.A. [21-323](#) Capitol Corridor Joint Powers Authority - South Bay Connect Project Update

*There were approximately 6 public speakers.*

*Comments were made by the following individuals:  
Stephen Cassidy, Stephen Michael Tow, Lawrence Abbott, Mitch Huitema, Sarah Bailey, and Marci Dillon*

**Presented.**

- 4.B. [21-391](#) Presentation of City Affordable Housing Request for Proposal (RFP) Awardee - Abode Communities

*There were approximately 6 public speakers.*

*Comments were made by the following individuals:  
Stephen Michael Tow, Douglas Spalding, Emily Griego, Juan Gonzalez III, Lawrence Abbott, and Leo T. West*

**Presented.**

**5. PUBLIC HEARINGS**

*None.*

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

*Public Comment was received by Stephen Michael Tow and Douglas Spalding.*

**7. AMENDMENT OF CONSENT CALENDAR**

**8. CONSENT CALENDAR**

**Approval of the Consent Calendar**

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

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

- 8.A. [21-394](#) Minutes of the City Council Meeting of June 7, 2021

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

- 8.B. [21-393](#) Minutes of the Adjourned City Council Meeting of May 24, 2021

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

8.C. [21-344](#) Minutes of the City Council Meeting of May 17, 2021

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

8.D. [21-305](#) Minutes of the City Council Meeting of May 3, 2021

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

8.E. [21-392](#) Minutes of the Rules Committee Meeting of May 26, 2021

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

8.F. [21-200](#) Minutes of the Rules Committee Meeting of February 24, 2021

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

8.G. [21-201](#) Minutes of the Rules Committee Meeting of January 27, 2021

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

8.I. [21-310](#) Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 3 for \$239,957 to an Existing Consulting Services Agreement with Nichols Consulting Engineers for Design Services on the Annual Street Overlay/Rehabilitation 2019-21 Project, Project No. 2020.0050; to Authorize the City Manager to Negotiate and Approve Agreement Amendments up to \$51,860; and to Extend the Term of the Contract to December 31, 2022

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

[21-311](#) RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 3 for \$239,957 to an Existing Consulting Services Agreement with Nichols Consulting Engineers for Design Services on the Annual Street Overlay/Rehabilitation 2019-21 Project, Project No. 2020.0050; to Authorize the City Manager to Negotiate and Approve Agreement Amendments up to \$51,860; and to Extend the Term of the Contract to December 31, 2022 (provides for an increase in the contract amount, authorization to negotiate and approve agreement amendments and an extension of the contract term to December 31,2022)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-088

8.J. [21-313](#) Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the City Manager to Execute a Grant of Easement with the Alameda County Flood Control and Water

Conservation District for Storm Drainage (Grants an easement over City property for storm drainage)

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

[21-314](#)

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Grant of Easement with the Alameda County Flood Control and Water Conservation District for Storm Drainage (Grants an easement over City property for storm drainage)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-089

**8.M.** [21-355](#)

Staff Report for a City of San Leandro City Council Resolution to Approve a Consulting Services Agreement for \$150,000 of Community Development Block Grant (CDBG) Fiscal Year 2021-2022 Funds Between the City of San Leandro and Rebuilding Together Oakland-East Bay for the Provision of Housing Rehabilitation Grants.

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

[21-356](#)

RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement for \$150,000 of Community Development Block Grant (CDBG) Fiscal Year 2021-2022 Funds Between the City of San Leandro and Rebuilding Together Oakland East Bay for the Provision of Housing Rehabilitation Grants.

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-090

**8.N.** [21-369](#)

Staff Report for a City of San Leandro City Council Resolution Approving and Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with Townsend Public Affairs for State Legislative Advocacy Services, to Extend the Term of the Agreement through June 30, 2022 at the Same Rate, in an Amount Not to Exceed \$60,000 Annually, and to Also Authorize a Pilot-Study Expansion of the Scope of the Contract to Include the Provision of Grant Writing Support to the City in an Amount Not to Exceed an Additional \$36,000, for a Total Not to Exceed Amount of \$96,000

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

[21-370](#)

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute an Amendment to the Consulting Services Agreement with Townsend Public Affairs for State Legislative Advocacy Services, to Extend the Term of the Agreement through June 30, 2022 at the Same Rate, in an Amount Not to Exceed \$60,000 Annually, and to Also Authorize an Expansion of the Scope of the

Contract to Include the Provision of Grant Writing Support to the City in an Amount Not to Exceed an Additional \$36,000, for a Total Not to Exceed Amount of \$96,000

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-091

**8.P.** [21-385](#)

Staff Report for a City of San Leandro City Council Resolution to Approve Two Consulting Services Agreements for Third Party Plan Check Services Between the City of San Leandro and CSG Consultants, Inc. for \$200,000 and TRB+Associates for \$300,000 in FY2021-2022 (for a Total Amount Not to Exceed \$500,000)

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

[21-386](#)

RESOLUTION of the City of San Leandro City Council to Approve Two Consulting Services Agreements for Third Party Plan Check Services, One Agreement Between the City of San Leandro and CSG Consultants, Inc. for \$200,000 and One Agreement Between the City of San Leandro and TRB+Associates for \$300,000 in FY2021-2022 (for a Total Amount Not to Exceed \$500,000)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-092

**8.Q.** [21-384](#)

Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the Execution of the City's Grant Application to the California Department of Parks and Recreation Seeking a Grant Award of up to \$4.47 Million to Renovate Memorial Park

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

[21-390](#)

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Reapply for Statewide Park Development and Community Revitalization Program Grant Funds

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-093

**8.R.** [21-403](#)

Staff Report for a City of San Leandro City Council Resolution to Accept \$49,716.00 in State grant funding from the California Advanced Services Fund through the San Leandro Public Library System and Approval of a Corresponding Appropriation of \$49,716.00 to Provide Digital Inclusion Programs

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

[21-404](#)

RESOLUTION of the City of San Leandro City Council to Accept Grant Awards from the California Advanced Services Fund in the combined

amount of \$49,716.00 for Digital Inclusion Programs through the San Leandro Public Library and Appropriation Approval of Grant Funds to Account 150-18-102-5890

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-094

The City Council Meeting recessed at 9:24 p.m. and reconvened at 9:30 p.m.

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.L. [21-353](#) Staff Report for a City of San Leandro City Council Resolution to Approve Community Development Block Grant (CDBG) Agreements for Fiscal Year 2021-2022 Between the City of San Leandro and CDBG Sub-Recipients for Public Services Grants to the Child Abuse Listening, Interviewing, and Coordination Center (CALICO) for \$23,344; Davis Street Family Resource Center for \$35,000; Service Opportunities for Seniors, Inc. (SOS/Meals On Wheels) for \$35,000; Spectrum Community Services (San Leandro Senior Nutrition Program) for \$24,909; and Eden Council for Hope and Opportunity (ECHO Housing) for \$10,000 (Approves 5 Agreements Totaling \$128,253)

**Received and Filed.**

[21-354](#) RESOLUTION of the City of San Leandro City Council to Approve Community Development Block Grant (CDBG) Agreements for FY 2021-2022 Between the City of San Leandro and CDBG Sub-Recipients for Public Services Grants to the Child Abuse Listening, Interviewing, and Coordination Center (CALICO) for \$23,344; Davis Street Family Resource Center for \$35,000; Service Opportunities for Seniors, Inc. (SOS/Meals On Wheels) for \$35,000; Spectrum Community Services (San Leandro Senior Nutrition Program) for \$24,909; (ECHO Housing) for \$10,000 (Approves 5 Agreements Totaling \$128,253)

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

Enactment No: Reso 2021-095

- 8.H. [21-376](#) Staff Report for a City of San Leandro City Council Resolution Amending the existing 5-Year Legal Services Agreement with Meyers Nave ("Meyers Nave") to Add an Additional \$200,000 to the Fiscal Year 2020-2021 Agreement for a Combined Total Amount Not to Exceed \$1,140,000, and to Increase the Fiscal Year 2021-2022 Agreement from \$960,000 to a New Total Not to Exceed Amount of \$1,125,000

*Public Comment was received by Douglas Spalding, Stephen Michael Tow, and Pam Wool.*

[21-377](#)

RESOLUTION of the City of San Leandro City Council Approving an Amendment to the Existing 5-Year Agreement for Legal Services with Meyers Nave to Increase the Budget by \$200,000 for a Total Amount Not to Exceed of \$1,140,000 in Fiscal Year 2020-2021 and to Increase the Fiscal Year 2021-2022 Budget from \$960,000 to an Amount Not to Exceed \$1,125,000

Enactment No: Reso 2021-101

8.K. [21-337](#)

Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute a Legal Services Agreement with Bertrand, Fox, Elliot, Osman & Wenzel for Legal Representation Associated with Tort Liability Claims and Litigation for a Not to Exceed Value of \$500,000 and set to expire June 30, 2023; and to Negotiate and Approve Change Orders Up to a Cumulative Value not to Exceed 10% (\$50,000) of the Original Contract Amount

*Public Comment was received by Douglas Spalding and Stephen Michael Tow.*

[21-338](#)

RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute a Legal Services Agreement with Bertrand, Fox, Elliot, Osman & Wenzel for Legal Representation Associated with Tort Liability Claims and Litigation for a Not to Exceed Value of \$500,000 and set to expire June 30, 2023; and to Negotiate and Approve Contract Amendments Up to a Cumulative Value not to Exceed 10% (\$50,000) of the Original Contract Amount

Enactment No: Reso 2021-102

8.O. [21-374](#)

Staff Report for a City of San Leandro City Council Resolution Approving and Authorizing the City Manager to Execute a Non-Professional Services Agreement for \$637,200 for Fiscal Years 2021-2022 and 2022-2023 with Priority 1 Public Safety Equipment Installation Incorporated, for Maintaining, Servicing, and Outfitting of Existing Police Vehicles to Match Equipment Presently in Use in the Police Department's Fleet

*Public Comment was received by Douglas Spalding, Celina Reynes, Stephen Michael Tow, Lawrence Abbott, Mitch Huitema, and Pam Wool.*

[21-375](#)

RESOLUTION of the City of San Leandro City Council Authorizing the City Manager to Execute a Non-Professional Services Agreement for a not to Exceed Amount of \$637,200 with Priority 1 Public Safety Equipment Installation Incorporated, for Maintaining, Servicing, and Outfitting of Existing Police Vehicles to Match Equipment Presently in Use in the Police Department's Fleet

Enactment No: Reso 2021-103

- 8.S. [21-406](#) Staff Report for a City of San Leandro City Council Resolution to Declare the Second Monday of October as Indigenous Peoples' Day in Lieu of Columbus Day

*Public Comment was received by Douglas Spalding and Stephen Michael Tow.*

- [21-405](#) Resolution of the City of San Leandro City Council to Declare the Second Monday of October as Indigenous People's Day in Lieu of Columbus Day

Enactment No: Reso 2021-104

## 10. ACTION ITEMS

- 10.B. [21-387](#) Staff Report for a City of San Leandro Motion to Accept the Parking Management Program for the 42-Unit Multifamily Residential Development Located at 1388 Bancroft Avenue

*There were approximately 10 public speakers.*

*Comments were made by the following individuals:*

*Douglas Spalding, Stephen Cassidy, Stephen Michael Tow, Evan, Emily Griego, Jim Holton, Leo T. West, Steve Parker, Juan Gonzalez III, and Bob Knoll*

**Received and Filed.**

- [21-388](#) Motion to Accept the Parking Management Program for the 42-Unit Multifamily Residential Development Located at 1388 Bancroft Avenue

**A motion was made by Councilmember Cox, seconded by Councilmember Lopez, with a friendly amendment by Councilmember Simon that this Minute Order be Adopted to direct staff to conduct two additional parking studies. The first one is to be conducted when school is in session, this to be completed by Dixon Resources Unlimited, by the end of September. The second study is to be conducted by a separate consultant (not Dixon Resources Unlimited). To provide information to staff and the developer, to make sure that the project's parking management program takes all reasonable steps for all on site spaces are filled. After the first study is conducted and reviewed by staff, they will determine whether adequate street parking is available when school is in session. And if that happens, then staff and developer will meet and confer to finalize a parking management program based on the second study's information and then that parking management program would be approved by the Community Development Director as provided in the original Condition of Approval.**

**The motion carried by the following vote.**

**Aye:** 5 - Ballew, Cox, Lopez, Simon, Cutter

**Nay:** 2 - Aguilar, Azevedo

Enactment No: Min Order 2021-020



**10.A. [21-389](#)** City Council Request to Incorporate a 10-second Timed Pause Following the Announcement of Agenda Item Public Comments During City Council Meetings Conducted Via Online Teleconference

*There were approximately 4 public speakers.*

*Comments were made by the following individuals:*

*Stephen Michael Tow, Juan Gonzalez III, Stephen Cassidy, and Emily Griego*

**A motion was made by Councilmember Cox, seconded by Councilmember Ballew, that this Minute Order be Adopted for City Council Not to Incorporate a 10-second Timed Pause Following the Announcement of Agenda Item Public Comments During City Council Meetings Conducted Via Online Teleconference. The motion carried by the following vote.**

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

Enactment No: Min Order 2021-021

-A motion was made by Councilmember Cox, seconded by Councilmember Ballew, to adjourn the meeting, Items 9. 8.H, 8.K.,8.O.,8.S., 11, 12, 13 and 14 were not heard and adjourned to the Adjourned Meeting of Monday, June 28, 2021.

Roll call was taken as follows:

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

Nay: None

Absent: None

Abstain: None

- 11. REPORT ON CLOSED SESSION ACTIONS TAKEN**
- 12. CITY COUNCIL REPORTS**
- 13. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS**
- 14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS**
- 15. ADJOURN**

*The meeting was adjourned at 11:21 p.m.*

**RESPECTFULLY SUBMITTED:**

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