



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes City Council

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Monday, December 18, 2023

7:00 PM

Council Chambers

Access the meeting remotely by using this URL

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

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### 1. CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

*The Mayor called the meeting to order at 7:02 p.m. and City Attorney Pio Roda led the Pledge of Allegiance.*

*Councilmember Ballew joined via teleconference from the business center of the Hotel Fera, 101 The City Drive, Organge, CA 92868*

*Councilmember Simon joined via teleconference with an Emergency Circumstance.*

**Present** 6 - Aguilar Jr., Azevedo, Ballew, Simon, González III, Bowen

**Absent** 1 - Reynes

### 2. ANNOUNCEMENTS

*Councilmember Simon made an announcement that he would be joining via teleconference with an Emergency Circumstance. A motion was made by Councilmember Aguilar and seconded by Councilmember Azevedo to allow Councilmember Simon to participate in the Council meeting via teleconference. The motion passed unanimously 6-0-1 with Councilmember Reynes absent.*

### 3. RECOGNITIONS

*No items scheduled.*

### 4. AMENDMENT OF CONSENT CALENDAR

*No amendments were made.*

### 5. CONSENT CALENDAR

#### Approval of the Consent Agenda

*Comments were made by approximately 4 people.*

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

**Aye:** 6 - Aguilar Jr., Azevedo, Ballew, Simon, González III, Bowen

**Absent:** 1 - Reynes

- 5.a.** [23-611](#) Second Reading and Adoption of an Ordinance of the City of San Leandro City Council to Amend San Leandro Municipal Code Chapter 1-2 Departments to Reflect the Current Structure of City Departments  
**Received and Filed on the Consent Calendar.**  
Enactment No: Ord 2023-011
- 5.b.** [23-624](#) Second Reading and Adoption of an Ordinance to Amend San Leandro Municipal Code Section 1-3-110 to Modify the Community Police Review Board's Membership Structure  
**Received and Filed on the Consent Calendar.**  
Enactment No: Ord 2023-013
- 5.c.** [23-607](#) Adopt a Resolution to Accept the 2022-2023 Section 115 Other Post-Employment Benefits (OPEB) Trust and Pension Trust Investment Report for the Quarter Ended September 30, 2023  
**Received and Filed on the Consent Calendar.**  
Enactment No: Reso 2023-174
- 5.d.** [23-608](#) Adopt a Resolution to Approve the Annual Update of the City OPEB and Pension Funding Policy  
**Received and Filed on the Consent Calendar.**  
Enactment No: Reso 2023-175
- 5.e.** [23-605](#) Adopt a Resolution to Accept the Annual Report on Receipt and Use of Development Impact Fees for the Year Ended June 30, 2023  
**Received and Filed on the Consent Calendar.**  
Enactment No: Reso 2023-176
- 5.f.** [23-586](#) Adopt a Resolution to Approve the California State Library's Fiscal Year 2024 California Library Literacy Services (CLLS) English as a Second Language (ESL) Grant in the amount of \$23,488 and to Authorize the City Manager to Execute All Documents Related to the Grant and Appropriate Grant Funds for the Enhancement of ESL Programming as Part of Project Literacy  
**Received and Filed on the Consent Calendar.**  
Enactment No: Reso 2023-177
- 5.g.** [23-585](#) Adopt a Resolution to Approve the California State Library's Fiscal Year 2024 California Library Literacy Services (CLLS) Grant in the amount of

\$86,818 and to Authorize the City Manager to Execute All Documents Related to the Grant and Appropriate Grant Funds for the Continuation of the Project Literacy Adult and Family Literacy Services

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

Enactment No: Reso 2023-178

**5.h.** [23-594](#)

Adopt a Resolution to Approve and Authorize the City Manager to Award a Construction Contract to Tricon Construction, Inc. in the Amount of \$1,655,573.60, for the Washington Manor Park Pool Renovation, Project No. 2023.3400; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 10% (or \$165,557) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% (or \$413,893) of the Original Contract Amount

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

Enactment No: Reso 2023-179

**5.i.** [23-590](#)

Adopt a Resolution to Approve and Authorize the City Manager to Execute an Agreement between the City of San Leandro and the San Leandro Improvement Association in an amount not to exceed \$304,000 for the management and operation of the San Leandro Cherry Festival for Two Years with the Option for Three (3) One-Year Extensions

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

Enactment No: Reso 2023-180

**5.j.** [23-609](#)

Adopt a Resolution to Approve an American Rescue Plan Act (ARPA) Budget Adjustment for the Community Safety Ambassador Project and the Beautify San Leandro Project and Authorize the City Manager to Approve Carryovers/Unspent ARPA Funds to Future Fiscal Years' Budgets

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

Enactment No: Reso 2023-181

**5.k.** [23-559](#)

Motion to Approve the Posting of the Local Appointments List of Board and Commission Vacancies in 2024 in Compliance with the Maddy Act

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2023-027

**5.l.** [23-501](#)

Motion to Accept the FY 2022-2023 Annual Review of the Rent Review Ordinance and Tenant Relocation Assistance Ordinance

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2023-028

5.m. [23-452](#) Motion to Accept the 2022 Housing Element Annual Progress Report (APR)

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2023-029

5.n. [23-610](#) Minutes of December 4, 2023 City Council Meeting

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

**6. ITEMS REMOVED FROM CONSENT CALENDAR**

*No items were removed.*

**7. REPORT ON CLOSED SESSION ACTIONS TAKEN**

*No reportable action, direction was provided to staff.*

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

**9. PUBLIC COMMENTS**

*Public Comment was taken for 30 minutes under item 9, and continued to after item 15. Comments were made by approximately 15 people.*

**10. PUBLIC HEARINGS**

*No items scheduled.*

**11. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS**

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

**12. PRESENTATIONS**

*No items scheduled.*

**13. ACTION ITEMS**

*The City Council recessed from 8:00 p.m. to 8:05 p.m.*

13.a. [23-626](#) Second Reading and Adoption of an Ordinance to Establish Compensation of Councilmembers; and Second Reading and Adoption of an Ordinance to Establish Compensation of the Mayor

*Comments were made by approximately 1 person.*

**A motion was made by Councilmember Simon, seconded by Councilmember Aguilar, Jr., that both ordinances be Approved. The motion CARRIED by the following vote:**

**Aye:** 5 - Aguilar Jr., Azevedo, Simon, González III, Bowen

**Nay:** 1 - Ballew

**Absent:** 1 - Reynes

Enactment No: Ord 2023-014 & Ord 2023-015

**13.b. [23-614](#)**

Adopt Two Resolutions:

1. Approve and Authorize the City Manager to Execute an Agreement with Axon Enterprises, Inc. for the Purchase of up to Thirty-Eight (38) Axon Fleet 3 Mobile Audio and Video Cameras with Automatic License Plate Reader Technology for Police Vehicles in an Amount Not-to-Exceed \$544,315.75 and to Authorize Additional Cumulative Agreement Amendments Up to 10% (\$54,431.58); and
2. Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 1 to an Existing Consulting Services Agreement With Flock Safety to Extend the Contract Term an Additional Five Years from Date of Execution, Purchase and Install Forty-One (41) Additional Flock Automatic License Plate Reader (ALPR) Cameras, and to Increase the Maximum Amount of Compensation by \$807,150.00 for a Total not to Exceed Amount of \$1,057,150.00 and to Authorize Additional Cumulative Agreement Amendments Up to 10% (\$105,715.00)

*Comments were made by approximately 16 people.*

**A motion was made by Councilmember Simon, seconded by Councilmember Aguilar, Jr., that both resolutions be Approved. The motion CARRIED by the following vote:**

**Aye:** 6 - Aguilar Jr., Azevedo, Ballew, Simon, González III, Bowen

**Absent:** 1 - Reynes

Enactment No: Reso 2023-182 & Reso 2023-183

**14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS**

*By consensus, the City Council agreed to add the following items to their Council Priority Discussion: a discussion on an Increase to the reward for cold case murder cases from \$50k to \$100k*

*Vice Mayor Azevedo made a motion for an urgency ordinance with a second by CM Simon to add mobilehome parks to Rent Review Board. The motion failed with a vote of 3-3-1 with CMs Ballew, Bowen and Mayor Gonzalez voting no.*

**15. CITY COUNCIL REPORTS**

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

*Item 9 Public Comments was considered earlier in the agenda and continued to after item 15.*

*CM Aguilar made a motion to extend the meeting to 10:45 pm, CM Bowen seconded the motion. The motion carried with a vote of 6-0-1.*

*The City Council recessed from 10:10 p.m. to 10:15 p.m.*

*CM Aguilar made a motion to extend the meeting to 11:15 pm, CM Bowen seconded the motion. The motion carried with a vote of 5-1-1 with CM Ballew voting no.*

*Comments were made by approximately 25 people.*

**16. ADJOURN**

*The meeting was adjourned at 10:51 p.m.*

RESPECTFULLY SUBMITTED:

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Kelly B. Clancy  
City Clerk for the City of San Leandro