



# 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*

*Bryan Azevedo, District 2*

*Victor Aguilar, Jr., District 3*

*Fred Simon, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Tuesday, January 4, 2022

6:30 PM

Access the meeting remotely by using this URL

<https://zoom.us/j/506831637>

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

San Leandro City Council conducted this meeting in accordance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and AB 361, under which a resolution was approved by the City Council on October 4, 2021.

#### 1. CALL TO ORDER

*The meeting was called to order at 6:36 p.m.*

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

*Public Comment was received by Douglas Spalding.*

#### 1.B. ROLL CALL

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

#### 1.C. ANNOUNCEMENTS

#### 2. RECOGNITIONS

2.A. [21-748](#) Mayor's Award for Kindness for Hazel Rosales

**Presented.**

2.B. [21-657](#) Proclamation Honoring Alameda County Supervisor Wilma Chan

**Presented.**

- 2.C. [21-760](#) RESOLUTION Appointing Mary J. Gordon as an At-large Representative to the Human Services Commission for Term Ending December 31, 2022

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

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

Enactment No: Reso 2022-001

### 3. PUBLIC COMMENTS

*There were approximately 12 public speakers.*

*Comments were made by the following individuals:*

*Siu Mui Woo, Keith Nesbit, Don Siefkes, Douglas Spalding, Basil Wong, Jan Othen, Rosanna Davis, Rob Rich, Kit Woo, Juan Gonzalez, Witney, Leo T. West.*

### 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.*

### 4. PRESENTATIONS

*None.*

### 5. PUBLIC HEARINGS

- 5.A. [21-758](#) Public Hearing to Add Section 4.04.336, Multi-family and Mixed-Use Residential Development, to the San Leandro Zoning Code and Adopt Miscellaneous Zoning Code Amendments Related to Objective Development Standards for Multi-Family and Mixed-Use Residential Development Citywide

*Mayor Cutter opened the public testimony portion of the public hearing.*

*There were approximately 9 public speakers.*

*Comments were made by the following individuals:*

*Patty Breslin, John Minot, Douglas Spalding, Rob Rich, Ginny Madsen, Diann Castleberry, Nick Foster, Christine Rector, and Anita*

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

**Received and Filed**

- [21-759](#) ORDINANCE of the City of San Leandro City Council Adopting Zoning

Code Section 4.04.336, Multi-family and Mixed-Use Residential Development, and Miscellaneous Zoning Code Amendments Related to Objective Development Standards for Multi-Family and Mixed-Use Residential Development Citywide

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

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

Enactment No: Ordinance 2022-001

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

## 7. AMENDMENT OF CONSENT CALENDAR

Items 8.N. and 8.O. were removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar

## 8. CONSENT CALENDAR

### Approval of the Consent Agenda

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

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

- 8.A.** [21-762](#) Minutes of the Special City Council Meeting of December 13, 2021  
**Approved as Submitted on the Consent Calendar.**
- 8.B.** [21-763](#) Minutes of the Regular City Council Meeting of December 6, 2021  
**Approved as Submitted on the Consent Calendar.**
- 8.C.** [21-778](#) MOTION Nominating Moira Fry as District 1 Representative to the Human Services Commission  
**Adopted on the Consent Calendar.**  
Enactment No: Min Order 2022-001
- 8.D.** [21-780](#) 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 Aguilar  
Councilmember Ballew  
\*May be adjusted in the future

Facilities and Transportation Committee  
Mayor Cutter  
Councilmember Azevedo  
Councilmember Cox

Finance Committee  
Mayor Cutter  
Councilmember Ballew  
Councilmember Lopez

Rules Committee  
Mayor Cutter  
Councilmember Aguilar  
Councilmember Simon

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2022-002

- 8.E. [22-006](#) MOTION Approving the Cancellation of the January 10, 2021 City Council Work Session Meeting.

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2022-003

- 8.F. [21-571](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Enter into a Project Funding Agreement with the Alameda County Transportation Commission for Grant Funding for Class IV Protected Bike Lanes on Hesperian Boulevard and Fairmont Drive; and to Appropriate \$1,479,000 in Grant Funds.

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

[21-634](#) RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Enter into a Project Funding Agreement with the Alameda County Transportation Commission for Grant Funding for Class IV Protected Bike Lanes on Hesperian Boulevard and Fairmont Drive; and to Appropriate \$1,479,000 in Grant Funds (provides for an agreement with the Alameda County Transportation Commission to provide for \$1,479,000 of grant funds for the design and installation of Class IV Protected Bike Lanes)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-002

- 8.G. [21-699](#) Staff Report for a City of San Leandro City Council Resolution to Approve a Subrecipient Agreement for \$150,000 in Community Development Block Grant (CDBG) Fiscal Year 2021-2022 Funds Between the City of San Leandro and Rebuilding Together Oakland-East Bay for the Provision of Lead-Based Paint Assessments of Residential Rental Properties that Received City Emergency Rental Assistance Payments.

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

- [21-700](#) RESOLUTION of the City of San Leandro City Council to Approve a Subrecipient Agreement for \$150,000 in Community Development Block Grant (CDBG) Fiscal Year 2021-2022 Funds Between the City of San Leandro and Rebuilding Together Oakland-East Bay for the Provision of Lead-Based Paint Assessments of Residential Rental Properties that Received City Emergency Rental Assistance Payments and Appropriate Funds to the CDBG Fund 165

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-003

- 8.H. [21-718](#) Staff Report for City of San Leandro City Council Resolution Approving a Right of Entry Agreement Between the City of San Leandro and Sail Internet, Inc. for the Construction and Maintenance of a Wireless Communications Site at the Marina Community Center

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

- [21-719](#) RESOLUTION of the City of San Leandro City Council Approving a Right of Entry Agreement Between the City of San Leandro and Sail Internet, Inc. for the Construction and Maintenance of a Wireless Communications Site at the Marina Community Center

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-004

- 8.I. [21-753](#) Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 1 to a Consulting Services Agreement with SWCA Environmental Consultants for On-Call Planning Services by \$115,000 to an Amount Not to Exceed \$150,000 (to be Fully Cost Recoverable Through Applicable Developer Planning Fees)

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

- [21-754](#) RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute Amendment No. 1 to a Consulting Services Agreement with SWCA Environmental Consultants for On-Call Planning Services by \$115,000 to an Amount Not to Exceed \$150,000

(to be Fully Cost Recoverable Through Applicable Developer Planning Fees)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-005

- 8.J.** [21-722](#) Staff Report for a City of San Leandro City Council Resolution Accepting the Annual Report on Receipt and Use of Development Impact Fees for the Year Ended June 30, 2021

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

[21-725](#) RESOLUTION of the City of San Leandro City Council Accepting the Annual Report on Receipt and Use of Development Impact Fees for Year Ended June 30, 2021

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-006

- 8.K.** [21-769](#) Staff Report for a City of San Leandro City Council Resolution to Approve a Master Services Agreement with Visionary Integration Professionals, LLC for Development and Improvements to the Accela Permitting System (in an amount not to exceed \$600,000)

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

[21-770](#) RESOLUTION of the City of San Leandro City Council to Approve a Master Services Agreement with Visionary Integration Professionals, LLC for Development and Improvements to the Accela Permitting System (in an amount not to exceed \$600,000)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-007

- 8.L.** [21-746](#) Staff Report for a City of San Leandro City Council Resolution Approving a Consulting Services Agreement with Accounting Principals for \$100,000 for Financial Services at the Police Department

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

[21-747](#) RESOLUTION of the City of San Leandro City Council Authorizing the City Manager to Enter into a Consulting Services Agreement with Accounting Principals for Financial Services at the Police Department

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-008

- 8.M.** [21-773](#) Staff Report for a City of San Leandro City Council Resolution Approving the San Leandro Management Organization Memorandum of

Understanding for the Period January 1, 2022 through December 31, 2022

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

[21-774](#)

RESOLUTION of the City of San Leandro City Council Approving the Memorandum of Understanding Between the City of San Leandro and the San Leandro Management Organization (SLMO) for the period January 1, 2022 through December 31, 2022.

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-009

8.P. [21-764](#)

City of San Leandro City Council Resolution to Continue Conducting all San Leandro City Council and all Appointed Board and Commission Meetings Remotely Due to Health and Safety Concerns for the Public and Making Related Findings.

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

[21-765](#)

RESOLUTION of the City of San Leandro City Council finding that there is a proclaimed State of Emergency; finding that public health authorities recommend social distancing and mandate masking such that meeting in person would still present imminent risks to the health or safety of attendees as a result of the State of Emergency; and authorizing remote teleconferenced meetings of the legislative bodies of the City of San Leandro for the 30 day period beginning January 4, 2022 pursuant to AB 361

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-010

8.Q. [21-766](#)

RESOLUTION of the City of San Leandro City Council Extending the Confirmation of the Proclamation of the Local Emergency and State of Emergency by the City's Director of Emergency Services Pursuant to California Government Code Section 8630 and Public Contract Code Section 22050(c) because of the COVID-19 Pandemic

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-011

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

8.N. [21-775](#)

Staff Report for Informational List of Recurring Annual Proclamations

**A motion was made by Councilmember Lopez, seconded by Mayor Cutter, that this Staff Report be Approved with Amendments. The motion carried by the following vote.**

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

**8.O.** [21-776](#) Staff Report for Proposed Changes to Standardized Agenda Order for City Council Meetings

**Received and Filed.**

[21-781](#) Motion to Adopt Modified Standard Order of Agenda Topics for City Council Meetings

**A motion was made by Mayor Cutter, seconded by Councilmember Ballew, that this Minute Order be Adopted. The motion carried by the following vote.**

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

Enactment No: Min Order 2022-004

## 10. ACTION ITEMS

**10.A.** [21-744](#) Staff Report for a City of San Leandro City Council Resolution of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligations Payment Schedule (ROPS) and Administrative Budget for the Period July 1, 2022 - June 30, 2023, Pursuant to Health and Safety Code Section 34177(I).

**Received and Filed.**

[21-743](#) RESOLUTION of the Successor Agency to the Redevelopment Agency of the City of San Leandro Adopting a Recognized Obligation Payment Schedule (ROPS) and Administrative Budget for the Period July 1, 2022 - June 30, 2023, Pursuant to Health and Safety Code Section 34177(I)

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

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

Enactment No: Reso 2022-001 SA

**10.B.** [21-761](#) MOTION: Motion Designating Vice Mayor to Serve for a Period of One Year Pursuant to City Charter Section 310

**A motion was made by Councilmember Cox, seconded by Mayor Cutter, that this Minute Order be Adopted. The motion carried by the following vote.**

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

**Nay:** 3 - Aguilar, Azevedo, Simon

Enactment No: Min Order 2022-005

## 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.*

Item 13. was moved up in the Agenda, after Item 3. PUBLIC COMMENTS

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

*-A motion was made by Councilmember Simon, seconded by Mayor Cutter to schedule a discussion for the development and funding options for Tiny Homes in San Leandro.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Simon, seconded by Councilmember Ballew to schedule a discussion for creating a Youth Sailing Program at the San Leandro Marina.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Lopez, seconded by Mayor Cutter to schedule a discussion for prioritizing City owned properties for a Homeless Warming Shelter for next year on the priority list.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

**15. ADJOURN**

*The meeting was adjourned at 10:13 p.m.*

*In memory of Christian Rodriguez*

**RESPECTFULLY SUBMITTED:**

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