



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

Monday, December 7, 2020

7:00 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 7:04 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

1.B. ROLL CALL

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

Present 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

1.C. ANNOUNCEMENTS

2. RECOGNITIONS

- 2.A. [20-534](#) Proclamation Declaring Monday, December 7, 2020 as Lydia Rodriguez Day and Posthumously Commending Lydia Rodriguez for Over 18 Years of Dedicated Service to Our Community.

Presented.

- 2.B. [20-508](#) RESOLUTION Nominating and Appointing Members to the Youth Advisory Commission for Term Ending August 31, 2021

A motion was made by Councilmember Lee, seconded by Councilmember Hernandez, that this Resolution be Adopted. The motion carried by the

following vote.

Aye: 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2020-148

2.C. [20-443](#)

Presentation of the 2020 Service Awards

Victor Aguilar, 5 years

David Anderson, 5 years

Tony Breslin, 5 years

Dan Johnson, 5 years

Ken Pon, 5 years

Mike Santos, 5 years

Susan Snell, 5 years

Rick Solis, 5 years

Chike Udemezue, 5 years

Litha, Zuber, 5 years

Pauline Cutter Russo, 10 years

Jan Woychesin, 10 years

Thomas Silva, 15 years

Public Comment was received from Stephen Michael Tow.

Presented.

2.D. [20-444](#)

Presentation of the 2020 City Council District Leadership Awards and Mayor's Awards of Excellence

District 1- Patty Breslin

District 2- Pedro Naranjo

District 3- Erina & Michael Kim-Eubanks

District 4- Robert "Bob" Glaze

District 5- Betsy Venters of San Leandro Color

District 6- Charlie Deterline

Mayor's Award of Excellence, Small Business – As Kneaded Bakery

Mayor's Award of Excellence, Medium Business – Joe's Pho

Mayor's Award of Excellence, Large Business – Torani

"A City Where Kindness Matters" Award – Brandon Price

Public Comment was received from Stephen Michael Tow and Douglas Spalding.

Presented.

3. PUBLIC COMMENTS

There were approximately 13 public speakers.

Public Comments were made by the following individuals:

Eric Nelson, Bob DeCosta, Selina McManus, Pam W, Richard Souza, Chris Dobberpuhl, Douglas Spalding, Celina Reynes, Jenna Hewitt King, Angel Simmons, Leo T. West, Stephen Michael Tow, and Addie Kitchen

4. PRESENTATIONS

None.

5. PUBLIC HEARINGS

5.A. [20-525](#)

Staff Report for Consideration of an Ordinance Adopting Chapter 2.10, Bay Fair Transit Oriented Development (B-TOD), to the San Leandro Zoning Code and Related Amendments to the Zoning Code, Zoning Map, Municipal Code; and Consideration of a Resolution Adopting Amendments to the Bay Fair Transit-Oriented Development (TOD) Specific Plan, and General Plan, and Adopting an Addendum to the Certified Final Environmental Impact Report Prepared for the 2018 Bay Fair TOD Specific Plan (Implementation of 2018 Bay Fair TOD Specific Plan).

Mayor Cutter opened the public testimony portion of the public hearing at approximately 9:42 p.m.

There were approximately 9 public speakers.

Public Comments were made by the following individuals:

Stephen Michael Tow, Celina Reynes, Douglas Spalding, John Dietrich, Angel Simmons, James Wright, Juan Gonzalez, Lawrence Abbit, and Cynthia Chandler

The public testimony portion of the public hearing was closed at approximately 10:03 p.m.

Received and Filed.

[20-526](#)

Resolution of the City of San Leandro City Council Amending the Bay Fair Transit-Oriented Development (TOD) Specific Plan, Amending the San Leandro General Plan, and Adopting an Addendum to the Previously Certified Bay Fair TOD Specific Plan Environmental Impact Report SCH NO.2017032016

A motion was made by Councilmember Hernandez, seconded by Vice Mayor Ballew, that this Resolution be Adopted as Amended. The motion carried by the following vote.

Aye: 6 - Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Nay: 1 - Aguilar

Enactment No: Reso 2020-149

[20-527](#)

ORDINANCE of the City of San Leandro City Council Adopting Chapter 2.10, Bay Fair Transit-Oriented Development (B-TOD) District, of the San Leandro Zoning Code, Amending the San Leandro Zoning Map, and Adopting Miscellaneous Related Amendments to the San Leandro

Municipal Code and Zoning Code

A motion was made by Councilmember Hernandez, seconded by Vice Mayor Ballew, that this Ordinance be Passed to Print. The motion carried by the following vote.

Aye: 6 - Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Nay: 1 - Aguilar

Enactment No: Ordinance 2020-012

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS**7. AMENDMENT OF CONSENT CALENDAR****8. CONSENT CALENDAR****Approval of the Consent Calendar**

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

Aye: 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

- 8.A. [20-570](#)** Minutes of the City Council Meeting of November 16, 2020
Approved as Submitted on the Consent Calendar.
- 8.B. [20-557](#)** Minutes of the Disaster Council meeting of August 6, 2020
Approved as Submitted on the Consent Calendar.
- 8.C. [20-556](#)** Minutes of the Disaster Council Meeting of July 16, 2020
Approved as Submitted on the Consent Calendar.
- 8.D. [20-555](#)** Minutes of the Disaster Council Meeting of July 2, 2020
Approved as Submitted on the Consent Calendar.
- 8.E. [20-538](#)** Minutes of the Disaster Council Meeting of June 25, 2020
Approved as Submitted on the Consent Calendar.
- 8.F. [20-537](#)** Minutes of the Disaster Council Meeting of June 18, 2020
Approved as Submitted on the Consent Calendar.
- 8.G. [20-536](#)** Minutes of the Disaster Council Meeting of June 11, 2020

Approved as Submitted on the Consent Calendar.

8.H. [20-535](#) Minutes of the Disaster Council Meeting for June 4, 2020

Approved as Submitted on the Consent Calendar.

8.I. [20-573](#) Staff Report for Approval of the City of San Leandro's 2021 Local Appointments List of Upcoming Vacancies on the City's Boards and Commissions

Received and Filed on the Consent Calendar.

[20-574](#) MOTION Approving the Posting of the 2021 Local Appointments List on the Bulletin Boards Outside the City Council Chambers and at the Main Library, and on the City Website

Adopted on the Consent Calendar.

Enactment No: Min Order 2020-012

8.J. [20-575](#) MOTION Approving the Cancellation of the December 21, 2020 City Council meeting due to City Closure.

Adopted on the Consent Calendar.

Enactment No: Min Order 2020-013

8.K. [20-497](#) Staff Report for a Resolution of the City of San Leandro City Council to Approve a Consulting Services Agreement with Kimley-Horn and Associates, Inc. for the Design Work of the Wicks Boulevard and Manor Boulevard Signal Upgrade Project in the Amount of \$83,859, to Appropriate \$42,359 from the Development Fees for Street Improvements Fund Balance and to Authorize the City Manager to Negotiate and Execute Individual Contract Amendments up to 10% (\$8,386) and Cumulative Amendments up to a Maximum of 25% (\$20,965)

Received and Filed on the Consent Calendar.

[20-498](#) RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement with Kimley-Horn and Associates, Inc. for the Design Work of the Wicks Boulevard and Manor Boulevard Signal Upgrade Project in the Amount of \$83,859, to Appropriate \$42,359 from the Development Fees for Street Improvements Fund Balance and to Authorize the City Manager to Negotiate and Execute Individual Contract Amendments up to 10% (\$8,386) and Cumulative Amendments up to a Maximum of 25% (\$20,965)

Adopted on the Consent Calendar.

Enactment No: Reso 2020-150

- 8.L. [20-515](#) Staff Report for a City of San Leandro City Council Resolution that Approves the San Leandro City Employees' Association (SLCEA) Memorandum of Understanding and Confidential Employees' Group Compensation Plan with no Salary Increase through December 31, 2021

Public Comment was received from Stephen Michael Tow.

Received and Filed on the Consent Calendar.

- [20-516](#) RESOLUTION of the City of San Leandro City Council Approving the Memorandum of Understanding Between the City of San Leandro and the San Leandro City Employees' Association (SLCEA) and the Confidential Employees' Group Compensation Plan with no Salary Increase Through December 31, 2021.

Adopted on the Consent Calendar.

Enactment No: Reso 2020-151

- 8.M. [20-551](#) Staff Report for a City of San Leandro City Council Resolution Accepting the Annual Report of the West San Leandro Shuttle Business Improvement District (BID) for Fiscal Year 2020-2021 and Directing the City Manager to Impose the 2021 BID Assessment Rates, Increased by the Consumer Price Index (CPI) to Provide Management and Funding for the LINKS Shuttle Program

Received and Filed on the Consent Calendar.

- [20-552](#) RESOLUTION of the City of San Leandro City Council Accepting the Annual Report of the West San Leandro Shuttle Business Improvement District (BID) Fiscal Year 2020-2021 and Directing the City Manager to Impose the 2021 BID Assessment Rates Increased by the Consumer Price Index (CPI)

Adopted on the Consent Calendar.

Enactment No: Reso 2020-152

- 8.N. [20-561](#) Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the City Manager to Execute an Animal Shelter Services Agreement with the East Bay SPCA for \$290,000 and to Appropriate Additional Fiscal Year 2020-21 Funding of \$104,169 from the General Fund Undesignated Fund Balance to the Animal Control Operating Account

Received and Filed on the Consent Calendar.

- [20-563](#) RESOLUTION of the City of San Leandro City Council Approving and Authorizing the City Manager to Execute an Animal Shelter Services Agreement with the East Bay SPCA and to Appropriate Additional

2020-21 Funding of \$104,169 from General Fund Undesignated Fund Balance to the Animal Control Operating Account 010-22-001-5120

Adopted on the Consent Calendar.

Enactment No: Reso 2020-153

8.O. [20-589](#)

Staff Report for a City of San Leandro City Council Resolution to Approve the City of San Leandro Human Services Commission's Recommendations for the Community Assistance Program (CAP) Grants for 2020-21 and to Approve Additional Appropriations of \$28,355 from the General Fund Unrestricted Reserves to Operating Account 010-61-014-8513 in Fiscal Year 2020-21 to restore the CAP to Full Funding of \$150,000.

Received and Filed on the Consent Calendar.

[20-590](#)

RESOLUTION of the City of San Leandro City Council to Approve the City of San Leandro Human Services Commission's Recommendations for the Community Assistance Program (CAP) Grants for Fiscal Year 2020-21 and to Approve Additional Appropriations of \$28,355 from the General Fund Unassigned Fund Balance to Operating Account 010-61-014-8513 to restore the CAP to Full Funding of \$150,000.

Adopted on the Consent Calendar.

Enactment No: Reso 2020-154

8.P. [20-531](#)

Staff report for a City of San Leandro City Council Resolution Approving and Authorizing the City Manager to Execute a \$227,500 Consulting Services Agreement with SEED Collaborative, Inc., in Partnership with the Perception Institute, to Assist with the Creation of a City of San Leandro Equity and Race Advisory Committee, Development of an Equity Plan; and Approve Appropriation of \$175,500 from the General Fund Undesignated Fund Balance to Operating Account 010-12-020-5120 in Fiscal Year 2020-21

Public Comment was received from Stephen Michael Tow.

Received and Filed on the Consent Calendar.

[20-571](#)

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with SEED Collaborative, Inc., in Partnership with the Perception Institute, to Assist with the Creation of a City of San Leandro Equity and Race Advisory Committee, and Development of an Equity Plan; and to Appropriate an Amount Not to Exceed \$227,500, Including Expenses

Adopted on the Consent Calendar.

Enactment No: Reso 2020-155

- 8.Q. [20-565](#) RESOLUTION of the City of San Leandro City Council Extending the Confirmation of a Proclamation of Local Emergency and State of Emergency by the City's Director of Emergency Services Pursuant to California Government Code Section 8630 and Public Contract Code Section 22050(c) because of the COVID-19 Pandemic

Adopted on the Consent Calendar.

Enactment No: Reso 2020-156

9. ITEMS REMOVED FROM CONSENT CALENDAR

The City Council Meeting recessed at 11:46 p.m. and reconvened at 11:55 p.m.

10. ACTION ITEMS

- 10.A. [20-547](#) Staff Report for a City of San Leandro City Council Resolution Approving an Employment Agreement for an Interim City Manager

Public Comment was received from Stephen Michael Tow.

Received and Filed.

- [20-546](#) RESOLUTION of the City of San Leandro City Council Approving an Employment Agreement for an Interim City Manager

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, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2020-157

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

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

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

Public Comment was received from Celina Reynes.

-A motion was made by Councilmember Lopez, seconded by Mayor Cutter, to schedule on the next available Rules Committee agenda a discussion related to the review of land use regulations on mobile home parks to ensure people are protected in their homes.

Roll call was taken as follows:

Aye: Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Mayor Cutter

Nay: None

Absent: None

Abstain: None

-A motion was made by Councilmember Aguilar, seconded by Mayor Cutter, to schedule on the next available Rules Committee agenda a discussion related to renaming a baseball field after and/or installing a plaque in honor of Lou Profumo.

Roll call was taken as follows:

Aye: Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Mayor Cutter

Nay: None

Absent: None

Abstain: None

-A motion was made by Vice Mayor Ballew, seconded by Councilmember Aguilar, to schedule on the next available Rules Committee agenda a discussion related to a tax on ride share and bike/scooter share companies.

Roll call was taken as follows:

Aye: Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Mayor Cutter

Nay: None

Absent: None

Abstain: None

15. ADJOURN

*The meeting was adjourned at 12:39 a.m., Tuesday, December 8, 2020.
In memory of those who lost their lives in Pearl Harbor.*

RESPECTFULLY SUBMITTED:

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