



# 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, January 6, 2020

7:00 PM

City Council Chambers

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### Joint Meeting of the City Council and the Successor Agency to the San Leandro Redevelopment Agency

#### 1. CALL TO ORDER

*The meeting was called to order at 7:09 p.m.*

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

*Jen Covino led the Pledge of Allegiance to the Flag.*

#### 1.B. ROLL CALL

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

#### 1.C. ANNOUNCEMENTS

*Agenda Item 15 Adjourn was added to the end of the Agenda after Item 14, as this was a technical error and was dropped off the Agenda.*

#### 2. RECOGNITIONS

##### 2.A. [19-685](#)

RESOLUTION Appointing Brody Scotland as At-Large Representative to the Arts Commission for Term to Expire December 31, 2022

**A motion was made by Mayor Cutter, 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 2020-001

#### 3. PUBLIC COMMENTS

*There were approximately 2 public speakers.*

*Comments were made by the following individuals:*

*Ms. Charlotte Smith commented on the Shrimp Fest.*

*Mr. Kenneth W. Fox commented on truth and transparency.*

#### **4. PRESENTATIONS**

- 4.A.** [19-676](#) Presentation of \$23,000 check from the San Leandro City Council and City of San Leandro Arts Commission to the Alta Mira Club To Support the Repair and Restoration of Stained Glass Panels and Window at the historic Ygnacio Peralta House located at 561 Lafayette Avenue  
**Presented.**
- 4.B.** [19-674](#) Presentation and Staff Report for 2020 Federal Legislative Platform and Annual Update from Federal Government Liaison Jen Covino, President of Simon and Company  
**Presented.**

#### **5. PUBLIC HEARINGS**

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

#### **7. AMENDMENT OF CONSENT CALENDAR**

Items 8.G. and 8.H. were removed from the Consent Calendar to Item 9, Items Removed From Consent Calendar

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

- 8.A.** [19-665](#) Minutes of the City Council Meeting of December 16, 2019  
**Approved as Submitted on the Consent Calendar.**

- 8.B.** [19-669](#) MOTION Appointing City Councilmembers to Internal Committees, as Follows:

\*Disaster Council (Mayor and Vice Mayor are required members)

pursuant to San Leandro Municipal Code Section 3-4-110)

Mayor Cutter  
Vice Mayor Lopez  
Councilmember Ballew  
\*May be adjusted in the future

Facilities and Transportation Committee

Mayor Cutter  
Vice Mayor Lopez  
Councilmember Cox

Finance Committee

Mayor Cutter  
Councilmember Hernandez  
Councilmember Lee

Rules Committee

Mayor Cutter  
Councilmember Aguilar  
Councilmember Ballew

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2020-001

**8.C. [19-670](#)**

MOTION Appointing City Councilmembers to Serve on the Following Intergovernmental Agencies Until Replaced, as Follows:

Alameda County Fire Department, Alameda County Fire Advisory Commission (appointment of 2 representatives)  
Representative: Vice Mayor Lopez  
Representative: Councilmember Hernandez

Alameda County Housing Authority, Board of Directors (nomination of 1 representative)  
Representative: Councilmember Ballew

Alameda County Mosquito Abatement District, Board of Trustees (appointment of 1 Trustee)  
Trustee: Councilmember Aguilar

Alameda County Transit Bus Rapid Transit (BRT) (appointment of 2 representatives)

Representative: Mayor Cutter  
Representative: Vice Mayor Lopez

Alameda County Transportation Commission, Board of Directors  
(appointment of 1 representative and 1 alternate)  
Representative: Mayor Cutter  
Alternate: Vice Mayor Lopez

Alameda County Waste Management Authority, Board of Directors  
(appointment of 1 representative and 1 alternate)  
Representative: Councilmember Cox  
Alternate: Councilmember Aguilar

Association of Bay Area Governments (ABAG), General Assembly  
(appointment of 1 representative and 1 alternate)  
Representative: Councilmember Aguilar  
Alternate: Councilmember Lee

East Bay Community Energy (EBCE) (appointment of 1 representative  
and 1 alternate)  
Representative: Councilmember Hernandez  
Alternate: Vice Mayor Lopez

East Bay Dischargers Authority (EBDA), Commission (appointment of 1  
representative and 1 alternate)  
Representative: Mayor Cutter  
Alternate: Councilmember Ballew

League of California Cities, East Bay Division, Board of Directors  
(appointment of 1 representative and 1 alternate)  
Representative: Councilmember Lee  
Alternate: Vice Mayor Lopez

Port of Oakland, Oakland Airport Community Noise Management Forum  
(appointment of 1 representative)  
Representative: Councilmember Lee

San Leandro Improvement Association, Board of Directors (appointment  
of 1 representative and 1 alternate)  
Representative: Councilmember Cox  
Alternate: Councilmember Ballew

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2020-002

- 8.D. [19-660](#) Staff Report for a Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period July 1, 2020 - June 30, 2021, Pursuant to Health and Safety Code Section 34177(I)
- Received and Filed on the Consent Calendar.**
- [19-661](#) RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) for the Period July 1, 2020 - June 30, 2021, Detailing the Obligations of the Former Redevelopment Agency Pursuant to Health and Safety Code Section 34177(I)
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2020-001 SA
- 8.E. [19-663](#) Staff Report for a City of San Leandro City Council Resolution to Nominate The San Leandro Industrial Hub Area to the Association of Bay Area Governments & Metropolitan Transportation Commission for Adoption as a Priority Production Area
- Received and Filed on the Consent Calendar.**
- [19-662](#) RESOLUTION of the City of San Leandro City Council to Nominate The San Leandro Industrial Hub Area to the Association of Bay Area Governments & Metropolitan Transportation for Adoption As a Priority Production Area
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2020-002
- 8.F. [19-583](#) Staff Report for a City of San Leandro City Council Resolution to Increase the Contract Change Order Cap Authorization from 15% to 27% (from \$263,100 to \$464,572; an Increase of \$201,472) for the Original Construction Contract Amount of \$1,754,160 with Granite Construction, Inc. for the Annual Overlay/Rehabilitation 2016-17 Phase 2, Project No. 2017.0050
- Received and Filed on the Consent Calendar.**
- [19-584](#) Resolution of the City of San Leandro City Council to Increase the Contract Change Order Cap Authorization from 15% to 27% (from \$263,100 to \$464,572; an Increase of \$201,472) for the Original Construction Contract Amount of \$1,754,160 with Granite Construction, Inc. for the Annual Overlay/Rehabilitation 2016-17 Phase 2, Project No. 2017.0050 (provides for increasing the change order cap for increased scope of work due to unforeseen conditions)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2020-003

Items 8.G. and 8.H. were removed from the Consent Calendar to Item 9, Items Removed From Consent Calendar

- 8.I. [19-652](#) Staff Report for a Resolution Approving the San Leandro Police Officers' Association (SLPOA) Memorandum of Understanding 2020-2022

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

[19-653](#) RESOLUTION to Approve the Memorandum of Understanding Between the City of San Leandro and the San Leandro Police Officers' Association (SLPOA) for the period January 1, 2020 through December 31, 2022.

**Adopted on the Consent Calendar.**

Enactment No: Reso 2020-004

- 8.J. [19-672](#) Staff Report for a City of San Leandro City Council Resolution to Approve the Addition of Chapter 1.9.120 to Title 1 of the City of San Leandro Administrative Code Relating to Agency Distribution of Tickets and Passes.

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

[19-673](#) RESOLUTION of the City of San Leandro City Council to Add Chapter 1.9.120 to Title 1 of the San Leandro Administrative Code Relating to City Distribution of Tickets and Passes to Public Officials

**Adopted on the Consent Calendar.**

Enactment No: Reso 2020-005

- 8.K. [19-675](#) MOTION: To Adopt the 2020 Federal Legislative Platform

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2020-003

**9. ITEMS REMOVED FROM CONSENT CALENDAR**

- 8.G. [19-581](#) Staff Report for a City of San Leandro City Council Resolution to Award a Construction Contract to Ray's Electric for \$494,009 for the Pedestrian Crossings Improvements 2017-18, Project No. 2018.5610; 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 11% of the Original Contract Amount; and to Appropriate Additional Funding of

\$45,000 from Measure B Bicycle and Pedestrian Fund Balance for the Project.

*Public Comment was received by Ms. Sarah Bailey.*

**Received and Filed.**

[19-582](#)

RESOLUTION of the City of San Leandro City Council to Award a Construction Contract to Ray's Electric, for \$494,009 for the Pedestrian Crossings Improvements 2017-18, Project No. 2018.5610; 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 11% of the Original Contract Amount; and to Appropriate Additional Funding of \$45,000 from Measure B Bicycle and Pedestrian Fund Balance for the Project. (Provides for the installation of pedestrian crossing improvements at the intersections of: Bancroft Avenue and Haas Avenue; and Williams Street and Dolly Avenue; Speed Feedback signs at Benedict Drive; and storm drain repairs at five locations.)

**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 2020-006

8.H. [19-654](#)

Staff Report for the City Council to Adopt a Resolution Adding a New City Council Goal that Supports and Recognizes Employees and Volunteers

**Received and Filed.**

[19-655](#)

RESOLUTION of the City of San Leandro City Council Approving a New City Council Goal that Supports and Recognizes Employees and Volunteers

**A motion was made by Vice Mayor Lopez, seconded by Councilmember Ballew, that this Resolution be Adopted as Amended. And to include the following:**

**Promote and maintain an inclusive work environment that values employee and volunteer contributions, supports professional growth and development, and fosters a culture of kindness and collaboration in the delivery of services to our community.**

**The motion carried by the following vote.**

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

Enactment No: Reso 2020-007

## 10. ACTION ITEMS

10.A. [19-671](#)

City of San Leandro City Council Discussion of Campaign Finance and

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### Contribution Limits

*A motion was made by Councilmember Aguilar, the motion was lost due to lack of a second.*

*A motion was made by Councilmember Ballew, seconded by Councilmember Cox, that this item be closed with no further action. The motion carried by the following vote.*

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

*Nay: 1 - Aguilar*

*Abstain: None*

*Absent: None*

### Received and Filed.

## 10.B. [19-668](#)

MOTION: Motion Designating Vice Mayor to Serve for a Period of One Year Pursuant to City Charter Section 310

**A motion was made by Vice Mayor Lopez, seconded by Councilmember Lee, that this Minute Order be Adopted to appoint Councilmember Lee to Vice Mayor. The motion was lost by the following vote.**

**Aye: 3 - Aguilar, Lee, Lopez**

**Nay: 3 - Cox, Hernandez, Cutter**

**Abstain: 1 - Ballew**

**A motion was made by Councilmember Cox, seconded by Councilmember Hernandez, that this Minute Order be Adopted to appoint Councilmember Ballew to Vice Mayor. The motion carried by the following vote.**

**Aye: 4 - Cox, Hernandez, Lopez, Cutter**

**Nay: 1 - Lee**

**Abstain: 2 - Aguilar, Ballew**

Enactment No: Min Order 2020-004

## 11. REPORT ON CLOSED SESSION ACTIONS TAKEN

*City Attorney Richard Pio Roda reported there was no reportable action taken, direction was given to staff.*

## 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 Lee, seconded by Councilmember Lopez, to schedule on the next available Facilities and Transportation Committee agenda a*



*discussion on tracking change orders.*

*Roll call was taken as follows:*

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

*Nay: None*

*Absent: None*

*Abstain: None*

**15. ADJOURN**

*The meeting was adjourned at 9:44 p.m.*

*In memory of former Councilmember Howard W. Kerr.*

**RESPECTFULLY SUBMITTED:**

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