



# 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*

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Monday, October 21, 2019

7:00 PM

City Council Chambers

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#### 1. CALL TO ORDER

*The meeting was called to order at 7:11 p.m.*

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

*Mr. Michael Santos led the Pledge of Allegiance to the Flag.*

#### 1.B. ROLL CALL

*Vice Mayor Lopez was excused from the meeting at 8:36 pm.*

**Present** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

#### 1.C. ANNOUNCEMENTS

*Mayor Cutter announced Items 10.A and 5.A would be moved up to be heard after Item 3. Public Comments.*

#### 2. RECOGNITIONS

- 2.A. [19-557](#) Recognition of the Employee of the Quarter, Teresa Meyer,  
Administrative Specialist II, City Manager's Office

**Presented.**

#### 3. PUBLIC COMMENTS

*There were approximately 4 public speakers.*

*Comments were made by the following individuals:*

*Ms. Diana Souza commented on the San Leandro Boys and Girls Club.*

*Ms. Jennifer Rodrigues commented on public safety at MacArthur.  
Mr. Mike Katz-Lacabe commented on earthquake safety.  
Mr. Kenneth W. Fox commented on covenants.*

Item 10.A under 10. Action Items was moved up to be heard after Item 3. Public Comments

- 10.A.** [19-566](#) Staff Report for a City of San Leandro City Council Resolution to Rename Grover Cleveland Park on O'Donnell Avenue to Mayor Tony B. Santos Park, in Accordance with Title 1 Chapter 10 of the City of San Leandro Administrative Code

*Public Comment was received by Mr. Jim Prola.*

**Received and Filed.**

- [19-570](#) RESOLUTION of the City of San Leandro City Council to Rename Grover Cleveland Park to Mayor Tony B. Santos Park, in Accordance with Title 1 Chapter 10 of the City of San Leandro Administrative Code

**A motion was made by Councilmember Ballew, seconded by Vice Mayor Lopez, that this Resolution be Adopted as Amended, to include granting Tony Santos the title of "Mayor Emeritus". The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-170

Item 5.A under 5. Public Hearings was moved up to be heard after Item 3. Public Comments

- 5.A.** [19-538](#) Staff Report for a Proposed Zoning Amendment, Planned Development, Site Plan Review, and Tentative Map 8422; Rezone from CC Commercial Community and RS Residential Single-Family to CC(PD) and RS(PD) Planned Development Overlay District to construct a 20-unit, three-story townhome condominium development on a 0.97 acre site at 311 MacArthur Boulevard (PLN17-0034); Alameda County Assessor's Parcel Numbers 76-311-30-1, 76-311-1-3, 76-311-3, 76-311-4, 76-311-5; David Langon (applicant); 311 MacArthur Boulevard LLC (property owner).

*Mayor Cutter opened the public testimony portion of the public hearing. There was no public comment.*

*The public testimony portion of the the public hearing was closed.*

**Received and Filed.**

- [19-540](#) RESOLUTION of the City of San Leandro City Council Approving a Planned Development and Site Plan Review for 311 MacArthur Boulevard (PLN17-0034)

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-171

[19-543](#)

RESOLUTION of the City of San Leandro City Council, approving a Tentative Tract Map for Condominium Purposes for a 20-unit townhome development on a site comprised of five parcels on 0.97 acres located at 311 Macarthur Boulevard (PLN17-0034).

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-172

[19-539](#)

ORDINANCE of the City of San Leandro City Council to Approve a Zoning Amendment and Planned Development of 311 MacArthur Boulevard, the subject property, from CC Commercial Community and RS Residential Single-Family to CC(PD) Commercial Community and RS(PD) Residential Single-Family, Planned Development Overlay District. Alameda County Assessor's Parcel Numbers 76-311-30-1, 76-311-1-1, 76-311-3, 76-311-4, 76-311-5 (PLN17-0034)

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Ordinance 2019-016

#### 4. PRESENTATIONS

- 4.A. [19-544](#) Presentation on Bay Fair Transit Oriented Development Zoning Code Amendment Process

**Presented.**

#### 5. PUBLIC HEARINGS

- 5.B. [19-521](#) Staff Report for a City of San Leandro City Council Resolution and Ordinances Adopting State-Mandated California Building Standards Codes and Related Local Amendments

*Mayor Cutter opened the public testimony portion of the public hearing. There was no public comment.*

*The public testimony portion of the the public hearing was closed.*

**Received and Filed.**

[19-522](#)

RESOLUTION of the City of San Leandro City Council Finding and

Determining the Need for Amendments to Provisions in the State-Mandated California Building Standards Code to be Adopted by Reference in the San Leandro Municipal Code (makes the findings that modifications to the California Building Standards Code are reasonably necessary because of local climatic, geologic, or topographical conditions, in accordance with California Health and Safety Code Section 17958.7)

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

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

**Excused:** 1 - Lopez

Enactment No: Reso 2019-173

[19-576](#)

ORDINANCE of the City of San Leandro City Council to Repeal and Adopt the California Building Standards Code.

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

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

**Excused:** 1 - Lopez

Enactment No: Ordinance 2019-017

[19-553](#)

ORDINANCE of the City of San Leandro City Council to Adopt and Amend the California Fire Code

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

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

**Excused:** 1 - Lopez

Enactment No: Ordinance 2019-018

The City Council Meeting recessed at 9:24 p.m. and reconvened at 9:36 p.m.

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

**7. AMENDMENT OF CONSENT CALENDAR**

*None.*

**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, Cutter

**Excused:** 1 - Lopez

- 8.A.** [19-567](#) Minutes of the City Council Meeting of October 7, 2019  
**Approved as Submitted on the Consent Calendar.**
- 8.B.** [19-501](#) Minutes of the Facilities and Transportation Committee Meeting of September 4, 2019  
**Approved as Submitted on the Consent Calendar.**
- 8.C.** [19-528](#) Staff Report for a City of San Leandro City Council Resolution to Approve a First Amendment to the Consulting Services Agreement with Keyser Marston Associates, Inc. for Shoreline Development Agreement and Ground Lease Negotiation Services  
**Received and Filed on the Consent Calendar.**
- [19-529](#) RESOLUTION of the City of San Leandro City Council to Approve a First Amendment to the Consulting Services Agreement with Keyser Marston Associates, Inc. for Shoreline Development Agreement and Ground Lease Negotiation Services (to increase contract by \$45,000 for a total amount of \$90,000)  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2019-174
- 8.D.** [19-504](#) Staff Report for a City of San Leandro City Council Resolution to Approve a Revocable License Agreement with PCC Structural, Inc. to Allow the Private Installation and Operation of a Lighted Crosswalk Warning System on Hester Street  
**Received and Filed on the Consent Calendar.**
- [19-505](#) RESOLUTION of the City of San Leandro City Council to Approve a Revocable License Agreement with PCC Structural, Inc., to Allow the Private Installation and Operation of a Lighted Crosswalk Warning System on Hester Street  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2019-175

- 8.E. [19-441](#) Staff Report for a City of San Leandro City Council Resolution to Accept the Work of Demolition Services and Grading, Incorporated for the Farrelly Pool Replacement - Demolition Phase, Project 2018.3420

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

[19-442](#)

RESOLUTION of the City of San Leandro City Council to Accept the Work of Demolition Services and Grading, Incorporated for the Farrelly Pool Replacement - Demolition Phase, Project No. 2018.3420 (Provides for the demolition and removal of the existing pool facility in preparation for construction of a new pool facility)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-176

- 8.F. [19-512](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute a Non-Professional Services Agreement with Garland/DBS, Inc. for Roof Repair and Replacement at City Facilities in the Amount of \$786,560 and to Negotiate and Approve Cumulative Change Orders up to \$78,656 or 10% of the Original Contract Amount and Appropriate from the Water Pollution Control Plant Fund Balance \$67,197 to Supplement Funding Needed for the Roof Repair

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

[19-511](#)

RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute a Non-Professional Services Agreement with Garland/DBS, Inc. for Roof Repair and Replacement at City Facilities in the Amount of \$786,560 and to Negotiate and Approve Cumulative Change Orders up to \$78,656 or 10% of the Original Contract Amount and Appropriate from the Water Pollution Control Plant Fund Balance \$67,197 to Supplement Funding Needed for the Roof Repair

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-177

- 8.G. [19-532](#) Staff Report for a City of San Leandro City Council Resolution to Approve Annual Renewals for Fiscal Years 2019-2020 and 2020-2021 with Accela, Inc. for Citizen Access and Platform Automation Systems for the Permitting System for the Combined Amount of \$173,211.74.

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

[19-533](#)

RESOLUTION of the City of San Leandro City Council to Approve Annual Renewals for Fiscal Years 2019-2020 and 2020-2021 with Accela, Inc. for Citizen Access and Platform Automation Systems for Permitting Services for the Combined Amount of \$173,211.74 (Approves One Annual Renewal of \$86,605.87 in Fiscal Year 2019-2020 and One

Annual Renewal of \$86,605.87 plus up to a 10% increase or \$8,660 in Fiscal Year 2020-2021).

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-178

**8.H. [19-503](#)**

ORDINANCE of the City of San Leandro City Council to Amend Title 5, Chapter 5-2, Sections 5-2-100, 5-2-200, 5-2-215, 5-2-225, and 5-2-230 of the San Leandro Municipal Code Relating to Street Trees

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2019-015

**9. ITEMS REMOVED FROM CONSENT CALENDAR**

**10. ACTION ITEMS**

Item 10.A. was considered earlier in the agenda, after Item 3. Public Comments

**11. REPORT ON CLOSED SESSION ACTIONS TAKEN**

*City Attorney Richard Pio Roda reported there was no reportable action taken.*

**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 Ballew, seconded by Councilmember Hernandez, to schedule a presentation/discussion for an update on Public Records Act requests, volume, and cost to the city.*

*Roll call was taken as follows:*

*Aye: Aguilar, Ballew, Cox, Hernandez, Lee, Mayor Cutter*

*Nay: None*

*Absent: Lopez*

**15. ADJOURN**

*The meeting was adjourned at 9:58 p.m.*

**RESPECTFULLY SUBMITTED:**

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