



City of San Leandro

Civic Center
835 East 14th Street
San Leandro, California

Minutes

City Council

Monday, November 7, 2022

6:30 PM

City Council Chambers

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

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

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

2. ANNOUNCEMENTS

3. RECOGNITIONS

3.a. [22-631](#) Mayor's Award For Kindness: Manuel Jimenez

Presented.

3.b. [22-606](#) Proclaiming San Leandro an Age-Friendly City

Presented.

3.c. [22-187](#) Proclaiming November 13-19th as Transgender Awareness Week and November 20, 2022 as Transgender Day of Remembrance in San Leandro

Presented.

3.d. [22-189](#) Proclaiming November as Native American Heritage Month in San Leandro

Presented.

3.e. [22-188](#) Proclaiming November 7, 2022 as Law Enforcement Records and Support Personnel Day

Presented.

4. REPORT ON CLOSED SESSION ACTIONS TAKEN

5. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

6. PUBLIC COMMENTS

There were approximately 7 public speakers.

Comments were made by the following individuals:

Darlene Evans, Maxa Itzu, Rob Leash, Douglas Spalding, and Leo T. West.

7. 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.

8. PRESENTATIONS

None.

9. AMENDMENT OF CONSENT CALENDAR

Items 10.e. was 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 Jr., Azevedo, Ballew, Cox, Lopez, Simon, Cutter

10.a. [22-646](#) Motion to Approve the 2023 City Council Calendar

Adopted on the Consent Calendar.

Enactment No: Min Order 2022-017

10.b. [22-596](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 1 to the Non-Professional Services Agreement with Bay Area Tree Specialists for High Maintenance Tree Trimming in an Amount Not-to-Exceed \$126,169

Received and Filed on the Consent Calendar.

Enactment No: Reso 2022-190

10.c. [22-618](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with NBS Government Finance Group for the Preparation of a Cost Allocation Plan, Comprehensive User Fee Study, and Development Impact Fee Study in an Amount Not-to-Exceed \$149,800

Received and Filed on the Consent Calendar.

Enactment No: Reso 2022-191

- 10.d.** [22-625](#) Adopt a Resolution to Approve and Accept a Non-Professional Services Agreement with Devil Mountain Nursery in an Amount Not to Exceed \$335,660 to Purchase Trees for the CALFIRE Grant Funded Project for Tree Planting from June 2022 to June 2026
- Received and Filed on the Consent Calendar.**

Enactment No: Reso 2022-192

- 10.f.** [22-620](#) Adopt a Resolution to Approve and Authorize the City Manager to Execute a Non-Professional Services Agreement with Garland/DBS, Inc. for Roof Restoration Projects for Fiscal Year 2022-2023 for \$536,362 and to Negotiate and Approve Cumulative Change Orders up to 10% or \$53,636 of the Original Contract Amount, For a Total Not-to-Exceed Amount of \$589,998, Budgeted in Account 210-18-153-5240
- Received and Filed on the Consent Calendar.**

Enactment No: Reso 2022-193

- 10.g.** [22-637](#) Adopt a Resolution to Authorize appropriation of \$179,401.32 from Measure B and \$142,946.57 from Measure BB Undesignated Fund Balance to the Paratransit Operating Accounts for Fiscal Year 2022-2023 for Amendment #1 with MV Transportation
- Received and Filed on the Consent Calendar.**

Enactment No: Reso 2022-194

- 10.h.** [22-608](#) Adopt a Resolution to Approve and Authorize the City Manager to File the City of San Leandro Affordable Housing Trust Fund Report for FYs 2014-2022
- Received and Filed on the Consent Calendar.**

Enactment No: Reso 2022-195

- 10.i.** [22-610](#) Adopt a Motion to Accept the City of San Leandro Housing Element Annual Progress Report for the 2021 Calendar Year
- Received and Filed on the Consent Calendar.**

Enactment No: Motion Order 2022-018

- 10.j.** [22-621](#) Second Reading of an Ordinance to add San Leandro Municipal Code Article 1 "Electronic Signatures" and Chapter 1-9 "Signatures" to provide for the use and acceptance of Digital or Electronic signatures
- Received and Filed on the Consent Calendar.**
-Passed to Print

Enactment No: Ordinance 2022-016

- 10.k. [22-645](#) Second Reading of 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.
Adopted.**
- Enactment No: Ordinance 2022-015

11. ITEMS REMOVED FROM CONSENT CALENDAR

- 10.e. [22-626](#) Adopt a Resolution to Approve and Authorize the Execution of a License Agreement with East Bay Community Energy Authority, a Joint Power Authority, for Installing, Operating, and Maintaining Electric Vehicle Fast Charging Stations at the City of San Leandro's Main Library
- A motion was made by Councilmember Lopez, seconded by Councilmember Cox, that this Resolution be Adopted. The motion carried by the following vote:**
- Aye:** 7 - Aguilar Jr., Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Reso 2022-196

12. PUBLIC HEARINGS

- 12.a. [22-617](#) Approve Second Reading and 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; and
- Adopt a Resolution of the City of San Leandro City Council Finding and Determining the Need for Local Amendments to the California Building Standards Code to be Adopted By Reference in the San Leandro Municipal 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 Lopez, that this Ordinance be Adopted. The motion carried by the following vote:**
- Aye:** 7 - Aguilar Jr., Azevedo, Ballew, Cox, Lopez, Simon, Cutter
- Enactment No: Ordinance 2022-014
Reso 2022-230

13. ACTION ITEMS

- 13.a. [22-648](#) Introduction and First Reading of an Ordinance to Establish Compensation of Councilmembers; and Introduction and First Reading of an Ordinance to Establish Compensation of the Mayor

A motion was made by Vice Mayor Ballew, seconded by Councilmember Lopez, that these Ordinances be Passed to Print. The motion carried by the following vote:

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

Enactment No: Ordinance 2022-017
Ordinance 2022-018

14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

None.

15. CITY COUNCIL REPORTS

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

16. ADJOURN

The meeting was adjourned at 8:24 p.m. in memory of Walt Jacobs and Calvin Hanes.

RESPECTFULLY SUBMITTED:

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