



# 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, March 2, 2020

7:00 PM

City Council Chambers

---

#### 1. CALL TO ORDER

*The meeting was called to order at 7:03 p.m.*

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

*Vice Mayor Ballew led the Pledge of Allegiance to the Flag.*

#### 1.B. ROLL CALL

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

**Excused** 1 - Cutter

#### 1.C. ANNOUNCEMENTS

*Under Item 4. Presentations, Item 4.A., will be moved to the City Council Meeting of Monday, March 16, 2020. And, under Item 8. Consent Calendar, for Item 8.B., the Minutes of February 24, 2020, the wording for Item 1.A. will be revised.*

*Vice Mayor Ballew wished Mayor Cutter continued success in her recovery.*

#### 2. RECOGNITIONS

2.A. [20-079](#) Proclamation Declaring March 2020 as American Red Cross Month

**Presented.**

#### 3. PUBLIC COMMENTS

*There were approximately 7 public speakers.*

*Comments were made by the following individuals:*

*Ms. Carolyn Bryant commented on Davis West neighborhood.*  
*Mr. Mike Katz-Lacabe commented on the Seismic Retro Fit Ordinance.*  
*Mr. Kenneth W. Fox commented on the Franchise Tax Board.*  
*Ms. Kathleen Elliott commented on banning wood burning.*  
*Ms. Linda Parker commented on banning wood burning.*  
*Ms. Virginia Madsen commented on diversity in the City.*  
*Ms. Catharine J. Ralph commented on United League of Cities recognition of San Leandro.*

#### 4. PRESENTATIONS

- 4.A. [20-088](#) Presentation from East Bay Community Energy Regarding Carbon Free Energy Options  
**Moved to the City Council Meeting of March 16, 2020.**

#### 5. PUBLIC HEARINGS

- 5.A. [20-045](#) Staff Report for a City of San Leandro City Council Ordinance to Amend and Re-chapter the San Leandro Zoning Code to Accommodate Recent Changes to State law, to Make Corrections and Address Inconsistencies, and to Eliminate the Cap on Cannabis Product Manufacturing Permits That Was Associated With the Pilot Program.

**Received and Filed.**

- [20-047](#) RESOLUTION of the City of San Leandro City Council to Amend Title 5, Chapter 6 of the San Leandro Administrative Code, Amending the Cannabis Product Manufacturing Pilot Program

**A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 6 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez

**Excused:** 1 - Cutter

Enactment No: Reso 2020-021

- [20-046](#) ORDINANCE of the City of San Leandro City Council to Amend and Re-chapter the San Leandro Zoning Code to Accommodate Recent Changes in State law, to Make Corrections and Address Inconsistencies, and to Discontinue the Cap on Cannabis Product Manufacturing Permits

**A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Ordinance be Passed to Print. The motion carried by the following vote.**

**Aye:** 6 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez

**Excused:** 1 - Cutter

Enactment No: Ordinance 2020-002

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

**7. AMENDMENT OF CONSENT CALENDAR**

Items 8.C. and 8.D. were removed from the Consent Calendar to Item 9, Items Removed From Consent Calendar

**8. CONSENT CALENDAR**

**Approval of the Consent Calendar**

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

**Aye:** 6 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez

**Excused:** 1 - Cutter

**8.A. [20-078](#)** Minutes of the City Council Meeting of February 18, 2020

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

**8.B. [20-091](#)** Minutes of the City Council Meeting of February 24, 2020

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

Items 8.C. and 8.D. were removed from the Consent Calendar to Item 9, Items Removed From Consent Calendar

**9. ITEMS REMOVED FROM CONSENT CALENDAR**

**8.C. [19-682](#)** Staff Report for a City Council Resolution Approving a Consulting Services Agreement with Miller Planning Associates to Prepare Objective Residential and Mixed-Use Design and Development Standards and Authorizing the City Manager to Execute a Consulting Services Agreement with Miller Planning Associates with a Not to Exceed amount of \$310,000 (from the State Housing and Community Development Department's SB 2 Planning Grant Program)

**Received and Filed.**

**[19-681](#)** RESOLUTION of the City of San Leandro City Council Approving a Consulting Services Agreement with Miller Planning Associates to Prepare Objective Residential and Mixed-Use Design and Development Standards and Authorizing the City Manager to Execute a Consulting

Services Agreement with Miller Planning Associates with a Not to Exceed amount of \$310,000 Contingent on Receipt and Appropriation of Grant Monies from the State Housing and Community Development Department's SB 2 Planning Grant Program

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

**Aye:** 6 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez

**Excused:** 1 - Cutter

Enactment No: Reso 2020-022

**8.D.** [20-066](#)

Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Negotiate and Execute Amendment No. 1 to the 1995 Agreement for Maintenance of State Highways in the City of San Leandro and the Freeway Maintenance Agreement (04-Ala 880 PM 22.6/24), both of which are between the State of California (CALTRANS) and the City of San Leandro

**Received and Filed.**

[20-067](#)

RESOLUTION Authorizing the City Manager to Negotiate and Execute Amendment No. 1 to the 1995 Agreement for Maintenance of State Highways in the City of San Leandro and the Freeway Maintenance Agreement (04-Ala 880 PM 22.6/24) both of which are between the State of California (Caltrans) and the City of San Leandro (the purpose of the agreement is to provide for distribution of maintenance costs with Caltrans)

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

**Aye:** 6 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez

**Excused:** 1 - Cutter

Enactment No: Reso 2020-023

## 10. ACTION ITEMS

**10.A.** [20-052](#)

Staff Report for a City of San Leandro City Council Resolution Authorizing the City Manager to Execute a Fourteenth Letter Amendment of the Franchise Agreement to Modify the Annual Rate Adjustment Methodology for Solid Waste, Recyclables, and Green Waste Services between the City of San Leandro and Alameda County Industries, Inc.

**Received and Filed**

[20-050](#)

RESOLUTION of the City of San Leandro City Council Authorizing the

City Manager to Execute a Fourteenth Letter Amendment of the Franchise Agreement to Modify the Annual Rate Adjustment Methodology for Solid Waste, Recyclables, and Green Waste Services between the City of San Leandro and Alameda County Industries, Inc.

**A motion was made by Councilmember Lee, seconded by Councilmember Lopez, that this Resolution be Continued to the City Council meeting of April 20, 2020. The motion carried by the following vote.**

**Aye:** 6 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez

**Excused:** 1 - Cutter

## 11. REPORT ON CLOSED SESSION ACTIONS TAKEN

*None.*

## 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 Councilmember Lopez, to schedule on the next available Rules Committee agenda, a discussion on an annual report for a local inclusionary policy.*

*Roll call was taken as follows:*

*Aye: Aguilar, Cox, Ballew, Hernandez, Lee, Lopez*

*Nay: None*

*Absent: Mayor Cutter*

*Abstain: None*

*-A motion was made by Councilmember Aguilar, seconded by Councilmember Lopez, to schedule a discussion on a soft story ordinance.*

*Roll call was taken as follows:*

*Aye: Aguilar, Cox, Ballew, Hernandez, Lee, Lopez*

*Nay: None*

*Absent: Mayor Cutter*

*Abstain: None*

## 15. ADJOURN

*The meeting was adjourned at 9:47 p.m.  
In memory of James "J.R." Rogers.*

**RESPECTFULLY SUBMITTED:**

---

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