



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes City Council

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Monday, December 19, 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 6:34 p.m.*

*Mayor Cutter led the Pledge of Allegiance.*

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

### 2. ANNOUNCEMENTS

*Mayor Cutter announced her trip to see the Dalai Lama and shared photos.*

### 3. RECOGNITIONS

**3.a. [22-732](#)** Mayor's Award for Kindness for Karen Nickleson

*Award was received.*

**3.b. [22-731](#)** Mayor's Award for Kindness for Zuri Maldonado

*Award was received.*

**3.c. [22-733](#)** Mayor's Award for Kindness for Darlene Jeanne "Williams" Evans

*Award was received.*

**3.d. [22-716](#)** Proclamation to Honor Kim Pace and her Service to the Youth and the Community

*Proclamation was received.*

**3.e. [22-715](#)** Proclamation Honoring Elsa Ortiz for her 16 Years of Service on the AC Transit Board of Directors

*Proclamation was received.*

### 4. REPORT ON CLOSED SESSION ACTIONS TAKEN

*No reportable actions taken.*

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

*No reports.*

**6. PUBLIC COMMENTS**

*Comments were made by the following individuals: Stephen Cassidy, Emily Griego and Leo West*

**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**

*There were no presentations.*

**9. AMENDMENT OF CONSENT CALENDAR**

*Items 10.d., 10.f., and 10.i. were removed from the Consent Calendar to Item 11, Items Removed from Consent Calendar.*

**10. CONSENT CALENDAR****Approval of the Consent Agenda**

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

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

**10.a. [22-696](#)**

Adopt a Resolution to Approve the San Leandro Police Management Association (SLPMA) Memorandum of Understanding for the Period Covering January 1, 2023 through June 30, 2028

Enactment No: 2022-215

**10.b. [22-704](#)**

Adopt a Resolution to Approve the San Leandro Management Organization (SLMO) Memorandum of Understanding for the Period Covering January 1, 2023 through June 30, 2028

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

Enactment No: 2022-216

**10.c. [22-718](#)**

Adopt a Resolution to Approve and Authorize the City Manager to Execute a Side Letter Agreement to the Memorandum of Understanding Between the City of San Leandro and the San Leandro City Employees

Association (SLCEA) to Amend Certain Terms for Public Safety Dispatcher Classifications and to Amend the SLCEA Salary Schedule

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

Enactment No: 2022-217

**10.e. [22-647](#)**

Adopt a Resolution to Approve and Authorize the City Manager to Enter into a Consulting Services Agreement with TAIT & Associates, Inc. for the PWSC Replace Fuel Tanks Project, Project No. 2020.3600 for an Amount Not to Exceed \$118,512; and to Authorize the City Manager to Approve Cumulative Agreement Amendments Up to 15% (\$17,777) of the Original Contract Amount

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

Enactment No: 2022-218

**10.g. [22-622](#)**

Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 5 in the Amount for \$122,230.00 to an Existing Consulting Services Agreement with Nichols Consulting Engineers for Design Services on the Annual Street Overlay/Rehabilitation 2019-2021 Project, Project No. 2020.0050

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

Enactment No: 2022-219

**10.h. [22-707](#)**

Adopt a Resolution to Approve an Extension of the Existing Legal Services Agreement with Meyers Nave ("Meyers Nave") Through December 31, 2029, the Total Annual Cost of Which Shall Not Exceed \$1,014,300 in Fiscal Year 2023-2024

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

Enactment No: 2022-220

**10.i. [22-686](#)**

Minutes of October 4, 2022 Finance Committee Meeting

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

**10.j. [22-711](#)**

Adopt a Resolution to Authorize the City Manager to Execute an Annual Renewals for Fiscal Years 2022-2023, 2023-2024 and 2024-2025 with Dell Technologies for the Microsoft Enterprise Agreement for the Combined Amount of \$651,511 (Approves \$188,844 Plus up to a 10% Increase in Fiscal Year 2022-2023, One Annual Renewal in Fiscal Year 2023-2024 for \$188,844 Plus up to a 15% Increase and One Annual Renewal in FY 2024-2025 for \$188,844 Plus up to a 20% increase)

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

Enactment No: 2022-222

- 10.k. [22-687](#) Adopt a Resolution to Approve an Appropriation of \$134,049.82 from the Shoreline Enterprise Golf Course Fund (596) and Authorize the City Manager to Approve a \$250,399.82 Disbursement for American Golf Corporation's Fiscal Year 2022 Incentive Management Fee for the Management of Monarch Bay Golf Club
- Received and Filed on the Consent Calendar.**
- Enactment No: 2022-221
- 10.m. [22-555](#) Minutes of the Facilities and Transportation Committee Meeting of December 1, 2021
- Approved as Submitted on the Consent Calendar.**
- 10.n. [22-558](#) Minutes of the Facilities and Transportation Committee Meeting of February 2, 2022
- Approved as Submitted on the Consent Calendar.**
- 10.o. [22-559](#) Minutes of the Facilities and Transportation Committee Meeting of March 2, 2022
- Approved as Submitted on the Consent Calendar.**
- 10.p. [22-560](#) Minutes of the Facilities and Transportation Committee Meeting of April 13, 2022
- Approved as Submitted on the Consent Calendar.**
- 10.q. [22-561](#) Minutes of the Facilities and Transportation Committee Meeting of May 4, 2022
- Approved as Submitted on the Consent Calendar.**
- 10.r. [22-562](#) Minutes of the Facilities and Transportation Committee Meeting of June 1, 2022
- Approved as Submitted on the Consent Calendar.**
- 10.s. [22-563](#) Minutes of the Facilities and Transportation Committee Meeting of July 6, 2022
- Approved as Submitted on the Consent Calendar.**

## 11. ITEMS REMOVED FROM CONSENT CALENDAR

- 10.d. [22-676](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Non-Professional Services Agreement with Year Up, Inc. in an Amount Not to Exceed \$600,000 for Workforce Development Interns to Various City of San Leandro Departments in Calendar Year 2023

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

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

Enactment No: 2022-223

**10.f. [22-554](#)**

Adopt a Resolution to Accept Grant Terms from the State of California; Appropriate \$232,958 in State Grant Funds and \$58,239 in Matching Funds for Thrasher Skate Park Improvements; and Adopt an Additional Resolution to Transfer Those Funds from Thrasher Skate Park to the Memorial Park Improvement Project and Authorize an Appropriation of \$58,468 from the CIP Fund Balance Along with a Re-allocation of \$1,900,335 in Other Existing Appropriations to Fully Fund Memorial Park Improvement Project 2020.3040

**A motion was made by Councilmember Lopez, seconded by Councilmember Azevedo, that this Resolution be Approved. The motion CARRIED by the following vote:**

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

Enactment No: 2022-224, 2022-229

**10.i. [22-705](#)**

Adopt a Resolution to Approve and Authorize the City Manager to Execute the Third Amendment to the Purchase and Sale Agreement and Disposition and Development Agreement; and Approve and Authorize the City Manager to Execute a Promissory Note and Deed of Trust with Cal Coast Companies LLC, Inc. and Making Findings Related Thereto for the Shoreline Development Project

**A motion was made by Mayor Cutter, seconded by Councilmember Cox, that this Resolution be Approved. The motion CARRIED by the following vote:**

**Aye:** 6 - Aguilar, Azevedo, Cox, Lopez, Simon, Cutter

**Recused:** 1 - Ballew

Enactment No: 2022-225

**12. PUBLIC HEARINGS**

**13. ACTION ITEMS**

**13.a. [22-717](#)**

Second Reading of an Ordinance Amending the Zoning Map and Adopting Miscellaneous Related Amendments to the Zoning Code Related to the 2023-2031 Housing Element Update

**A motion was made by Councilmember Ballew, seconded by Councilmember Lopez, that this ordinance be Approved. The motion CARRIED by the following vote:**

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

**13.b. [22-727](#)**

Adopt a Resolution Honoring Council Member Deborah Cox

**A motion was made by Councilmember Ballew, seconded by Councilmember Lopez, that this Resolution be Approved. The motion CARRIED by the following vote:**

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

Enactment No: 2022-226

**13.c. [22-728](#)**

Adopt a Resolution Honoring Council Member Corina Lopez

**A motion was made by Mayor Cutter, seconded by Councilmember Cox, that this Resolution be Adopted as amended. The motion CARRIED by the following vote:**

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

Enactment No: 2022-227

**13.d. [22-725](#)**

Adopt a Resolution Honoring Mayor Pauline Russo Cutter

**A motion was made by Councilmember Ballew, seconded by Councilmember Cox, that this resolution be Approved. The motion CARRIED by the following vote:**

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

Enactment No: 2022-228

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

*There were no items.*

**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 in honor of the women serving on City Council at 9:04 p.m.*

RESPECTFULLY SUBMITTED:

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