



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes City Council

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Monday, October 17, 2022

6:30 PM

City Council Chambers

Please use this URL <https://zoom.us/j/506831637>

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### 1. CALL TO ORDER PLEDGE OF ALLEGIANCE ROLL CALL

*The meeting was called to order at 6:35 p.m.*

*The Mayor led the Pledge of Allegiance.*

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

### 2. ANNOUNCEMENTS

*None.*

### 3. RECOGNITIONS

3.a. [22-604](#) Mayor's Award for Kindness: Phuong Hathaway, Erica Marr, Allison Pretto

**This matter was Presented**

3.b. [22-581](#) Recognition of the Employee of the Quarter, Sarah Gustafson, Accountant II, Finance

**This matter was Presented**

3.c. [22-594](#) Adopt a Resolution to Nominate and Appoint Members to the Youth Advisory Commission for Term Ending August 31, 2023

**A motion was made by Councilmember Azevedo, seconded by Councilmember Cox, that this Resolution - Council be Adopted. The motion CARRIED by the following vote:**

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

Enactment No: 2022-180

3.d. [22-598](#) Chief's Commendation to Community Member Stephon Jackson

**This matter was Presented**

### 4. REPORT ON CLOSED SESSION ACTIONS TAKEN

*No reportable actions taken. Direction was provided to staff.*

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

*The City Manager reported on the City's commitment to Vision Zero and the adoption of the 2022 San Leandro Local Roadway Safety Plan and reported on the extension of the purchase and sale agreement to acquire the Nimitz Motel.*

**6. PUBLIC COMMENTS**

*Comments were made by the following individuals: Fred S., Douglas Spalding, Leo West and Christopher Bammer*

**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**

- 8.a. [22-337](#) Alameda County Community Assessment & Transport Team (CATT) and Mental Health Response Unit Presentation

**This matter was Presented**

**9. AMENDMENT OF CONSENT CALENDAR**

*There was no amendment to the Consent Calendar.*

**10. CONSENT CALENDAR**

*Comments were made by the following individuals: Dom Siefkes, Douglas Spalding and Leo West.*

**Approval of the Consent Agenda**

*Comments were made by the following individuals: Dom, Douglas Spalding and Leo West*

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

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

- 10.a. [22-592](#) City Council Minutes from September 6, 2022

**This matter was Approved as Submitted**

- 10.b. [22-593](#) City Council Minutes from September 19, 2022

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

- 10.c. [22-586](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with Terraphase Engineering for \$37,290 to Conduct a Climate Vulnerability Assessment and Flooding Plan for the Tony Lema Landfill Site

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

Enactment No: 2022-181

- 10.d. [22-597](#) Adopt a Resolution to Approve and Authorize the City Manager to Accept Grant Funds in the Amount of \$95,105 from the California State Library's California Library Literacy Services (CLLS) Grant to Fund the Continuation of the Project Literacy Adult and Family Literacy Service

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

Enactment No: 2022-182

- 10.e. [22-384](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 3 to an Existing Consulting Services Agreement with Kleinfelder, Inc. to Extend the Contract Term and to Increase the Amount of Compensation by \$57,103 for a Total not to Exceed Amount of \$100,941 and to Authorize Additional Cumulative Agreement Amendments Up to 10% (\$10,094) for the Washington Manor Park Irrigation Well Replacement, Project No. 2022.3060

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

Enactment No: 2022-183

- 10.f. [22-566](#) Adopt a Resolution to Authorize the City Manager to Create Policy to Comply with State of California Surplus Land Act Law

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

Enactment No: 2022-184

- 10.g. [22-572](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No.2 to the Non-Professional Services Agreement with ANI Private Security and Patrol, Inc. for Additional Security Services at various City facilities to Increase the Amount of Compensation by \$33,000 for a Total Not to Exceed Amount of \$168,000

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

Enactment No: 2022-185

- 10.h. [22-595](#) Adopt a Resolution to Approve the 2022 San Leandro Local Roadway Safety Plan

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

Enactment No: 2022-186

- 10.i. [22-565](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 4 to the Purchase and Sale Agreement (PSA) for the Nimitz Motel Located at 555 Lewelling Boulevard, Assessor's Parcel Number: 412-1-4-1

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

Enactment No: 2022-187

- 10.j. [22-591](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with Baker Tilly for Staffing and Organizational Review of the Engineering and Transportation Department for \$39,900. The Cumulative Projects' Budget Total for Current and Planned Work by Baker Tilly/Management Partners is \$161,790

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

Enactment No: 2022-188

- 10.k. [22-390](#) Introduce for First Reading an Ordinance of the City of San Leandro City Council Amending Articles 1, 3 through 9 and 10A of Title 7 "Maps, Buildings And Subdivisions" Chapter 7-5 "Building Code" of the San Leandro Municipal Code in Order to Adopt by Reference the 2022 Edition of the California Building Standards Code and 2018 International Property Maintenance Code, With Local Amendments

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

- 10.l. [22-573](#) Introduce for First Reading an Ordinance Amending the Cannabis Dispensary Permit Ordinance, Chapter 4-33, Permitted Commercial Cannabis Activity Ordinance, Chapter 4-38, and Citations-Violations Ordinance, Chapter 1-12, to implement a nuisance abatement option for a single violation of the Cannabis Dispensary Permit and Permitted Commercial Cannabis Activity Ordinances.

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

## 11. ITEMS REMOVED FROM CONSENT CALENDAR

## 12. PUBLIC HEARINGS

*None.*

## 13. ACTION ITEMS

- 13.a. [22-280](#) Adopt a Resolution to Authorize the City Manager to Reallocate Funds for a Business Facilities Grant Program, and to Terminate the Declaration of the Director of Emergency Services that Suspended

Enforcement of Certain Provisions Related to Land Use Permits and Approvals and Zoning and Encroachment Requirements in the San Leandro Municipal Code related to the COVID-19 Relief Temporary Outdoor Facilities Program

*Comments were made by the following individuals: Emily Griego*

**A motion was made by Councilmember Lopez, 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: 2022-189

**13.b. [22-602](#)**

City of San Leandro Mayor and Councilmembers Compensation

**A motion was made by Councilmember Ballew, seconded by Mayor Cutter, and direction was provided to staff. The motion CARRIED by the following vote:**

**Aye:** 6 - Aguilar Jr., Azevedo, Ballew, Lopez, Simon, Cutter

**Nay:** 1 - Cox

**14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS**

*By consensus, the City Council agreed to add the following items to their Council Priority Discussion.*

*· at-large to district elections and a Community Safety Task Force in accordance with HR 3339.*

*A motion to expedite by the end of the year requiring the Mayor and Councilmembers to share all reimbursements on consent at regular meetings, made by CM Cox and seconded by Mayor Cutter did not pass with a 3-4 vote with Councilmembers Lopez, Simon, Aguilar and Azevedo voting no.*

**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 10:35 p.m.*

RESPECTFULLY SUBMITTED:

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