



City of San Leandro

City Hall
835 East 14th Street
San Leandro, California

Minutes City Council

Monday, December 16, 2024

7:00 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

Mayor Gonzalez called the meeting to order at 7:05 pm and he led the Pledge of Allegiance.

Present 6 - Aguilar Jr., Azevedo, Simon, González III, Bowen, Viveros-Walton

2. ANNOUNCEMENTS

City Manager Cameron pulled item 8.b. Appeal of the Planning Commission's Approval of a Conditional Use Permit to build an 80-foot high Wireless Telecommunications Facility at 440 Peralta Avenue from the meeting agenda. The item will be brought back to Council at a later date.

Mayor Gonzalez with consensus of the City Council re-ordered the meeting agenda, Item 10.a, 10.b. and 10.d. moved up to Section 4 (Recognitions) in the interest of time.

3. REPORT ON CLOSED SESSION ACTIONS TAKEN

No reportable actions taken, direction was provided to staff.

4. RECOGNITIONS

With the consensus of the City Council, Item 10a, 10b and 10d were moved to this point on the agenda.

10.a. [24-571](#) Motion to Appoint Richard Brennan to the Senior Commission

A motion was made by Councilmember Simon, seconded by Councilmember Ballew, that this Minute Order - Council be Adopted. The motion CARRIED by the following vote:

Aye: 7 - Aguilar Jr., Azevedo, Ballew, Simon, González III, Bowen, Viveros-Walton

Enactment No: Min Order 2024-032

10.b. [24-574](#) Adopt a Resolution to Declare the Results of the General Municipal Election Held on Tuesday, November 5, 2024

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

Aye: 7 - Aguilar Jr., Azevedo, Ballew, Simon, González III, Bowen, Viveros-Walton

Enactment No: Reso 2024-165

10.d. Oath of Office for Incoming Councilmembers

The oaths of office were administered.

5. CONSENT CALENDAR

Approval of the Consent Agenda

Comments were made by approximately 3 people.

A motion was made by Councilmember Aguilar, Jr., seconded by Councilmember Ballew, to Approve the Consent Calendar with the exception of item 5e. The motion carried by the following vote.

Aye: 7 - Aguilar Jr., Azevedo, Ballew, Simon, González III, Bowen, Viveros-Walton

- 5.a. [24-540](#) Second Reading to Adopt an Ordinance for a Zoning Map Amendment to Rezone 13489 E 14th Street from SA-2 (South Area 2) to SA-2 (PD) (South Area 2, with a Planned Development Overlay) (APN: 077D-1405-001-01; Applicant; Shoonya, LLC. Property Owner: Shoonya, LLC, PLN22-0006)

Comments were made by approximately 3 people.

Received and Filed on the Consent Calendar.

Enactment No: Ord 2024-016

- 5.b. [24-575](#) Second Reading to Adopt an Ordinance Amending San Leandro Municipal Code Title 7 (Maps, Buildings, and Subdivisions) by Adding Article 16 (Earthquake Hazard Reduction in Existing Soft-Story Residential Buildings) to Chapter 7-5 (Building Code)

Received and Filed on the Consent Calendar.

Enactment No: Ord 2024-017

- 5.c. [24-552](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with W-Trans for the Preparation of a Parking and Transportation Demand Management (TDM) Study in an Amount Not-to-Exceed \$187,415

Received and Filed on the Consent Calendar.

Enactment No: Reso 2024-166

- 5.d. [24-513](#) Adopt a Resolution to Authorize the City Manager to Negotiate and approve and Increase Individual Change Orders limits from 5% to 15% (from \$18,588 to \$55,765) and Cumulative Change Orders limits from 50% to 100% (from \$185,880 to \$371,764) of the Original Contract Amount for the Annual Sidewalk Repair Program 2023-2024, Project No. 2023.0060

Received and Filed on the Consent Calendar.

Enactment No: Reso 2024-167

- 5.f. [24-522](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Power Purchase Agreement with Ava Community Energy for Solar Power Generated on City Facilities

Received and Filed on the Consent Calendar.

Enactment No: Reso 2024-168

- 5.g. [24-553](#) Adopt a Resolution to Accept the Annual Report on Receipt and Use of Development Impact Fees and Approving Findings Regarding Unspent Impact Fees for the Year Ended June 30, 2024

Received and Filed on the Consent Calendar.

Enactment No: Reso 2024-169

- 5.h. [24-578](#) Minutes from the December 2, 2024 City Council Meeting

Approved as Submitted on the Consent Calendar.

- 5.e. [24-536](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with Haley & Aldrich, Inc. in the amount of \$161,810 for Design Services in support of the Lake Chabot Road Storm Erosion Repairs, Project No. 2023.4020; to Authorize the City Manager to Negotiate and Approve Individual Contract Amendments up to 10% (or \$16,181) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Contract Amendments up to a Cumulative Value of 20% (or \$32,362) of the Original Contract Amount

Comments were made by approximately 1 person.

Mayor Gonzalez recused himself from this item, Vice Mayor Simon moved to the Mayor's seat and voted from the Mayor's seat for this item.

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, Simon, Bowen, Viveros-Walton

Recused: 1 - González III

Enactment No: Reso 2024-170

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Manager Cameron reported that City Hall will be closed for our winter legislative break from December 24, 2024 through January 1, 2025, we will reopen January 2, 2025 for normal business hours.

7. PUBLIC COMMENTS

Comments were made by approximately 1 person.

8. PUBLIC HEARINGS

- 8.a. [24-498](#) Adopt a Resolution to Consider a Vesting Tentative Tract Map (VTTM 8643) for the Single-Family Element of the Shoreline Development Project, to Establish 148 Lots East of Monarch Bay Drive Between Marina Boulevard and Fairway Drive on Approximately 15.86-Acres of Land (Current Assessor's Parcel Numbers: APN 79A-590-7 and 79A-590-8; Monarch Bay for Sale Residential LLC (Applicant and Debtor-in-Possession); PLN23-0026)

*Comments were made by approximately 2 people.
Councilmember Ballew recused himself from this item.*

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

Aye: 6 - Aguilar Jr., Azevedo, Simon, González III, Bowen, Viveros-Walton

Recused: 1 - Ballew

Enactment No: Reso 2024-171

- 8.b. [24-555](#) Adopt a Resolution to Consider of an Appeal of the Planning Commission's Approval of a Conditional Use Permit to build an 80-foot high Wireless Telecommunications Facility at 440 Peralta Avenue (APN: 075-0225-001-04. Zoning District: DA-2. Applicant: Tower Engineering Professionals. Property Owner: Donald R. and Jo A. Lee Trust; PLN23-0031)

No action was taken on this item, the City Manager pulled the item from the agenda.

9. PRESENTATIONS

No items were scheduled.

10. ACTION ITEMS

Items 10.a, 10b. and 10.d were considered earlier in the agenda.

10.c. [24-579](#) Adopt a Resolution Honoring Council Member Peter Ballew

Comments were made by approximately 3 people.

A motion was made by Councilmember Bowen, seconded by Councilmember Viveros-Walton, that this Staff Report be Approved. The motion FAILED by the following vote Councilmembers Bowen, Viveros-Walton and Mayor Gonzalez voted YES, Councilmembers Aguilar, Azevedo and Simon voted NO, and Councilmember Ballew ABSTAINED.

Councilmember Ballew asked for a revote because he made a mistake with a second by Councilmember Bowen. The motion passed with a vote of 4:3 Councilmembers Aguilar, Azevedo and Simon voted NO,

Aye: 4 - Ballew, González III, Bowen, Viveros-Walton

Nay: 3 - Aguilar Jr., Azevedo, Simon

Enactment No: Reso 2024-172

11. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

There were no requests.

12. CITY COUNCIL REPORTS, CALENDAR AND ANNOUNCEMENTS

City Councilmembers reported on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting. 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.

13. ADJOURN

The meeting was adjourned at 8:33 PM, in honor of Pete Ballew.

RESPECTFULLY SUBMITTED:

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