



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes City Council

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Monday, December 5, 2022

6:30 PM

City Council Chambers

Access the meeting remotely by using 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 6:31 p.m.  
Vice Mayor Ballew led the Pledge of Allegiance.*

**Present** 6 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon

**Absent** 1 - Cutter

### 2. ANNOUNCEMENTS

### 3. RECOGNITIONS

*There were no items scheduled.*

### 4. REPORT ON CLOSED SESSION ACTIONS TAKEN

*No reportable actions taken.*

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

*City Manager Robustelli and City Attorney Pio Roda had no reports.*

### 6. PUBLIC COMMENTS

*Comments were made by the following individuals: Maya Ito, Rita Garza, Domenic Gonzalez, Douglas Spalding, Cindy, 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 items scheduled.*

## 9. AMENDMENT OF CONSENT CALENDAR

*There was no amendment to the Consent Calendar.*

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

## 10. CONSENT CALENDAR

### Approval of the Consent Agenda

**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, Azevedo, Ballew, Cox, Lopez, Simon

**Absent:** 1 - Cutter

- 10.a. [22-695](#)** Council Minutes from October 3 and 17, 2022 and November 7 and 21, 2022
- 10.b. [22-691](#)** Second Reading of an Ordinance Amending the Municipal Code Title 1, Chapter 1-3 Boards and Commissions, Article 13 Youth Advisory Commission (YAC), 1-3-1300 Memberships, to add Alternates  
**Received and Filed on the Consent Calendar.**
- 10.c. [22-701](#)** Second Reading of an Ordinance Amending Title 1, Chapters 1-5 and 1-6 of the San Leandro Municipal Code Relating to Contracts for Public Works Projects and Contracts for Purchases  
**Received and Filed on the Consent Calendar.**
- 10.d. [22-589](#)** Adopt a Resolution to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with the San Leandro Chamber of Commerce for \$62,500 to Support New and Ongoing Economic Development Services  
**Received and Filed on the Consent Calendar.**  
Enactment No: Reso 2022-203
- 10.e. [22-609](#)** Adopt a Resolution for the City Council to receive the Annual Rent Review Ordinance and Tenant Relocation Assistance Ordinance Program Evaluations for July 2018 - June 2022  
**Received and Filed on the Consent Calendar.**  
Enactment No: Reso 2022-204
- 10.f. [22-671](#)** Adopt a Resolution to Authorize the Grant Application, Acceptance, and Execution of the Grant Funds from the State of California Budget

Act of 2021 (SB 129), and to Authorize the City Manager to Accept and Execute All Documents Related to the Grant Funds Awarded in the Amount of \$16,425 by the California State Library's Building Forward Match Grant to Fund the South Branch Library Improvements Project

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

Enactment No: Reso 2022-205

**10.g. [22-670](#)**

Adopt a Resolution to Authorize the Grant Application, Acceptance, and Execution of Grant Funds from the State of California Budget Act of 2021 (SB 129), and to Authorize the City Manager to Accept and Execute All Documents Related to the Grant Funds Awarded in the Amount of \$128,280 by the California State Library's Building Forward Match Grant to Fund the Manor Branch Library Improvements Project

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

Enactment No: Reso 2022-206

**10.h. [22-669](#)**

Adopt a Resolution to Authorize the Grant Application, Acceptance, and Execution of the Grant Funds from the State of California Budget Act of 2021 (SB 129), and to Authorize the City Manager to Accept and Execute All Documents Related to the Grant Funds Awarded in the Amount of \$316,516 by the California State Library's Building Forward Match Grant to Fund the Main Branch Library Improvements Project

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

Enactment No: Reso 2022-207

**10.i. [22-667](#)**

Adopt a Resolution to Authorize the Grant Application, Acceptance, and Execution of the Grant Funds from the State of California Budget Act of 2021 (SB 129), and to Authorize the City Manager to Accept and Execute All Documents Related to the Grant Funds Awarded in the Amount of \$4,079,701 by the California State Library's Building Forward Match Grant to Fund the Mulford-Marina Branch Library Improvements

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

Enactment No: Reso 2022-208

**10.j. [22-662](#)**

Adopt a Resolution to Authorize the City Manager to Accept Grant Funds in the Amount of \$16,400 from First 5 Alameda County to Fund Early Childhood Learning Community Events and Multilingual Programming and Materials in Celebration of Dia de los Ninos

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

Enactment No: Reso 2022-209

- 10.k. [22-668](#) Adopt a Resolution to Approve the San Leandro Police Officers' Association (SLPOA) Memorandum of Understanding for the Period Covering January 1, 2023 through June 30, 2028
- Received and Filed on the Consent Calendar.**
- Enactment No: Reso 2022-210
- 10.l. [22-675](#) Adopt a Resolution Approving Amendments to the Non-Represented Part-Time Salary Schedule to Include a Wage Adjustment and to Add the Classification of Lifeguard, and Amending the San Leandro City Employees' Association Salary Schedule to Add the Classification of Museum Curator
- Received and Filed on the Consent Calendar.**
- Enactment No: Reso 2022-211
- 10.m. [22-649](#) Adopt a Resolution to Award a Construction Contract to Sposeto Engineering, Inc. in the Amount of \$646,640.00, for the Washington-Chapman Railroad Crossing Improvements, Project No. 2016.0320; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 15% of the Original Contract Amount; to Appropriate \$250,000 of Measure BB Funds to the Project; and to Re-Appropriate Grant Funds for the Project
- Received and Filed on the Consent Calendar.**
- Enactment No: Reso 2022-212

## 11. ITEMS REMOVED FROM CONSENT CALENDAR

## 12. PUBLIC HEARINGS

- 12.a. [22-677](#) Adopt an Ordinance 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
- The Hearing was opened to the public.*
- There being no public comments, and without objection, the Public Hearing was closed.*
- A motion was made by Councilmember Aguilar, seconded by Councilmember Cox, that this Staff Report be Approved. The motion CARRIED by the following vote:**
- Aye:** 6 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon

**Absent:** 1 - Cutter

**12.b.** [22-678](#)

Adopt a Resolution Certifying the Supplemental Environmental Impact Report for the 2023-2031 Housing Element and General Plan Update, and Related General Plan, Zoning Map, and Zoning Code Amendments, and Make All Required Mitigation and Alternatives Findings, and Adopt a Mitigation Monitoring and Reporting Program, all in Compliance with the Requirements of CEQA; and

Adopt a Resolution Adopting the 2023-2031 Housing Element, Amending the Land Use Element of the 2035 General Plan, and Adopting the Environmental Justice Element of the 2035 General Plan; and

Introduce an Ordinance Amending the Zoning Map and Adopting Miscellaneous Related Amendments to the Zoning Code

*The Hearing was opened to the public.*

*Comments were made by the following individual: John Meida.*

*There being no further public comments, and without objection, the Public Hearing was closed.*

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

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

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

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

**Absent:** 1 - Cutter

Enactment No: Reso 2022-213, Reso 2022-2014

### 13. ACTION ITEMS

**13.a.** [22-700](#)

Second Reading of an Ordinance to Merge the Arts Commission and Library Historical Commission, Create a Newly Formed Arts, Culture & Library Commission, and Transfer Jurisdiction for Any Action Pertaining to an Existing or Proposed City Landmark, Merit Resource, or Historic Resource to the Planning Commission/Board of Zoning Adjustments

*Comments were made by the following individuals: Douglas Spalding*

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

**Aye:** 5 - Aguilar, Ballew, Cox, Lopez, Simon

**Nay:** 1 - Azevedo

**Absent:** 1 - Cutter

**13.b. [22-697](#)**

Staff Report and Request for City Council Comments and Direction on Referral to Transfer City Clerk from City Manager Authority to City Council

*There was no public comment.*

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

**Aye:** 4 - Aguilar, Azevedo, Lopez, Simon

**Nay:** 2 - Ballew, Cox

**Absent:** 1 - Cutter

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

*Councilmember Lopez requested to add the following items to the Council Priority Discussion, the Rent Review Board.*

**15. CITY COUNCIL REPORTS**

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

**16. ADJOURN**

RESPECTFULLY SUBMITTED:

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