



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes City Council

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Tuesday, September 6, 2022

6:30 PM

City 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

*Mayor Cutter called the meeting to order at 6:40 p.m. and lead the pledge of allegiance.*

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

### 2. ANNOUNCEMENTS

*City Manager Robustelli introduced two new directors, Mike Yuen, Finance Director and Michael Sinor, Chief Technology Officer.*

*The Mayor and Councilmembers Aguilar, Ballew and Cox with City Manager Robustelli shared their trip to Sister City, Ponta del Gada.*

### 3. RECOGNITIONS

- 3.a. [22-479](#) Recognition of the Employee of the Quarter, Lisa Silva Acosta, Permits Technician, Community Development

**This matter was Presented**

- 3.b. [22-523](#) Resolution Appointing Erin Ouborg as District 1 Representative to the Recreation and Parks Commission

**A motion was made by Councilmember Cox, seconded by Councilmember Ballew, that this Staff Report be Approved. The motion CARRIED by the following vote:**

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

Enactment No: 2022-134

- 3.c. [22-534](#) Mayor's Award for Kindness for Ambassador Team (Patrick Jones, Tylan Lee, Umoni Whitaker, & Larry Hall)

**This matter was Presented**

- 3.d. [22-181](#) Proclaiming September as National Preparedness Month in San Leandro

*The proclamation was accepted by Alameda County Fire Public Education Assistant Breanne Slimick and Fire Dept. Aide/CERT Instructor Lynn Kozma.*

**This matter was Presented**

**3.e. [22-182](#)**

Proclaiming September as Firefighter Appreciation Month in San Leandro

*The proclamation was accepted by Alameda County Fire Truck 9 Crew, Captain James Cobb, Engineer Mike Melton, and Firefighter Jackson Pasquini*

**This matter was Presented**

**3.f. [22-183](#)**

Proclaiming September 15 - October 15, 2022 as Hispanic Heritage Month in San Leandro

*The proclamation was accepted by Joanna Garcia-Salazar, a parent facilitator with the San Leandro Unified School District.*

**This matter was Presented**

**3.g. [22-180](#)**

Proclaiming Sept 17 - 23, 2022 as Constitution Week

*The proclamation was received by Kay Arnold from the Daughters of the American Revolution.*

**This matter was Presented**

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

*Closed session item 4.a. council directed to initiate and action, litigation regarding workplace violence. Item 4.b. direction was provided to staff.*

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

*No report.*

**6. PUBLIC COMMENTS**

*Comments were made by the following individuals: Douglas Spalding, Samantha Camargo, Chris Bammer, Mitch Huitema, Maraam Fakira, Mele'Otufanga Pau'u, Jenna King, Jaylin Brown, Leigha Pierson, Luchi, Keyshawn Ward, Veronia Turner, Jozie, and Leo West.*

**7. 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.*

**8. PRESENTATIONS**

*No presentations scheduled.*

**9. AMENDMENT OF CONSENT CALENDAR**

*None.*

**10. CONSENT CALENDAR**

**Approval of the Consent Agenda**

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

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

**10.a. [22-477](#)** Minutes of the February 24, 2022 Rules Committee Special Meeting

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

**10.b. [22-524](#)** Minutes of July 5, 2022 City Council Meeting

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

**10.c. [22-525](#)** Minutes of July 11, 2022 City Council Special Meeting

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

**10.d. [22-526](#)** Minutes of City Council July 18, 2022 Meeting

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

**10.e. [22-515](#)** Minutes of June 7, 2022 Finance Committee Meeting

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

**10.f. [22-533](#)** Make a Motion to Nominate Members to the Community Police Review Board, as follows:

- Brian Copeland as District 1 Member
- Joycelynn Gage as District 2 Member
- Erina Kim-Eubanks as District 3 Member
- A. Keith Gibbs as District 4 Member
- Robert Bailey as District 5 Member
- Timothy Zimmermann as District 6 Member
- Jennifer Chang as Mayor's At-Large Member
- Marco Curiel as Student Member
- Nine Scott as Student Member

Collective attributes of the above-referenced slate of nominees include:

- Consistent with San Leandro's current demographics, most major racial demographic groups are represented, including: African Americans, Asian/Pacific Islanders, Latinos, and Caucasians
- Several representatives from the LGBTQ+ community
- A spectrum of income levels
- A mix of home-owners and renters
- A range of education levels
- A range of employment statuses including students, part-time workers, full time workers and retirees
- A spectrum of age-range categories from age 19-22 through 66 and above
- A range of San Leandro residency years from a low of 3.5 years to a high of 50 years

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2022-016

**10.g.** [22-519](#)

Adopt a Resolution Amending Title 4 of the Administrative Code and adding Section 4.4 - Electronic Filing of Campaign Disclosure Documents

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

Enactment No: 2022-135

**10.h.** [22-504](#)

Adopt a Resolution to Approve Parcel Map 11183 for 84 Oakes Boulevard, Assessor's Parcel Number 076-0420-024, 025, 026 and 027: Owners, Subdividers, and Applicants: Rongkang Wang and Kayla Kwanying Peng

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

Enactment No: 2022-136

**10.i.** [22-438](#)

Adopt a Resolution to Approve and Authorize the City Manager to execute an amendment to an existing Consulting Services Agreement with Indigo, Hammond, and Playle Architects, LLP for the Police Building and South Offices Renovation project and to appropriate \$942,000 to the project from the Capital Improvement Program (CIP) budget

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

Enactment No: 2022-137

**10.j.** [22-511](#)

Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 1 to an Existing Consulting Services Agreement with Jason R. Zalinski in the Amount of \$79,800 for the Police Building and South Offices Modifications Project, Project No. 2014.0481

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

Enactment No: 2022-138

- 10.k.** [22-307](#) Adopt a Resolution to Authorize the City Manager to Execute Amendment No. 2 to an Existing Consulting Services Agreement with Testing Engineers for Special Inspection and Materials Testing to Increase the Amount of Compensation by \$10,000 for a Total not to Exceed Amount of \$95,000 on the Farrelly Pool Replacement, Project No. 2018.3420; and to Authorize the Extension of the Contract Term from December 31, 2021, to December 31, 2022

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

Enactment No: 2022-139

- 10.l.** [22-491](#) Adopt a Resolution to Approve Parcel Map 11312 for Assessor's Parcel Numbers 079A-0590-001-05 and 079A-0590-003-00; Owner, Subdivider and Applicant: City of San Leandro

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

Enactment No: 2022-147

- 10.m.** [22-503](#) Adopt a Resolution to Authorize the City Manager to Enter into a Consulting Services Agreement with Environmental Science Associates for the Long Beach Restoration Study Project, Project No. 2020.3060 for an Amount Not to Exceed \$414,500 Using Grant Funding

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

Enactment No: 2022-140

- 10.n.** [22-506](#) Adopt a Resolution to Approve and Authorize the City Manager to execute Amendment No. 2 for each of the Existing Consultant Services Agreements with DKS Associates, Fehr & Peers, and W-Trans with Updated Fee Schedules for On-Call Transportation Engineering Consulting Services in an Amount Not-to-Exceed \$100,000 Within the 12-Month Period for a Total of \$300,000 for All Three Agreements

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

Enactment No: 2022-141

- 10.o.** [22-520](#) Adopt a Resolution to Authorize the City Manager to Execute a Memorandum of Understanding between the City of San Leandro and Oro Loma Sanitary District for Refuse, Green Waste, and Recycling Services in the L3 Area

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

Enactment No: 2022-142

- 10.p.** [22-494](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 6 to a Non-Professional Services Agreement with Rubicon Landscape Corporation for Citywide Turf Maintenance for \$176,220.44 for Fiscal Year 2022-2023

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

Enactment No: 2022-143

- 10.q.** [22-509](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Non-Professional Services Agreement with West Coast Arborists, Inc. for Citywide Tree Pruning, Stump Removal, and Arborist Services for a Not-To-Exceed Amount of \$354,000 and Appropriate \$339,000 from the General Fund Undesignated Fund Balance to Account 010-33-001-5340 That Will be Fully Off-set by Salary Savings

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

Enactment No: 2022-144

- 10.r.** [22-453](#) Adopt a Resolution to Approve Annual Renewal for Fiscal Year 2022-2023 with Brightly Software (formerly Dude Solutions, Inc.) for Facilities Management Software Suite (Asset Essentials and Capital Forecast), Mobile 311, Parks, and Water Plant Management Software Systems for the Amount of \$103,075.62

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

Enactment No: 2022-145

- 10.s.** [22-521](#) Adopt a Resolution to Authorize the City Manager to Add One Temporary Fully Cost-Covered 0.8 Full-Time Equivalent Position for HVAC Mechanic II Classification to the Public Works Department Adopted Budget Staffing Allocation

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

Enactment No: 2022-146

## **11. ITEMS REMOVED FROM CONSENT CALENDAR**

*None.*

## **12. PUBLIC HEARINGS**

- 12.a.** [22-272](#) Conduct a Public Hearing, Adopt Four Resolutions and Approve the First Reading of an Ordinance:
- 1) Resolution of Formation establishing the City of San Leandro Community Facilities District (CFD) No. 2022-1 (Monarch Bay Shoreline Facilities & Services) (the "CFD");
  - 2) Resolution Deeming it Necessary to Incur Bonded Indebtedness to

Finance the Acquisition and Construction of Public Facilities for the Proposed CFD;  
3) Resolution Calling Special Mailed-ballot Election Within the Proposed CFD;  
4) Resolution Declaring Results of Special Mailed-ballot Election within the Proposed CFD; and  
5) Ordinance Levying a Special Tax for 2023-2024 and Following Fiscal Years Solely Within and Relating to the Proposed CFD

*1. A motion was made by Councilmember Cox, seconded by Councilmember Simon to Approve the resolution to form the Community Facilities District. The motion carried by the following vote:*

*Aye: 6 - Aguilar, Azevedo, Cox, Lopez, Simon, Cutter*

*Recused: 1 - Ballew*

*2. A motion was made by Councilmember Lopez, seconded by Councilmember Aguilar to Approve the resolution determining necessity to incur bonded indebtedness for the CFD. The motion carried by the following vote:*

*Aye: 6 - Aguilar, Azevedo, Cox, Lopez, Simon, Cutter*

*Recused: 1 - Ballew*

*3. A motion was made by Councilmember Azevedo, seconded by Councilmember Cox to Approve the resolution calling the election for the Community Facilities District. The motion carried by the following vote:*

*Aye: 6 - Aguilar, Azevedo, Cox, Lopez, Simon, Cutter*

*Recused: 1 - Ballew*

*The Acting City Clerk announced the results of the election of the CFD with 100% approval of the CFD.*

*4. A motion was made by Councilmember Lopez, seconded by Councilmember Cox to Approve the resolution declaring the results of the Special Election. The motion carried by the following vote:*

*Aye: 6 - Aguilar, Azevedo, Cox, Lopez, Simon, Cutter*

*Recused: 1 - Ballew*

*5. After the introduction of the first reading of an ordinance, a motion was made by Councilmember Azevedo, seconded by Councilmember Simon to Approve the first reading of an ordinance levying special tax within the CFD. The motion carried by the following vote:*

*Aye: 6 - Aguilar, Azevedo, Cox, Lopez, Simon, Cutter*

*Recused: 1 - Ballew*

**This matter was Approved**

- 12.b. [22-492](#) Consider a First Reading of an Ordinance Amending Sections 5.08.136 and 5.12.132 of the San Leandro Zoning Code to Extend by Two Years the Entitlements for Qualified Housing Projects

*Public Comment was made by the following individual: Lucas*

**A motion was made by Councilmember Ballew, seconded by Councilmember Aguilar, that this Ordinance be Passed to Print. The motion CARRIED by the following vote:**

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

Enactment No:

### 13. ACTION ITEMS

*None scheduled.*

### 14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

*By consensus, the City Council agreed to add the following items to their Council Priority Discussion to protect residents from late liquor store hours and cars parking on street.*

*Three priority resolutions were introduced.*

*1. A motion was made by Councilmember Ballew seconded by Councilmember Cox, to introduce a resolution naming Mayor Cutter, Mayor Emeritus. The motion carried by the following vote.*

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

*2. A motion was made by Councilmember Simon seconded by Mayor Cutter, to introduce a resolution naming recognizing CM Lopez as the first latinx woman on Council. The motion carried by the following vote.*

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

*3. A motion was made by Councilmember Simon seconded by Mayor Cutter, to introduce a resolution naming recognizing CM Aguilar as the first latinx and gay Councilmember. The motion carried by the following vote.*

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

### 15. CITY COUNCIL REPORTS

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

### 16. ADJOURN

*The meeting was adjourned at 9:55 p.m., in honor of Darryl Shields.*



RESPECTFULLY SUBMITTED:

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