



# 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*

*Ed Hernandez, District 2*

*Victor Aguilar, Jr., District 3*

*Benny Lee, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, September 21, 2020

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 7:00 p.m.*

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

#### 1.B. ROLL CALL

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

**Present** 6 - Aguilar, Ballew, Cox, Lee, Lopez, Cutter

**Excused** 1 - Hernandez

#### 1.C. ANNOUNCEMENTS

#### 2. RECOGNITIONS

2.A. [20-414](#) Proclamation Honoring Senior Building Inspector Jim Hyde

**Presented.**

2.B. [20-425](#) Introduction of New Alameda County Fire Chief William McDonald

**Presented.**

### 3. PUBLIC COMMENTS

*There were approximately 13 public speakers.*

*Comments were made by the following individuals:*

*Tom Baker, Annie Banks, Robert Bailey, Joel Baum, Selina McManus, Gida, Erica, Anthony Cejada, Mary Tieh, Mike Katz-Lacabe, Jenna Hewitt King, Pam W, and Cynthia Chandler.*

*Public Comment was closed and re-opened following Item 11.*

### 4. PRESENTATIONS

*None.*

### 5. PUBLIC HEARINGS

#### 5.A. [20-311](#)

Staff Report for a City of San Leandro Resolution Approving an Initial Study - Mitigated Negative Declaration and Mitigation Monitoring Program for the Project Located at 1388 Bancroft Avenue Consisting of a New Three-story, Multi-family Residential Building Comprising 42 units, Including 40 Two-Bedroom Units and 2 Three-Bedroom Units; and a Wireless Communication Facility; Adopting a Resolution approving a Planned Development and Site Plan Review Based on the Attached Findings of Fact and Subject to the Recommended Conditions of Approval; and Adopt an Ordinance Rezoning the Subject Property, from Professional Office (P) to Professional Office, Planned Development Overlay, P (PD). (parcel located at Bancroft Avenue, and Estudillo and Joaquin Avenues); Alameda County Assessor's Parcel Number 77-524-12-4; T. Silva, Eden Realty (Applicant); Silva and Gonsalves Trust (Property Owner). PLN18-0046

*Mayor Cutter opened the public testimony portion of the public hearing at approximately 9:33 p.m.*

*There were approximately 29 public speakers.*

*Comments were made by the following individuals:*

*Brian Stewart, Kenneth Pon, Maurice, Celina Reynes, Bob Stoker, Joan Edelstein, Andres Cluver, Tim Frank, Steve Parker, Jim Holton, Kristine Richter, John Carlson, John Belperio, Karen Diaz, Martina, John Sherwood, Stephen Cassidy, Owen Heights, Roy Gregg, Evan, Juan Gonzalez, Linda Parker, Michael, Faye Clements, Robert Curruso, Tom Baker, Dan Johnson, Stephen Michael Tow, Bernard Ashcraft.*

*The public testimony portion of the public hearing was closed at approximately 10:36 p.m.*

**Received and Filed.**

[20-313](#)

RESOLUTION of the City of San Leandro City Council Adopting a

Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for 1388 Bancroft Apartments (PLN18-0046)

**A substitute motion was made by Vice Mayor Ballew, seconded by Councilmember Lee, with a friendly amendment by Councilmember Cox that this Resolution be Adopted, to include 42 units, four (4) BMR units to be onsite, two (2) to pay in-leu fees, and unbundled parking.**

**Roll call was taken as follows:**

**Aye: 3- Cox, Ballew, Lee**

**Nay: 3- Aguilar, Lopez, Mayor Cutter**

**Excused: 1- Hernandez**

**Abstain: None**

**A motion was made by Councilmember Aguilar, seconded by Councilmember Lopez, that this Resolution be Adopted at 39 units, four of the units will be affordable, two off-site, with no in-leu fee, and bundle parking.**

**A substitute motion was made by Mayor Cutter, seconded by Councilmember Lopez, that this Resolution be Adopted with 42 units, four (4) BMR units to be income restricted, two (2) at below market, two (2) at 120% AMI onsite, and two (2) to pay in-leu fees. Parking management plan will need to come back to City Council for approval, this could include bundled or unbundled parking. The motion carried by the following vote.**

**Aye: 4 - Ballew, Cox, Lopez, Cutter**

**Nay: 1 - Aguilar**

**Excused: 1 - Hernandez**

**Abstain: 1 - Lee**

Enactment No: Reso 2020-119

[20-314](#)

RESOLUTION of the City of San Leandro City Council Approving a Planned Development and Site Plan Review for 1388 Bancroft Avenue (PLN18-0046)

**A substitute motion was made by Vice Mayor Ballew, seconded by Councilmember Lee, with a friendly amendment by Councilmember Cox that this Resolution be Adopted, to include 42 units, four (4) BMR units to be onsite, two (2) to pay in-leu fees, and unbundled parking.**

**Roll call was taken as follows:**

**Aye: 3- Cox, Ballew, Lee**

**Nay: 3- Aguilar, Lopez, Mayor Cutter**

**Excused: 1- Hernandez**

**Abstain: None**

**A motion was made by Councilmember Aguilar, seconded by Councilmember Lopez, that this Resolution be Adopted at 39 units, four of the units will be affordable, two off-site, with no in-leu fee, and bundle parking.**

**A substitute motion was made by Mayor Cutter, seconded by Councilmember Lopez, that this Resolution be Adopted with 42 units, four (4) BMR units to be income restricted, two (2) at below market, two (2) at 120% AMI onsite, and two (2) to pay in-leu fees. Parking management plan will need to come back to**

City Council for approval, this could include bundled or unbundled parking.  
The motion carried by the following vote.

**Aye:** 4 - Ballew, Cox, Lopez, Cutter

**Nay:** 1 - Aguilar

**Excused:** 1 - Hernandez

**Abstain:** 1 - Lee

Enactment No: Reso 2020-120

[20-312](#)

ORDINANCE of the City of San Leandro City Council to Approve a Rezoning of a 1.27 Acre Parcel at 1388 Bancroft Avenue from Professional Office (P), to Professional Office, Planned Development Overlay District, P(PD), Alameda County Assessor's Parcel Number 77-524-12-4 (PLN18-0046)

**A substitute motion was made by Vice Mayor Ballew, seconded by Councilmember Lee, with a friendly amendment by Councilmember Cox that this Resolution be Adopted, to include 42 units, four (4) BMR units to be onsite, two (2) to pay in-leu fees, and unbundled parking.**

**Roll call was taken as follows:**

**Aye:** 3- Cox, Ballew, Lee

**Nay:** 3- Aguilar, Lopez, Mayor Cutter

**Excused:** 1- Hernandez

**Abstain:** None

**A motion was made by Councilmember Aguilar, seconded by Councilmember Lopez, that this Resolution be Adopted at 39 units, four of the units will be affordable, two off-site, with no in-leu fee, and bundle parking.**

**A substitute motion was made by Mayor Cutter, seconded by Councilmember Lopez, that this Resolution be Adopted with 42 units, four (4) BMR units to be income restricted, two (2) at below market, two (2) at 120% AMI onsite, and two (2) to pay in-leu fees. Parking management plan will need to come back to City Council for approval, this could include bundled or unbundled parking. The motion carried by the following vote.**

**Aye:** 4 - Ballew, Cox, Lopez, Cutter

**Nay:** 1 - Aguilar

**Excused:** 1 - Hernandez

**Abstain:** 1 - Lee

Enactment No: Ordinance 2020-010

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

*None.*

*Public Comment was received from Douglas Spalding.*

**7. AMENDMENT OF CONSENT CALENDAR**

*None.*

**8. CONSENT CALENDAR**

*None.*

**9. ITEMS REMOVED FROM CONSENT CALENDAR**

*None.*

**10. ACTION ITEMS**

*None.*

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

*None.*

**3. PUBLIC COMMENTS (re-opened)**

*Public Comment was received from Martina, Douglas Spalding, Jeff Fish, Leo West, and Stephen Michael Tow.*

**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 Lee, seconded by Mayor Cutter, to schedule on the next available Facilities and Transportation Committee agenda a discussion related to Flex & Shuttle Expansion bringing in HOA.*

*Roll call was taken as follows:*

*Aye: Aguilar, Cox, Ballew, Lee, Mayor Cutter*

*Nay: None*

*Absent: Hernandez, Lopez*

*Abstain: None*

**15. ADJOURN**

*The meeting was adjourned at 1:08 a.m., Tuesday, September 22, 2020.  
In memory of Justice Ruth Bader Ginsburg, Linda Trowbridge, and Roland (Ron) J.  
Dias.*

**RESPECTFULLY SUBMITTED:**

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