



City of San Leandro

Civic Center
835 East 14th Street
San Leandro, California

Minutes City Council

Monday, July 17, 2023

6:30 PM

City Council Chambers
Access the meeting remotely by using this URL
<https://zoom.us/j/506831637>

1. CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

The meeting was called to order at 6:30 p.m.

John Frederick Cooke, III led the Pledge of Allegiance.

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

Absent 1 - Simon

2. ANNOUNCEMENTS

3. RECOGNITIONS

3.a. [23-306](#) Proclamation to Declare July 26, 2023, as Disability Independence Day

Matt Jones accepted the proclamation.

This matter was Presented

4. REPORT ON CLOSED SESSION ACTIONS TAKEN

No reportable actions taken.

5. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Manager Robustelli made an announcement regarding Lake Chabot Road access due to the road closure for emergency hill slide repairs.

CM Robustelli also made an announcement regarding events the Police Department is hosting, National Night out on August 1st and United for Safety on August 19th.

With consensus from the Council, Mayor Gonzalez moved the Consent Calendar to after item 5.

9. AMENDMENT OF CONSENT CALENDAR

Consent Calendar Item 10K was pulled by Councilmember Reynes and will be heard under item 11.

10. CONSENT CALENDAR

Comments were made by approximately 9 people.

Approval of the Consent Agenda

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

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

Absent: 1 - Simon

- 10.a. [23-345](#)** Adopt a Resolution to Accept the 2022-2023 Third Quarter City of San Leandro Investment Report
- A motion was made by Councilmember Aguilar, Jr., seconded by Councilmember Ballew, that this Staff Report be Approved. The motion CARRIED.**
- Enactment No: 2023-098
- 10.b. [23-226](#)** Adopt a Resolution to Award a \$4,217,305 Construction Contract to Suarez & Munoz Construction, Inc. for Memorial Park Improvements Project, Project No. 2020.3040; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$210,866) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 15% (or \$632,596) of the Original Contract Amount; and to Appropriate an Additional \$470,000 from General Funds to the Subject Project
- Received and Filed on the Consent Calendar.**
- Enactment No: 2023-099
- 10.c. [23-243](#)** Adopt a Resolution to Approve and Authorize the City Manager to Execute an Amendment No. 3 to an Existing Consulting Services Agreement with Noll & Tam Architects for Design Services for the Mulford-Marina Branch Library, Project 2018.2400; to Increase the Amount of Compensation from \$366,047 to \$848,884; and to Extend the Term of the Contract to December 31, 2026
- Received and Filed on the Consent Calendar.**
- Enactment No: 2023-100
- 10.d. [23-338](#)** Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 1 for \$279,820 to the Consulting Services Agreement with HF&H Consultants, LLC to Provide Technical

Assistance with the Procurement Process for Solid Waste Recyclables, and Organics Services Contracting (Phase 2), and Appropriation of \$279,820 from the General Fund Undesignated Balance to Account 010-17-001-5120

Received and Filed on the Consent Calendar.

Enactment No: 2023-101

- 10.e.** [23-349](#) Adopt a Resolution to Reallocate \$800,000 in the American Rescue Plan Act (ARPA) Budget to Citywide Beautification and Community Preservation, and to Authorize the City Manager to Approve Carryovers/Unspent ARPA Funds to Future Fiscal Years' Budgets

Received and Filed on the Consent Calendar.

Enactment No: 2023-102

- 10.f.** [23-335](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Non-Professional Services Agreement with T & S Intermodal Maintenance Inc. for Rehabilitation of the Belt Press Building at the Water Pollution Control Plant for \$242,693.14 and to Negotiate and Approve Cumulative Change Orders up to 15% or \$36,403.97 of the Original Contract Amount, for a Total Not-to-Exceed Amount of \$279,097.11, Budgeted in Account 593-52-113-5240

Received and Filed on the Consent Calendar.

Enactment No: 2023-103

- 10.g.** [23-356](#) Adopt a Resolution to Find that Emergency Conditions Exist that Do Not Permit a Delay Resulting from a Competitive Solicitation for Bids, and Authorize the City Manager to Award an Emergency Construction Contract to McGuire & Hester for the Demolition of the Former Blue Dolphin Restaurant Pier Structure, and to Appropriate \$245,355.54 from 210-57-203-5240 for this Emergency Project

Received and Filed on the Consent Calendar.

Enactment No: 2023-104

- 10.h.** [23-337](#) Adopt a Resolution to Approve Amendment No. 2 to the Master Services Agreement with Visionary Integration Professionals, LLC for Development and Improvements to the Accela Permitting System to increase the total amount by \$763,745

Received and Filed on the Consent Calendar.

Enactment No: 2023-105

- 10.i.** [23-332](#) Adopt a Resolution Appropriating Funding for Washington Manor Park Pool Renovation, Project No. 2023.3400 (provides funding for annual

maintenance and repairs to the Family Aquatic Center pool, deck, and play equipment)

Received and Filed on the Consent Calendar.

Enactment No: 2023-106

- 10.j.** [23-330](#) Adopt a Resolution to Find Emergency Conditions Exist that Do Not Permit a Delay Resulting from a Competitive Solicitation for Bids and to Authorize the City Manager to Negotiate and Award an Emergency Construction Contract, to a yet to be Determined Responsible Contractor, for the Lake Chabot Road Upslope Repair Project, Project 2023.4020, and to Appropriate \$450,000 from General Funds to the Subject Project
- Received and Filed on the Consent Calendar.**
- Enactment No: 2023-107
- 10.l.** [23-364](#) Minutes for the June 20, 2023 City Council Special Meeting
- Approved as Submitted on the Consent Calendar.**
- 10.m.** [23-363](#) Minutes for the July 10, 2023 City Council Special Meeting
- Approved as Submitted on the Consent Calendar.**
- 10.n.** [23-321](#) Minutes for the June 7, 2023 Facilities and Transportation Meeting
- Approved as Submitted on the Consent Calendar.**
- 10.o.** [23-342](#) Minutes for June 28, 2023 Finance Committee Meeting
- Approved as Submitted on the Consent Calendar.**
- 10.p.** [23-310](#) Minutes for March 22, 2023 Finance Committee Meeting
- Received and Filed on the Consent Calendar.**
- 10.q.** [23-311](#) Minutes for April 26, 2023 Finance Committee Meeting
- Received and Filed on the Consent Calendar.**
- 10.r.** [23-312](#) Minutes for May 24, 2023 Finance Committee Meeting
- Received and Filed on the Consent Calendar.**
- 10.s.** [23-350](#) Adopt a Resolution to Approve a Master License Agreement with Cingular Wireless PCS, LLC for Small Cell Pole Attachment Installations and Approving and Authorizing the City Manager to Enter Substantively Similar Agreements with Other Providers

Received and Filed on the Consent Calendar.

Enactment No: 2023-109

11. ITEMS REMOVED FROM CONSENT CALENDAR

10.k. [23-362](#) Adopt a Resolution to Approve the 2023 Councilmembers Handbook

A motion was made by Mayor González III, seconded by Councilmember Reynes, that this Staff Report be Approved. The motion CARRIED by the following vote:

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

Absent: 1 - Simon

Enactment No: 2023-108

6. PUBLIC COMMENTS

Comments were made by approximately 5 people.

12. PUBLIC HEARINGS

12.a. [23-347](#) Adopt Resolution Imposing 2023 Liens for Non-Payment of Delinquent Solid Waste Service Charges, Sidewalk Repair Charges, CalEPA CUPA Surcharge Fees, Building Code Violation and Code Compliance Citation Fees, and Water Pollution Control Plant Commercial and Industrial User and Connection Charges; and

Adopt Resolution Overruling Protests Related to Non-Payment of Delinquent Solid Waste Service Charges, Sidewalk Repair Charges, CalEPA CUPA Surcharge Fees, Building Code Violation and Code Compliance Citation Fees, and Water Pollution Control Plant Commercial and Industrial User and Connection Charges

A motion was made by Mayor González III, seconded by Councilmember Reynes, that this Staff Report be Approved. The motion CARRIED by the following vote:

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

Absent: 1 - Simon

Enactment No: 2023-110

2023-111

12.b. [23-346](#) Adopt Resolution Approving Amendments to City Master Fee Schedule for 2023-2024

A motion was made by Councilmember Aguilar, Jr., seconded by Councilmember Azevedo, that this Staff Report be Approved. The motion

CARRIED by the following vote:**Aye:** 6 - Aguilar Jr., Azevedo, Ballew, González III, Reynes, Bowen**Absent:** 1 - Simon

Enactment No: 2023-112

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.

The Mayor called for a 10 minute break at 8:45 pm.

8. PRESENTATIONS**8.a. [23-278](#)** Housing Protections Overview and Work Plan

Comments were made by approximately 15 people.

This matter was Presented

13. ACTION ITEMS**13.a. [23-333](#)** Second Reading to Adopt an Ordinance to Authorize an Amendment to the Contract Between the City of San Leandro and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to Provide Section 20516 (Employee Cost Sharing) for Unrepresented Executive Safety Employees

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

Aye: 6 - Aguilar Jr., Azevedo, Ballew, González III, Reynes, Bowen**Absent:** 1 - Simon**13.b. [23-327](#)** Adopt a Resolution to Approve Amendment No. 2 to the City Manager's Employment Agreement between the City of San Leandro and Frances Robustelli

Enactment No: 2023-113

14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

There were no requests made.

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 9:38 p.m.

This matter was Adjourn

RESPECTFULLY SUBMITTED:

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